



STATUTORY INSTRUMENTS.

S.I. No. 248 of 2014



ROAD TRAFFIC (CONSTRUCTION, EQUIPMENT AND USE OF
VEHICLES) (AMENDMENT) REGULATIONS 2014

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VEHICLES) (AMENDMENT) REGULATIONS 2014

I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 5 and 11 of the Road Traffic Act 1961 (No. 24 of 1961) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) hereby make the following regulations:

Part 1

PRELIMINARY AND GENERAL

Citation and commencement.

1. (1) These Regulations may be cited as the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2014.

(2) These Regulations come into operation on 1 January 2016.

Interpretation.

2. In these Regulations, “Regulations of 1963” means the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 (S.I. No. 190 of 1963).

Part 2

AMENDMENT OF THE ROAD TRAFFIC (CONSTRUCTION, EQUIPMENT AND USE OF
VEHICLES) REGULATIONS 1963

Amendment of Article 3 of the Regulations of 1963.

3. (1) Article 3 of the Regulations of 1963 is amended in sub-article (1) by the deletion of the definitions of “land implement”, “land tractor” and “land trailer”.

(2) Article 3 of the Regulations of 1963 is amended in sub-article (1) by the substitution for the definitions of “agricultural trailer”, “tractor” and “trailer” of the following:

“ ‘agricultural trailer’:

(a) means a trailer intended mainly to be drawn by an agricultural tractor and intended mainly to carry loads or to process materials

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“Iris Oifigiúil” of 10th June, 2014.*

used in connection with agriculture, fisheries, forestry or horticulture and where the ratio of the design gross vehicle weight to the unladen weight of that vehicle is equal to or greater than 3.0; and

- (b) includes pieces of interchangeable towed equipment the ratio of the design gross vehicle weight to the unladen weight of which is equal to or greater than 3.0;

‘tractor’ means a mechanically propelled vehicle (other than a cycle) which is not constructed itself to carry any load except the following:

- (a) water, fuel, accumulators and other equipment used for the purposes of propulsion,
- (b) loose tools and loose equipment,
- (c) in the case of a vehicle fitted with a crane, dynamo, welding plant or other special appliance or apparatus which is a permanent fixture, such appliance or apparatus, and
- (d) in the case of an agricultural tractor, a detachable platform, container or implement (being a platform, container or implement used primarily for farm work) together with the load on or in such platform, container or implement;

‘trailer’ (other than in the context of Part III and the Second Schedule) means a vehicle attached to a mechanically propelled vehicle (or to another vehicle attached to a mechanically propelled vehicle) or a vehicle constructed or adapted for the purpose of being drawn by a mechanically propelled vehicle, but does not include a semi-trailer;”.

(3) Article 3 of the Regulations of 1963 is amended in sub-article (1) by the insertion of the following definitions:

“ ‘agricultural tractor’:

- (a) means a tractor the main function of which lies in its tractive power and which:
- (i) has at least two axles,
- (ii) has a maximum design speed of not less than 6 kilometres per hour,
- (iii) has been designed especially to pull, push, carry and actuate certain interchangeable equipment,
- (iv) has been designed for and is used in the performance of agricultural, fisheries, forestry or horticultural work, or to draw agricultural trailers or equipment, and
- (b) includes a tractor as is described in paragraph (a) that:

- (i) has been adapted to carry a load in the context of agricultural, fisheries, forestry or horticultural work, or
- (ii) is equipped with one or more passenger seats;

‘authorised distributor’ means a person who holds a franchise from a vehicle manufacturer to sell particular makes and models of vehicles manufactured by that manufacturer and who is authorised to represent the manufacturer and to act on its behalf in matters covered by these Regulations;

‘design gross vehicle weight’ means the gross weight of a vehicle laden with the heaviest load that it can reasonably carry having regard to the engine, brakes, tyres and general construction of such vehicle and shall, until the contrary is shown:

- (a) in the case of an agricultural tractor, agricultural trailer or piece of interchangeable towed equipment, be taken to be its design gross vehicle weight as specified:
 - (i) by its manufacturer, or
 - (ii) where the design gross vehicle weight as specified by the manufacturer is not ascertainable, by the authorised distributor; and
- (b) in every other case, be taken to be the vehicle’s design gross vehicle weight as specified:
 - (i) by its manufacturer, or
 - (ii) where the design gross vehicle weight as specified by the manufacturer is not ascertainable:
 - (A) by the authorised distributor, or
 - (B) by a suitably qualified individual.

