

SCHEDULE 9

(regulations 69, 70 and 71)

Motor cycle noise and motor cycle silencers**Part I**

1.—(1) For the purposes of these Regulations a vehicle meets the requirements of an item in the Table below if its sound level does not exceed by more than 1dB(A) the relevant limit specified in column 2 in that item when measured under the conditions specified in column 3 in that item by the method specified in column 4 in that item using the apparatus prescribed in regulation 66(7).

(2) In this Part of the Schedule, “moped” has the same meaning as in regulation 69.

TABLE

(1) <i>Item</i>	(2) Limits of sound level <i>Mopeds</i>	(3) <i>Vehicles other than mopeds</i>	(3) <i>Conditions of measurement</i>	(4) <i>Methods of measurement</i>
1.	73dB(A)	Limit determined in accordance with paragraph 2.1.1 of Annex I to Community Directive 78/1015 by reference to the cubic capacity of the vehicle	Conditions specified in paragraph 2.1.3 to Annex I to Community Directive 78/1015	Methods specified in paragraph 2.1.4 of Annex I to Community Directive 78/1015
2.	73dB(A)	First stage limit determined in accordance with paragraph 2.1.1 of Annex I to Community Directive 87/56 by reference to the cubic capacity of the vehicle	Conditions specified in paragraph 2.1.3 to Annex I to Community Directive 87/56	Methods specified in paragraph 2.1.4 of Annex I to Community Directive 87/56
3.	74dB(A)	The limit specified in item 2 plus 1dB(A)	As in item 2	As in item 2

Part II

1. The requirements of this paragraph are that the silencer is—

(a) so constructed that—

(i) it meets the requirements of paragraphs 3 and 4 of British Standard BS AU 193:1983;

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- (ii) were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet the requirements of paragraph 5.2 of that Standard; and
 - (b) is clearly and indelibly marked “BS AU 193/T2”.
- 2. The requirements of this paragraph are that the silencer is—
 - (a) so constructed that—
 - (i) it meets the requirements of paragraphs 3 and 4 of British Standard BS AU 193a: 1990;
 - (ii) were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet the requirements of paragraph 5.2 of that Standard; and
 - (b) is clearly and indelibly marked “BS AU 193a: 1990/T2”.
- 3. The requirements of this paragraph are that the silencer is—
 - (a) so constructed that—
 - (i) it meets the requirements of paragraphs 3 and 4 of British Standard BS AU 193a: 1990;
 - (ii) were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet the requirements of paragraph 5.3 of that Standard; and
 - (b) it is clearly and indelibly marked “BS AU 193a: 1990/T3”.
- 4. In this Schedule—
 - (a) “British Standard BS AU 193: 1983” means the British Standard Specification for replacement motor cycle and moped exhaust systems published by the British Standards Institution under reference number BS AU 193:1983;
 - (b) “British Standard BS AU 193a: 1990” means the British Standard Specification for replacement motor cycle and moped exhaust systems published by the British Standards Institution under reference number BS AU 193a: 1990.

Part III

- 1. Paragraph (4) of regulation 70 shall not apply to a replacement silencer if the second requirement referred to in that regulation would be met were there substituted in Part II of this Schedule—
 - (a) for the references to provisions in either of the British Standard Specifications, references to equivalent provisions in a corresponding standard; and
 - (b) for the references to a mark, references to a mark made pursuant to that corresponding standard indicating that the silencer complies with those equivalent provisions.
- 2. In this Part of this Schedule, “corresponding standard”, in relation to a British Standard Specification, means—
 - (a) a standard or code of practice of a national standards body or equivalent body of any member State;
 - (b) any international standard recognised for use as a standard by any member State; or
 - (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any member State,

where the standard, code of practice, international standard or technical specification provides, in relation to motor cycles, a level of noise limitation and safety equivalent to that provided by the British Standard Specification and contains a requirement as respects the marking of silencers equivalent to that provided by that instrument.

3. A reference in this Part of this Schedule to a British Standard Specification is a reference to British Standard BS AU 193: 1983 or British Standard BS/AU 193a: 1990; and “either of the British Standard Specifications” shall be construed accordingly.

4. In this Part of this Schedule, “British Standard BS AU 193: 1983” and “British Standard BS AU 193a: 1990” shall have the same meanings as in Part II of this Schedule.