
 STATUTORY INSTRUMENTS

1987 No. 1508

ROAD TRAFFIC

 The Motor Vehicles (Type Approval for Goods Vehicles)
 (Great Britain) (Amendment) Regulations 1987

<i>Made</i> - - -	<i>24th August 1987</i>
<i>Laid before Parliament</i>	<i>4th September 1987</i>
<i>Coming into force</i>	
<i>For all except</i>	<i>1st October 1987</i>
<i>regulation 4</i>	
<i>For regulation 4</i>	<i>1st January 1988</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 47(1) and 50(1) 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 section 199(2) of that Act, hereby makes the following Regulations:

Citation, commencement and introduction

1.—(1) These Regulations may be cited as the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 1987.

(2) These Regulations, except for regulation 4, shall come into force on 1st October 1987.

(3) Regulation 4 shall come into force on 1st January 1988.

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

Amendment of regulation 2 (interpretation)

3. In paragraph (1) of regulation 2, the following new definitions shall be inserted in the appropriate places according to alphabetical order—

“‘maximum gross weight’ has the meaning given in the Table in regulation 3(2) of the Construction and Use Regulations; ‘recovery vehicle’ has the meaning given in paragraph 8 of Schedule 3 to the Vehicles (Excise) Act 1971(d);”.

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

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

(c) S.I. 1982/1271; the relevant amending instruments are S.I. 1984/697, 1402, 1985/46, 1986/427 and 1089.

(d) 1971 c.10; paragraph 8 was inserted at the end of Part I of Schedule 3 by the Finance Act 1987 (c.16), Schedule 1, Part II, paragraph 2.

Exemption from Regulations of certain recovery vehicles

4. In paragraph (2) of regulation 3(a)–
- (a) the word “or” shall be omitted from the end of sub-paragraph (s);
 - (b) a semi-colon shall be substituted for the full stop at the end of sub-paragraph (t), and the word “or” shall be inserted thereafter; and
 - (c) the following new sub-paragraph shall be added–
 “(u) a recovery vehicle first used before 1st January 1988.”.

Amendments of regulation 4 (type approval requirements)

5. In regulation 4, the following new paragraphs shall be added at the end–

“(9) Where, in relation to item 4B(1), 4B(2), 4B(3), 4D(1), 4D(2) or 4D(3) in Schedule 1, a date is specified in column (6) of that Schedule (being a date of cessation of application of type approval requirements), that date shall not apply to any vehicle of a description set out in paragraph (10) but, in relation to any such vehicle, column (6) shall be read and shall have effect as if there was substituted in that column for the date specified therein the date mentioned in paragraph (10) in connection with a particular description of vehicle.

(10) The following descriptions of vehicles apply for the purposes of paragraph (9)–

- (a) vehicles having a maximum gross weight not exceeding 3.5 tonnes and propelled otherwise than by compression ignition engines and for which, or for a model of which, there is a type approval certificate or (as the case may be) a Minister’s approval certificate in force on 1st October 1988 and, in relation to any such vehicle, the date substituted for the date specified in column (6) of Schedule 1 shall be 30th September 1989;
- (b) vehicles propelled by compression ignition engines, or propelled otherwise than by such engines if having a maximum gross weight exceeding 3.5 tonnes, and for which, or for a model of which, there is no type approval certificate or (as the case may be) Minister’s approval certificate in force on 1st October 1989 and, in relation to any such vehicle, the date substituted for the date specified in column (6) of Schedule 1 shall be 30th September 1989; and
- (c) vehicles propelled by compression ignition engines, or propelled otherwise than by such engines if having a maximum gross weight exceeding 3.5 tonnes, and for which, or for a model of which, there is a type approval certificate in force on 1st October 1989 and, in relation to any such vehicle, the date substituted for the date specified in column (6) of Schedule 1 shall be 30th September 1990.

(11) Where, in relation to item 4C(1), 4C(2) or 4C(3) in Schedule 1, a date is specified in column (6) of that Schedule, that date shall not apply to any vehicle for which, or for a model of which, there is a type approval certificate in force on 1st October 1989 but, in relation to any such vehicle, column (6) shall be read and shall have effect as if 30th September 1990 was substituted for the date specified therein.

(12) Where, in relation to item 6, 6A, 6B, 6C or 6D in Schedule 1, a date is specified in column (6) of that Schedule, that date shall not apply to any vehicle in categories M1, M2 or N1 but, in relation to any such vehicle, column (6) shall be read and shall have effect as if 30th September 1989 was substituted for the date specified therein.”.

Exemptions from type approval requirements in respect of exhaust emissions for vehicles fuelled by liquid petroleum gas

6. In Schedule 1, in column (4) in items 2(b) and 2A there shall be added, as paragraph 3 in item 2 and as paragraph 4 in item 2A, the following new paragraph–
 “Vehicles fuelled by liquid petroleum gas.”.

(a) Regulation 3(2) was amended by S.I. 1984/697, 1985/46 and 1986/427.

(b) Item 2 was substituted by S.I. 1984/697.

Alternative type approval requirements in respect of diesel exhaust emissions

7. In Schedule 1, in item 3A(a)–
- (a) in column 3(a), delete the full stop and add “or ECE Regulation 24 as revised on 11th February 1980, amended on 15th February 1984, and further revised on 20th April 1986.”;
 - (b) in column 3(c), in line with the addition to column 3(a), there shall be inserted the words “Design, construction and equipment requirements in paragraphs 6, 15 and 24. Marking requirements in paragraphs 5.4.3, 14.4.3 and 23.4.3.”; and
 - (c) in column (5), in line with the additions to columns 3(a) and (c), there shall be inserted the date “1st October 1987”.

