



Road Traffic Act 1974

1974 CHAPTER 50

Amendments of Road Traffic Act 1972

10 Extension of type approval scheme to all vehicles and to vehicle parts

- (1) Sections 47 and 48 of the 1972 Act (scheme of type approval for goods vehicles) shall be amended as follows:—
- (a) subject to paragraphs (c) to (e) below and subsection (2) below, the word "goods" shall be omitted from the expression "goods vehicle" (or "goods vehicles"), in each place where it occurs;
 - (b) for the words "manufacturer's certificate", in each place where they occur, there shall be substituted the words "certificate of conformity" and accordingly in section 47(10)(a) for the words "manufacturer's certificates" there shall be substituted the words "certificates of conformity";
 - (c) in section 47(5), for the words "in such cases" there shall be substituted the words "in the case of goods vehicles of such classes";
 - (d) in subsections (6) and (7) of section 47 (which relate to plated weights) for the word "vehicle", in each place where it occurs, there shall be substituted the words "goods vehicle"; and
 - (e) in section 47(8), after the words "approval requirements and" and "design weights and" there shall in each case be inserted the words "in the case of a goods vehicle" and after the words "such a certificate" there shall be inserted the words "in respect of a goods vehicle".
- (2) Subsection (11) of section 47 of the 1972 Act (after issue of first Minister's approval certificate for an imported vehicle, subsequent certificates for similar vehicles may be issued without examination) shall be amended as follows—
- (a) for the words "an imported goods vehicle" there shall be substituted the words "a vehicle";
 - (b) after the words "application of" there shall be inserted the words "the manufacturer of the vehicle or, in the case of an imported vehicle";
 - (c) for the words "any other goods vehicle imported by the importer" there shall be substituted the words "any other vehicle manufactured by that manufacturer or, as the case may be, imported by that importer";

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(d) after the words " such a certificate" there shall be inserted the words " in respect of a goods vehicle ".

(3) After section 49 of the 1972 Act there shall be inserted the following section:—

“49A Application of type approval scheme to vehicle parts.

(1) Subject to subsection (2) below, sections 47 to 49 of this Act shall apply in relation to parts of vehicles as they apply in relation to vehicles ; and accordingly—

- (a) any reference in those sections to a vehicle, other than a reference to a goods vehicle, shall be construed as including a reference to a vehicle part, and
- (b) in the application of section 47(1) in relation to vehicle parts for the reference to a vehicle of a class being used on a road there shall be substituted a reference to a vehicle part of a class being fitted to a vehicle used on a road.

(2) Notwithstanding anything in subsection (1) above, in the application of sections 47 to 49 of this Act in relation to vehicle parts, there shall be excluded any provision which relates solely to goods vehicles or design weights and accordingly, but without prejudice to the generality of that exclusion,—

- (a) in section 47, subsections (2), (3)(a), (6), (7) and (10), and
- (b) in section 48, subsection (5),

shall not apply in relation to vehicle parts.”

(4) In section 50(1) of the 1972 Act (regulations for purposes of sections 47 to 49) for the word "49 "there shall be substituted the word " 49A " and for paragraph (e) there shall be substituted the following paragraphs—

- “(e) may require the payment of fees or other charges in connection with the provision by the Secretary of State of services or facilities or the issue by him of certificates and other documents ;
- (ee) may provide for the authorisation of persons to carry out examinations, in connection with the issue of type approval certificates, of vehicles or vehicle parts of such classes as may be specified in the regulations, for the imposition of conditions to be complied with by persons so authorised and for the withdrawal of authorisations.”

(5) In section 61 of the 1972 Act (testing condition of used vehicles at sale rooms, etc.) after subsection (1) there shall be inserted the following subsection:—

“(1A) An authorised examiner may at any reasonable hour enter premises where vehicles or vehicle parts of a class prescribed for the purposes of section 51 of this Act are sold, supplied, offered for sale or supply, exposed for sale or otherwise kept for sale or supply, in the course of a business and test and inspect any such vehicle or vehicle part for the purpose of ascertaining whether the vehicle or vehicle part complies with the type approval requirements applicable to a vehicle or vehicle part of that class, and for the purpose of testing a motor vehicle and any trailer drawn by it may drive it and for the purpose of testing a trailer may draw it with a motor vehicle”.

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- (6) In section 162(1)(iii) of the 1972 Act (production of certain certificates relating to a goods vehicle) after the words "plating certificate" there shall be inserted the word "or" and the words "or one or more certificates in force under section 47 of this Act" and "or 51(1)" shall be omitted.
- (7) In consequence of the amendments effected by the preceding provisions of this section, the amendments of Part III of the 1960 Act specified in Part I of Schedule 2 to this Act and the further amendments of the provisions of the 1972 Act specified in Part II of that Schedule shall have effect.