‘first registered’ means the date on which particulars of a vehicle are first entered in the register established and maintained by the Revenue Commissioners under section 131 of the Finance Act 1992 or the date when first registered in accordance with the laws of another jurisdiction;

‘fully mounted agricultural equipment’ means interchangeable machinery that is fully raised from the ground or that cannot articulate around a vertical axis to the agricultural tractor or self-propelled agricultural machine to which it is attached;

‘interchangeable towed equipment’ means any vehicle that is used in agriculture, fisheries, forestry or horticulture and which is designed to be drawn by an agricultural tractor:

- (a) which vehicle may include any or none of the following features:

- (i) the ability to change or add to the functions of such agricultural tractor,
- (ii) the incorporation, permanently, of an implement,
- (iii) an ability, by design, to process materials,
- (iv) a load platform that is designed and constructed to:
 - (A) receive any tools and appliances that are needed for any of the foregoing purposes, or
 - (B) store temporarily any materials that are produced or needed during work; and
- (b) (except in the case of an agricultural trailer) the ratio of the design gross vehicle weight to the unladen weight of which vehicle is less than 3.0;

‘self-propelled agricultural machine’ means a machine capable of being driven under its own power which is designed specifically to perform agricultural, fisheries, forestry or horticultural work;

‘suitably qualified individual’ means a mechanical or automotive engineer, an automotive assessor or a person with similar qualifications who, by reason of his or her competence, experience and independence, is an appropriate person to assess the fitness and safety of a vehicle and who carries the appropriate indemnity relative to his or her position;”.

Amendment of Article 22 of the Regulations of 1963.

4. Article 22 of the Regulations of 1963 is amended by the substitution for sub-article (2) of the following:

“(2) Sub-article (1) of this Article shall not apply to:

- (a) a tractor,
- (b) a vehicle in the nature of a self-propelled implement constructed for use and used primarily elsewhere than on roads,
- (c) a works truck,
- (d) a works trailer,
- (e) interchangeable towed equipment,
- (f) a trailer while carrying fully mounted agricultural equipment,
- (g) a broken-down vehicle, or associated towing ambulance,
- (h) a trailer in a combination of vehicles proceeding at a speed not exceeding 20 kilometres per hour,

- (i) a pedestrian-controlled vehicle,
- (j) a mobile gun of the Defence Forces.”

Amendment of Article 38 of the Regulations of 1963.

5. (1) Article 38 of the Regulations of 1963 is amended in sub-article (1) by the insertion of the following definitions:

“ ‘breakaway brake’ means a device that is capable of automatically stopping the agricultural trailer or piece of interchangeable towed equipment to which it is fitted should the agricultural trailer or piece of interchangeable towed equipment become detached from the drawing vehicle while in motion;

‘centre-axle trailer’ means a trailer where the axle is, or where there is more than one axle, the axles are, positioned close to the centre of gravity of the trailer, when uniformly loaded, so that only a small static vertical load, not exceeding 10% of that corresponding to the design gross vehicle weight of the trailer or a load of 1000 kilogrammes, whichever is the lesser, is transmitted to the drawing vehicle;

‘continuous braking’ means the braking of combinations of vehicles through an installation having the following characteristics:

- (a) a single control which the driver actuates progressively, by a single movement, from the driving seat;
- (b) the energy used for braking the vehicles constituting the combination of vehicles is supplied from the same source (which may be the muscular energy of the driver); and
- (c) the braking installation ensures simultaneous or suitably phased braking of each of the constituent vehicles of the combination, whatever their relative positions;

