

1984 No. 697

ROAD TRAFFIC

The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 1984

<i>Made</i> - - - -	15th May 1984
<i>Laid before Parliament</i>	29th May 1984
<i>Coming into Operation</i>	20th June 1984

The Secretary of State for Transport, in exercise of the powers conferred by sections 47(1) and (2), 48(2), (5), (6) and (7), 49, 50(1) and 52(2) of the Road Traffic Act 1972(a) and now vested in him(b), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 20th June 1984, and may be cited as the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 1984.

2. The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982(c) are hereby amended in accordance with the following provisions of these Regulations.

3. In Regulation 3 (Application of Regulations)—

(a) in paragraph (1)(a)(ii) for the word “tractor” substitute the word “tractive”;

(b) for paragraph (2)(e) substitute the following paragraphs:—

“(e) a motor vehicle which is of a new or improved type, or is fitted with equipment of a new or improved type, and which has been constructed to that type or fitted with that equipment, for the purposes of tests or trials or for use as a prototype, and—

(i) is not intended for general use on roads, and

(ii) in the case of a vehicle first used on a road on or after

(a) 1972 c. 20, as amended and extended by section 10 of, and Schedule 2 to, the Road Traffic Act 1974 (c. 50) and section 74 of, and Schedule 5 to, the Transport Act 1982 (c. 49).

(b) S.I. 1979/571 and 1981/238.

(c) S.I. 1982/1271.

20th June 1984, remains in the ownership and the use of—

- (A) if the vehicle is of a new or improved type the manufacturer of the vehicle, or
 - (B) if the vehicle is fitted with equipment of a new or improved type the manufacturer of the equipment or the manufacturer of the vehicle on which that equipment is used;
- (ee) a motor vehicle the unladen weight of which does not exceed 1525 kilograms which is of a new or improved type provided that—
- (i) a final examination has been carried out in respect of a vehicle to which the vehicle is alleged to conform following a written application made either—
 - (A) in the manner approved in accordance with Regulation 7 for a type approval certificate for the type, or
 - (B) in the manner approved in accordance with Regulation 8 for a Minister's approval certificate in respect of a vehicle of the type,and as a result of the examination the Secretary of State is satisfied that the relevant type approval requirements specified in Schedule 1 are complied with;
 - (ii) the Secretary of State has been notified of the vehicle identification number in a manner approved by him;
 - (iii) the vehicle is being used for no purpose other than for, or in connection with, publicity, demonstration or evaluation of that type of vehicle; and
 - (iv) until, following the examination mentioned in sub-paragraph (i), there has been issued a type approval certificate or, as the case may be, a Minister's approval certificate, the vehicle—
 - (A) remains in the ownership of the person who made the application referred to in sub-paragraph (i); and
 - (B) is not offered for sale or supply, or sold or supplied, by retail;"; and

(c) in paragraph (2)(h) for the words "of a kind described in" substitute the words "the use of which on a road is authorised by".

4. In Regulation 4, in paragraph (1)(b)(ii), for the word "were" substitute the word "where".

5. For Regulation 11 substitute the following new Regulation:—

“Suspension, amendment or cancellation of certificates

11.— (1) Where a prescribed alteration is made to a vehicle the Secretary of State may, either:—

(a) by virtue of section 50(1)(b)—

(i) suspend the certificate in force in respect of the vehicle,
or

(ii) amend that certificate, or

(iii) cancel that certificate; or

(b) issue a notice that no suspension, amendment or cancellation is necessary.

(2) The fee prescribed for an examination carried out for any purpose mentioned in paragraph (1) shall be paid before the examination starts.”.

6. In Schedule 1—

(a) for item 2 substitute the new item 2 specified in the Schedule to these Regulations;

(b) in item 4C, in column (3)(c), after the words “and 5.3” insert the words “The sound levels when measured under the conditions set out in the above-mentioned paragraphs are not to exceed 82dB(A).”;

(c) in item 4D, in column (3)(c), after the words “and 5.3” insert the words “The sound levels when measured under the conditions set out in the above-mentioned paragraphs are not to exceed 89dB(A).”; and

(d) in items 6A, 6B and 6D, in relation to the item relating to ECE Regulation 13 as revised on 4 January 1979, in column (6), insert “30.9.1984”.

15th May 1984.

Nicholas Ridley,
Secretary of State for Transport.

SCHEDULE (see Regulation 6)
(NEW ITEM IN SCHEDULE 1 TO THE MOTOR VEHICLES (TYPE APPROVAL FOR GOODS VEHICLES) (GREAT BRITAIN) REGULATIONS 1982)

2	Exhaust emissions	Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Commission Directive 77/102/EEC of 30 November 1976 and Commission Directive 78/665/EEC of 14 July 1978 or	L76, 6.4.70, p1 (SE 1970 (I), p171), L159, 15.6.74, p61, L32, 3.2.77, p32 and L223, 14.8.78, p48.	Design, construction and equipment requirements in Annex I, paragraph 3.	1. Vehicles not propelled by spark ignition engines. 2. Vehicles with less than 4 wheels, if they are not constructed to exceed a speed of 30 mph on the level under their own power or if they have an unladen weight of less than 400 kg.	1.10.1982
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SCHEDULE (see Regulation 6) *cont.*

	<p>Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Commission Directive 77/102/EEC of 30 November 1976, Commission Directive 78/665/EEC of 14 July 1978 and Council Directive 83/351/EEC of 16 June 1983</p>	<p>L76, 6.4.70, p1 (SE 1970 (I), p171), L159, 15.6.74, p61, L32, 3.2.77, p32, L223, 14.8.78, p48 and L197, 20.7.83, p1.</p>	<p>Design, construction and equipment requirements in Annex I, paragraph 5.</p>	<p>20.6.1984</p>
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or

SCHEDULE (see Regulation 6) *cont.*

	ECE Regulation 15 as revised on 6 March 1978		Design, construction and equipment requirements in paragraph 5 but with the increased limit values for nitrogen oxides given in paragraph 11.7.		1.10.1982
or	ECE Regulation 15 as revised on 20 October 1981 and corrected on 9 June 1982.		Design, construction and equipment requirements in paragraph 5 but with the increased limit values for nitrogen oxides given in paragraph 12.4.		1.10.1982

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 as follows:—

- (a) the scope of the Regulations is refined (Regulation 3(a));
- (b) the exemptions from the Regulations are amended in relation to vehicles of a new or improved type, or fitted with equipment of a new or improved type (Regulation 3(b)) and in relation to vehicles being used on a road by virtue of Article 15, 17 or 18 of the Motor Vehicles (Authorisation of Special Types) General Order 1979 (S.I. 1979/1198) (Regulation 3(c));
- (c) a minor printing error is corrected (Regulation 4);
- (d) provisions are made for the cancellation of a certificate (as well as for the suspension of or amendment to one) (Regulation 5);
- (e) the type approval requirements are amended so as to add provisions about sound levels and exhaust emissions and to provide a cessation date for certain standards which are being superseded (Regulation 6 and the Schedule).

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