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Guidance

**Motor Vehicles (Authorised Weight)
and (Construction and Use)
(Amendment) Regulations (Northern
Ireland) 2017: clarification overview**

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Aim

The aim of the Motor Vehicles (Authorised Weight) and (Construction and Use) (Amendment) Regulations (Northern Ireland) 2017 is to encourage the use of environmentally-friendly fuels in buses and lorries and to improve safety and efficiency of passenger and goods vehicle haulage.

The Motor Vehicles (Authorised Weight) and (Construction and Use) (Amendment) Regulations (Northern Ireland) 2017 encourages use of environmentally-friendly fuels in:

- buses
- lorries

and improves the:

- safety
- efficiency

of passenger and goods vehicle haulage.

It also creates the requirement for a shipper statement of weight from senders or consignors.

Incentivising use of alternative (low carbon) fuels

The Regulations allow additional weight for certain heavy vehicles to encourage the use of alternative (low carbon) fuels used to propel the vehicle, whilst maintaining payload compared to a conventional vehicle. Categories included are buses and large HGVs.

Two axle buses

For two axle buses, a maximum of 19.5 tonnes will be permitted regardless of fuel system. Buses already in service, operating only on domestic journeys, will not be obliged to take up the additional allowance.

Heavy goods vehicles

For HGVs, an extra (maximum 1 tonne) allowance will be permitted where the weight of fuel tanks or batteries exceeds the weight of the corresponding components on a conventional vehicle. This will apply to two-axle rigid vehicles of 18 tonnes and three-axle rigid vehicles of 26 tonnes. It will not apply to gross vehicle weight (GVW) of 44 tonne trucks and the current maximum weight in the UK will remain at 44 tonnes.

New vehicles that qualify for extra weight will have this allocated at the time of type approval, prior to registration. It will not be possible to obtain the extra tonne when HGVs are fitted with alternative fuel systems after registration. For information on how type approval will be applied to HGVs with additional weight please contact the Vehicle Certification Agency at enquiries@vca.gov.uk.

Operators must contact the vehicle converter or vehicle manufacturer to obtain an alternative manufacturers' plate, if necessary.

Transport of 45 foot ISO containers

The Regulations regularise the transport of 45 foot ISO containers by allowing an extra 15cm for trailers transporting such containers, but this extra length only applies to trailers whilst transporting such containers and not on any other journey.

Eliminating the need for Vehicle Special Orders (VSO) for new hydrogen and liquefied natural gas (LNG) vehicles

New vehicles intended by the manufacturer to operate on hydrogen or liquefied natural gas will no longer require Vehicle Special Orders in order to operate legally provided manufacturers have obtained type approval for such systems prior to registration. This includes testing hydrogen-fuelled and natural gas-fuelled vehicles to the relevant EU or UN-ECE Regulations (as set out in the Road Vehicles (Approval) Regulations 2009 (SI 2009/717)). The requirements for retro-fit installations are not changing – a VSO will still be required for hydrogen and natural gas.

Please see here for info:

<http://www.unece.org/fileadmin/DAM/trans/doc/2012/wp29grpe/GFV-18-02e.pdf>

<http://www.dft.gov.uk/vca/vehicletype/type-approval-for-go.asp>

Shipper Statement of Weight

The Regulations create a requirement for shippers/senders to provide a statement of weight to hauliers to prevent them from carrying heavier loads than are legally permitted. The purpose is to provide reassurance to hauliers that the container/swap body does not exceed maximum legal weight capacity, and to clarify legal responsibilities in the event of roadside inspection.

The shipper (sender or consignor) must provide a Statement of Weight to the haulier prior to the vehicle leaving the depot. The aim is to ensure that the weight of the cargo and transport unit added to the weight of the truck and chassis will not exceed legal weight limits on roads. To clarify, this is not the same as the requirement to provide a Verified Gross Mass ('VGM') for export containers under SOLAS (Safety Of Life At Sea, International Maritime Organization) rules, *i.e.* there is no need to require independent verification of the process by a third party, nor to have the vehicle and load weighed at a certified weighbridge. However, the VGM for an import container under SOLAS rules will be accepted as a shipper statement of weight.

The shipper/sender is free to decide what format the Statement of Weight should take; *i.e.* there is no new standard form or additional process. Existing contractual or other business information will be deemed sufficient if it includes the weight of the loaded container

All arrangements must comply with domestic regulation on maximum loading weights

The following points should be noted on Statement of Weight:

- A Statement of Weight is required for the domestic leg of an international export journey, where the container is bound for an ocean-going journey aboard a container ship. (Shippers accredited to use Method 2 by the Marine and Coastguard Agency to produce a Verified Gross Mass (VGM) will be deemed compliant if they provide the VGM to the road haulier. See here for more info [[Verification of Gross Mass - SOLAS](#)])
- Shippers with weighing facilities on site will also be deemed compliant if the haulier is presented with the accurate VGM.
- A Statement of Weight will be required for any containers exported on Ro-Ro vessels for short international journeys. Containers imported via Ro-Ro

vessels should comply at the point of origin – these are EU imports so will have to comply with the EU Directive to produce a Statement of Weight. As these are not covered by the SOLAS regulations it will be important to ensure that a statement of weight *is* provided.

- A Statement of Weight will be required for domestic journeys of containers and swap body road vehicles.
- Empty containers do not need to be weighed. Please refer to MSC Circular 1475 paragraph 12.1. *Stakeholders are not required to weigh empty containers, but are encouraged to have robust processes in place to ensure that containers presented as empty are in fact empty.* Tank containers when dirty would need to be weighed and VGM provided.

The requirement to have a Shipper Statement of Weight will be enforced by DVA within the existing roadside check system. Hauliers will be expected to provide the statement of weight to the enforcement officer on request. Failure to do so may result in the vehicle being deemed non-compliant and subject to a prohibition until the statement is provided.