‘drawbar trailer’ means a trailer having at least two axles which is equipped with a towing device that can move vertically in relation to the trailer and which transmits a static vertical load of less than 100 kilogrammes to the drawing vehicle;

‘hydraulic braking system’ means a braking system in which the transmission of the braking force is achieved by pressurised hydraulics;

‘load-sensing device’ means a device that enables compliance with the braking requirements by signalling the load on the axle by movement of the axle or other means;

‘overrun braking’ means braking by utilising the forces generated by the drawn vehicle’s moving up on the drawing vehicle;

‘pneumatic braking system’ means a braking system in which the transmission of the braking force is achieved by pressurised air;

‘rigid drawbar trailer’ means a trailer which:

- (a) has one axle or one group of axles;
- (b) is fitted with a drawbar which, due to its construction, transmits a static load not exceeding 4000 kilogrammes to the drawing vehicle;
- (c) is fitted with a coupling other than one consisting of a king pin and a fifth wheel; and
- (d) does not meet the definition of a centre-axle trailer;

‘semi-continuous braking’ means the braking of combinations of vehicles through an installation having the following characteristics:

- (a) a single control which the driver can actuate progressively, by a single movement, from his driving seat;
- (b) the energy used for braking the vehicles constituting the combination of vehicles is supplied from two different sources (one of which may be the muscular energy of the driver); and
- (c) the braking installation ensures simultaneous or suitably phased braking of each of the constituent vehicles of the combination, wherever their relative positions;”.

(2) Article 38 of the Regulations of 1963 is amended in sub-article (1) by the substitution for the definition of “trailer” of the following:

“ ‘trailer’:

- (a) means a trailer or a semi-trailer, including an agricultural trailer;
- (b) does not include:
 - (i) a broken-down vehicle being towed in consequence of the break-down, or
 - (ii) a track-laying vehicle;”.

(3) Article 38 of the Regulations of 1963 is amended in sub-article (1) by the deletion of the definition of “first registered”.

Amendment of Article 40 of the Regulations of 1963.

6. (1) Article 40 of the Regulations of 1963 is amended in sub-article (3) by the substitution for paragraph (a) of the following:

- “(a) This sub-article applies to every mechanically propelled vehicle that has three, and only three, wheels and which is under 1 tonne in weight unladen, other than:
- (i) an invalid carriage,

- (ii) a tractor,
- (iii) a vehicle in the nature of a self-propelled implement or self-propelled agricultural machine,
- (iv) a works truck, or
- (v) a vehicle drawing a trailer.”.

(2) Article 40 of the Regulations of 1963 is amended by the substitution for sub-article (5) of the following:

“(5) The requirement of sub-article (1) of this article as respects an emergency brake shall not apply to a mechanically propelled vehicle with a maximum design speed not exceeding 40 kilometres per hour on a dry level road under normal atmospheric conditions, being:

- (a) a vehicle in the nature of a self-propelled implement or self-propelled agricultural machine constructed primarily for use in agricultural or forestry applications or for work in places other than public roads and used on a public road only when proceeding to and from the site of such work or when engaged in civil engineering work on such road,
- (b) a large tractor registered before 1 July 1964,
- (c) an agricultural tractor,
- (d) a works truck, or
- (e) a road roller.”.

Amendment of Article 41 of the Regulations of 1963.

7. (1) Article 41 of the Regulations of 1963 is amended by the substitution for sub-article (2)(b) of the following:

- “(b) Where a person is charged with a contravention of paragraph (a) of this sub-article, it shall be a good defence to the charge to show that the trailer:
- (i) being a vehicle in the nature of movable civil engineering plant, was not at the time of such contravention being drawn at a speed exceeding 20 kilometres per hour, or
 - (ii) at the time of such contravention, did not, and was not intended to, form part of a combination of vehicles required under these Regulations to be equipped with a service brake of the continuous or semi-continuous type, and was equipped with an efficient braking device complying with the conditions specified in paragraph (c) of this sub-article.”

