



STATUTORY INSTRUMENTS

S.I. No. 312 of 2008

ROAD TRAFFIC (DRIVING MIRRORS — ADDITIONAL
REQUIREMENTS FOR HEAVY GOODS VEHICLES) REGULATIONS
2008

(Prn. A8/1205)

ROAD TRAFFIC (DRIVING MIRRORS — ADDITIONAL
REQUIREMENTS FOR HEAVY GOODS VEHICLES) REGULATIONS
2008

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by section 11 of the Road Traffic Act 1961 (No. 24 of 1961), 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 Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)) and section 2 of the Road Traffic Act 2006 (No. 23 of 2006), and for the purpose of giving effect to Directive 2007/38/EC of the European Parliament and of the Council of 11 July 2007¹, hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic (Driving Mirrors — Additional Requirements for Heavy Goods Vehicles) Regulations 2008.

(2) These Regulations come into operation on 1 January 2009.

2. (1) Subject to paragraph (2) and Regulation 3, every vehicle of categories N₂ and N₃ shall be equipped, on the passenger side, with wide angle and close proximity mirrors which fulfil the requirements under Directive 2003/97/EC for Class IV and Class V mirrors respectively.

(2) Compliance with the requirements of paragraph (1) is deemed to be achieved where the vehicle is equipped, on the passenger side, with wide angle and close proximity mirrors whose combination of fields of vision covers not less than 95 per cent of the field of vision at ground level of a Class IV mirror and not less than 85 per cent of the field of vision at ground level of a Class V mirror as specified by Directive 2003/97/EC.

3. Vehicles which cannot comply with Regulation 2 may instead be equipped with—

(a) supplementary mirrors,

(b) other devices of indirect vision, or

(c) both supplementary mirrors and other devices of indirect vision,

provided that the fields of vision so afforded covers not less than 95 per cent of the field of vision at ground level of a Class IV mirror and not less than 85 per cent of the field of vision at ground level of a Class V mirror as specified by Directive 2003/97/EC.

¹OJ No. L184, 14.7.2007, p25

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 8th August, 2008.*

4. These Regulations do not apply to—

(a) vehicles of categories N₂ and N₃ which were first registered before 1 January 2000,

and

(b) vehicles of category N₂ having a design gross vehicle weight not exceeding 7,500 kilograms where it is impossible to mount a Class V mirror in a way that ensures the following conditions are fulfilled—

(i) no part of the mirror is less than 2 metres (a tolerance of + 10 centimetres may be applied) from the ground, regardless of the adjustment position, where the vehicle is under a load which corresponds to its design gross vehicle weight, and

(ii) the mirror is fully visible from the driving position.

5. The certificate of roadworthiness for a vehicle to which these Regulations apply is deemed proof that the vehicle satisfies the requirements of these Regulations.

6. In these Regulations—

“category N₂” means a vehicle used for the carriage of goods and having a design gross vehicle weight exceeding 3,500 kilograms but not exceeding 10,000 kilograms;

“category N₃” means a vehicle used for the carriage of goods and having a design gross vehicle weight exceeding 10,000 kilograms;

“certificate of roadworthiness” means a certificate issued for a vehicle in accordance with the European Communities (Vehicle Testing) Regulations 2004 (S.I. No. 771 of 2004);

“Class IV” describes a wide angle exterior mirror giving a field of vision as outlined in point 5.4 of Annex III to Directive 2003/97/EC;

“Class V” describes a close proximity mirror giving a field of vision as outlined in point 5.5 of Annex III to Directive 2003/97/EC;

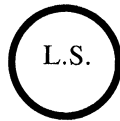
“design gross vehicle weight” means the gross weight of a vehicle laden with the heaviest load it can reasonably carry having regard to the engine capacity, brakes, tyres and the general construction of the vehicle and shall, until the contrary is shown, be taken to be the design gross weight of the vehicle as specified by the manufacturer or distributor, or where the design gross weight of the vehicle as specified by the manufacturer or distributor is not ascertainable, the design gross weight of the vehicle as specified by an automotive engineer;

“device of indirect vision” means a device, such as a mirror or other optical device for indirect vision, to observe the traffic area adjacent to a vehicle which cannot be observed by direct vision;

“Directive 2003/97/EC” means Directive 2003/97/EC of the European Parliament and of the Council of 10 November 2003² on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, which was given effect to by the European Communities (Mechanically Propelled Vehicle Entry into Service) (Amendment) (No. 2) Regulations 2004 (S.I. No. 867 of 2004), the European Communities (Motor Vehicle Type Approval) (Amendment) (No. 2) Regulations 2004 (S.I. No. 868 of 2004) and the European Communities (Mechanically Propelled Vehicle Entry into Service) Regulations 2007 (S.I. No. 448 of 2007);

“field of vision” means the section of the tri-dimensional space in which a critical object can be observed and rendered by the device for indirect vision. This is based on the view on ground level offered by a device and might be limited on the basis of the applicable maximum detection distance of the device;

“first registered” means the date on which a vehicle is 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.



GIVEN under my Official Seal,
1 August 2008

NOEL DEMPSEY
Minister for Transport.

²OJ No. L25, 29.1.2004, p1

EXPLANATORY NOTE

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

These Regulations provide for the fitment of additional mirrors to reduce the lateral blind spots on certain heavy goods vehicles registered since 1 January 2000.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834/37 or 1890 213434; Fax: 01 - 6476843 or 094 - 9378964)
or through any bookseller.

€2.54