(2) Article 41 of the Regulations of 1963 is amended by the insertion after sub-article (4) of the following:

“(5) Every agricultural trailer manufactured on or after 1 January 2016, which is designed to be drawn at a speed exceeding 60 kilometres per hour and is required to be equipped with a service brake of the continuous or semi-continuous type, shall be fitted with an anti-lock braking system complying with the construction and performance requirements of Directive 71/320/EEC (as amended by Commission Directive 98/12/EC) or of UN/ECE Regulation 13.09, in which respect:

- (a) (i) a drawbar trailer shall comply with the requirements of a full trailer,
- (ii) a rigid drawbar trailer shall comply with the requirements of a semi-trailer, and
- (iii) a centre-axle trailer shall comply with the requirements of a centre-axle trailer,

each of the terms ‘full trailer’, ‘semi-trailer’ and ‘centre-axle trailer’ having the meaning assigned to it in Council Directive 71/320/EEC; and

- (b) if the design gross vehicle weight of the drawn vehicle exceeds 10 tonnes, an anti-lock braking system of category A as defined in Directive 71/320/EEC, must be fitted.

(6) Every agricultural trailer manufactured on or after 1 January 2016, which is designed to be drawn at a speed exceeding 40 kilometres per hour and is required to be equipped with a service brake of the continuous or semi-continuous type, shall be fitted with a pneumatic braking system complying with the construction and performance requirements of Directive 71/320/EEC (as amended by Commission Directive 98/12/EC) or of UN/ECE Regulation 13.09, whether or not a hydraulic braking system is also fitted.

(7) Every agricultural trailer or piece of interchangeable towed equipment:

- (a) that is manufactured on or after 1 January 2016, and
- (b) that is equipped with a service brake of the continuous or semi-continuous type,

shall be fitted with a breakaway brake.

(8) Every agricultural trailer or piece of interchangeable towed equipment:

- (a) that has been manufactured prior to 1 January 2016, and

- (b) that is designed to be drawn at a speed exceeding 40 kilometres per hour, and
- (c) that is equipped with a service brake of the continuous or semi-continuous type,

shall be fitted with a breakaway brake.

(9) Every agricultural trailer or piece of interchangeable towed equipment:

- (a) that has been manufactured prior to 1 January 2016, and
- (b) that is designed to be drawn at a speed not exceeding 40 kilometres per hour, and
- (c) that is equipped with a service brake of the continuous or semi-continuous type,

shall be fitted with either:

- (i) a breakaway brake, or
- (ii) a secondary coupling that satisfies the requirements of sub-article (3) of this article.

(10) Every agricultural trailer:

- (a) that is manufactured on or after 1 January 2016,
- (b) that is designed to be drawn at a speed exceeding 40 kilometres per hour, and
- (c) that is required to be equipped with a service brake of the continuous or semi-continuous type,

shall be fitted with a load-sensing device complying with the construction, marking, plating and performance requirements of Directive 71/320/EEC (as amended by Commission Directive 98/12/EC) or of UN/ECE Regulation 13.09). In this sub-article the reference to plating requirements is a reference to the plate that contains details of the adjustment specifications for the load-sensing valve, those adjustment specifications being the information to enable the setting of the device to be checked.”.

Amendment of Article 42 of the Regulations of 1963.

8. (1) Article 42 of the Regulations of 1963 is amended by the substitution for sub-paragraph (ii) of paragraph (b) of sub-article (2) of the following:

- “(ii) On and after 1 July 1969, this sub-article shall apply to every combination of vehicles (save in a case where the trailer, or one of the trailers, in the combination is a vehicle in the nature of

movable civil engineering plant and the combination is not travelling at a speed exceeding 20 kilometres per hour) where the trailer, or one of the trailers, in the combination exceeds:

- (A) in the case of a goods trailer, 1 tonne in weight unladen,
- (B) in any case, in weight laden $3\frac{1}{2}$ tonnes or half the weight laden of the drawing vehicle (whichever is the less)."

(2) Article 42 of the Regulations of 1963 is amended by the substitution for paragraph (c) of sub-article (2) of the following:

“(c) Where the drawing vehicle of a combination has a maximum design speed not exceeding 40 kilometres per hour on a dry level road under normal atmospheric conditions, paragraph (b) of this sub-article shall apply as if ‘5 tonnes’ were substituted for ‘ $3\frac{1}{2}$ tonnes’ in sub-paragraphs (i) and (ii) of that paragraph.”.

Amendment of Article 45 of the Regulations of 1963.

9. Article 45 of the Regulations of 1963 is amended by the substitution for sub-article (8) of the following:

“(8) Every braking device, including the anti-lock braking system (ABS) and overrun braking systems, where fitted, shall be maintained in good and efficient working order and shall be properly adjusted.”.

Amendment of Second Schedule to Regulations of 1963.

10. (1) The Regulations of 1963 are amended in the Second Schedule by the substitution for sub-paragraphs (a), (b) and (c) of paragraph 1 of the following:

- “(a) every mechanically propelled vehicle with a maximum design speed exceeding 40 kilometres per hour on a dry level road under normal atmospheric conditions, other than:
 - (i) a vehicle registered before 1 January 1931 and used only for the purpose of rallies,
 - (ii) a track-laying vehicle, and
 - (iii) a works truck;
- (b) every trailer (including an agricultural trailer but excluding track-laying trailers and any trailer in the nature of movable civil engineering plant which is stationary or is being drawn at a speed not exceeding 20 kilometres per hour) which is, or is intended to form part of, a combination of vehicles required under these Regulations to be equipped with a service brake of the continuous or semi-continuous type, within the meaning of Article 38;
- (c) interchangeable towed equipment;

- (d) every combination of a mechanically propelled vehicle referred to in sub-paragraph (a) of this paragraph and one or more trailers;
- (e) every agricultural tractor with a maximum design speed not exceeding 40 kilometres per hour on a dry level road under normal atmospheric conditions.”.

(2) The Regulations of 1963 are amended in the Second Schedule by the substitution for sub-paragraph (a) of paragraph 4 of the following:

“(a) The service brake of:

- (i) a mechanically propelled vehicle,
- (ii) a trailer (other than an agricultural trailer and interchangeable towed equipment),
- (iii) a combination of vehicles,

or, where the vehicle (other than a bicycle) is not required to be equipped with a service brake, the braking device or devices required under these Regulations to be capable of performing the function of a service brake, shall be capable of developing a maximum braking force equivalent to not less than:

- (A) in the case of a vehicle to which sub-article (3) of article 40 of these Regulations applies, 45 per cent of the weight of the vehicle,
- (B) in the case of a passenger vehicle (not being a vehicle to which sub-article (3) of article 40 of these Regulations applies) having passenger accommodation for not more than 14 persons, and in the case of a vehicle (not being a passenger vehicle or a vehicle to which sub-article (3) of article 40 of these Regulations applies) which does not exceed 2 tonnes in weight unladen, 55 per cent of the weight of the vehicle,
- (C) in the case of a trailer, 45 per cent of the weight transmitted to the ground by the axle or axles braked,
- (D) in any other case, 45 per cent of the weight of the mechanically propelled vehicle or combination of vehicles.”.

(3) The Regulations of 1963 are amended in the Second Schedule by the insertion after paragraph 9 of the following:

- “(10) (a) In the case of an agricultural tractor that has a maximum design speed not exceeding 40 kilometres per hour on a dry level road under normal atmospheric conditions, the service brake shall be capable of

developing a maximum braking force equivalent to not less than 25 per cent of the tractor's design gross vehicle weight, and the parking brake shall be capable of developing a maximum braking force equivalent to not less than 16 per cent of the tractor's design gross vehicle weight.

- (b) For the avoidance of doubt, the braking performance of an agricultural tractor that has a maximum design speed exceeding 40 kilometres per hour on a dry level road under normal atmospheric conditions shall comply with the requirements of this Schedule which are applicable to mechanically propelled vehicles with a maximum design speed exceeding 40 kilometres per hour.

(11) In the case of any agricultural trailer or piece of interchangeable towed equipment that is incapable by design of being drawn at a speed exceeding 40 kilometres per hour and which is equipped with a brake of the continuous or semi-continuous type, within the meaning of Article 38:

- (a) the service brake shall be capable of developing a maximum braking force equivalent to not less than 25 per cent of the weight transmitted to the ground by the axle or axles of the trailer or piece of interchangeable towed equipment, and
- (b) the parking brake shall be capable of developing a maximum braking force equivalent to not less than 16 per cent of the design gross vehicle weight of the trailer or piece of interchangeable towed equipment.

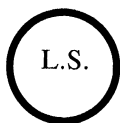
(12) In the case of any agricultural trailer or piece of interchangeable towed equipment that is capable by design of being drawn at a speed exceeding 40 kilometres per hour and which is equipped with a brake of the continuous or semi-continuous type, within the meaning of Article 38:

- (a) the service brake shall be capable of developing a maximum braking force equivalent to not less than 45 per cent of the weight transmitted to the ground by the axle or axles of the trailer or piece of interchangeable towed equipment, and
- (b) the parking brake shall be capable of developing a maximum braking force equivalent to not less than 16 per cent of the design gross vehicle weight of the trailer or piece of interchangeable towed equipment.

(13) In the case of any agricultural trailer or piece of interchangeable towed equipment that is equipped with an overrun braking system, within the meaning of Article 38:

- (a) the overrun brake shall be capable of developing a maximum braking force equivalent to not less than 49 per cent of the design gross vehicle weight of the trailer or piece of interchangeable towed equipment, and
- (b) the parking brake shall be capable of developing a maximum braking force equivalent to not less than 16 per cent of the design gross vehicle weight of the trailer or piece of interchangeable towed equipment.

(14) A breakaway brake (within the meaning of Article 38) that is fitted to an agricultural trailer or piece of interchangeable towed equipment shall be capable of developing a maximum braking force equivalent to not less than 13.5 per cent of the design gross vehicle weight of the agricultural trailer or piece of interchangeable towed equipment.”.



GIVEN under my Official Seal,
4 June 2014.

LEO VARADKAR,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These regulations amend the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 to update the braking-related requirements for agricultural and forestry vehicles (including agricultural tractors, self-propelled agricultural machinery, agricultural trailers and interchangeable towed equipment). The Regulations come into effect on 1 January 2016.

Agricultural tractors with a maximum design speed exceeding 40 kilometres per hour must be equipped with service, emergency and parking brakes with efficiencies of at least 45%, 22.5% and 16% respectively, whereas those with a maximum design speed not exceeding 40 kilometres per hour must be equipped with service and parking brakes with efficiencies of at least 25% and 16% respectively.

Agricultural trailers (including pieces of interchangeable towed equipment where the ratio of Design Gross Vehicle Weight (DGVW) to the unladen weight is equal to or greater than 3.0) capable by design of being drawn at a speed exceeding 40 kilometres per hour must be equipped with service, breakaway and parking brakes with efficiencies of at least 45%, 13.5% and 16% respectively. Vehicles in this category that are manufactured on or after 1 January 2016 must also be equipped with pneumatic braking systems (including load-sensing functionality) and those capable by design of being drawn at a speed exceeding 60 kilometres must be equipped with anti-lock braking systems (ABS).

Finally, agricultural trailers (again including pieces of interchangeable towed equipment where the ratio of Design Gross Vehicle Weight (DGVW) to the unladen weight is equal to or greater than 3.0) that are incapable by design of being drawn at a speed exceeding 40 kilometres per hour must be equipped with service and parking brakes with efficiencies of at least 25% and 16% respectively. Vehicles in this category that are manufactured on or after 1 January 2016 must also be fitted with a breakaway brake with an efficiency of at least 13.5%; however, those manufactured prior to 1 January 2016 may alternatively be fitted with a secondary coupling consisting of a chain or wire rope.

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