Amendments to type approval requirements in respect of noise and silencers

8.—(1) In Schedule 1, in column (6) in items 4B(1), 4B(2), 4B(3), 4D(1), 4D(2) and 4D(3) 30th September 1988 shall be inserted as the date of cessation of application of those type approval requirements.

(2) In that Schedule, in column (6) in items 4C(1), 4C(2) and 4C(3) 30th September 1989 shall be inserted as the date of cessation of application of those type approval requirements.

9. After item 4D(3) in that Schedule there shall be inserted as items 4D(4) and 4E the items so numbered in the Schedule to these Regulations.

Amendments to type approval requirements in respect of brakes

10. In Schedule 1–
- (a) in column (6) in items 6A, 6B and 6D, in relation to the items relating to ECE Regulation 13 insert the date “30.9.1988”;
 - (b) in column (6) in items 6 and 6C, insert the date “30.9.1988”;
 - (c) in column 3(a) in items 6F, 6G and 6H after the words “26th November 1984” there shall be inserted the words “and corrected on 31st December 1985”; and
 - (d) after item 6H, there shall be inserted as items 6I and 6J the items so numbered in the Schedule to these Regulations.

Amendment of references to Construction and Use Regulations

11.—(1) In paragraph (1) of regulation 2 (interpretation)–

- (a) in the definition of “the Construction and Use Regulations”, for the words “Motor Vehicles (Construction and Use) Regulations 1978” there shall be substituted the words “Road Vehicles (Construction and Use) Regulations 1986(b)”;
- (b) for the words “Regulation 3(1)” in both places where they occur there shall be substituted the words “the Table in regulation 3(2)”.

(2) In paragraph (2) of regulation 3 (application of regulations), in sub-paragraph (g)(c) for the words “Regulation 3(1)” there shall be substituted the words “the Table in regulation 3(2)”.

(3) In Schedule 1 (type approval requirements)(d), for the references to regulations of the Construction and Use Regulations specified in column 2 of the Table below there shall be substituted the references specified in column 3 of that Table.

(a) Item 3A was amended by S.I. 1986/427 and 1089.

(b) S.I. 1986/1078, as amended by S.I. 1986/1597, 1987/676 and 1133.

(c) Sub-paragraph (g) was amended by S.I. 1985/46.

(d) Schedule 1 was amended by S.I. 1984/697, 1402, 1986/427 and 1089.

Table

1.		2.	3.
<i>Location of references</i>		<i>Existing References</i>	<i>New References</i>
<i>Item Number</i>	<i>Column Number</i>		
1	(2)	44(3)	45(1)
1	(3)(a)	44(3)	45(1)
1	(4)	45	45(3)
1A	(2)	45(1)	45(3)
1A	(3)(a)	45(1)	45(3)
2A	(3)(a)	35(2)	61(3)
3B	(3)(a)	34	61(3)
4	(3)(a)	31(1), (3), (4), (5), Schedule 9	58(1), (3), (4), (5),
6E	(3)(a)	13(2), 14, 59(1), (2), (3), (5) (10), (11), (12), (14), (16), 64 (1), (2), (3), (5), (10), (11), (12), (14), (15) and, if applicable, 67	15, 16, 17

(4) In Schedule 2, in section 11 of Part I, for the words "C&U 93" there shall be substituted the words "C&U 78".

Signed by authority of
the Secretary of State

24th August 1987

Peter Bottomley
Parliamentary Under Secretary of State,
Department of Transport

THE SCHEDULE

Regulations 9 and 10

(1)	(2)	(3)(a)	(b)	(c)	(4)	(5)	(6)
4D(4)	Noise and silencers	Council Directive 70/157/EEC of 6th February 1970 as amended by Commission Directive 73/350/EEC of 7th November 1973, Council Directive 77/212/EEC of 8th March 1977, Commission Directive 81/334/EEC of 13th April 1981, Commission Directive 84/372/EEC of 3rd July 1984 and Council Directive 84/424/EEC of 3rd September 1984.	L42, 23.2.70, p16 (SE 1970 (I), p111), L321, 22.11.73, p33, L66, 12.3.77, p33, L131, 18.5.81, p.6, L196, 26.7.84, p47 and L238, 6.9.84, p31.	Design, construction and equipment requirements in Annex I, paragraphs 5.1, 5.2.1, 5.2.2.2, 5.2.2.3, 5.2.2.4, 5.2.2.5 and 5.3. The sound levels when measured under the conditions set out in the above-mentioned paragraphs are not to exceed, for vehicles with engine power less than 75KW, 84dB(A); not less than 75KW, 86dB(A)	Vehicles other than public works vehicles.	1st October 1987	
4E	Noise and silencers	Council Directive 70/157/EEC of 6th February 1970 as amended by Commission Directive 73/350/EEC of 7th November 1973, Council Directive 77/212/EEC of 8th March 1977, Commission Directive 81/334/EEC of 13th April 1981, Commission Directive 84/372/EEC of 3rd July 1984 and Council Directive 84/424/EEC of 3rd September 1984.	L42, 23.2.70, p16 (SE 1970 (I), p111), L321, 22.11.73, p33, L66, 12.3.77, p33, L131, 18.5.81, p6, L196, 26.7.84, p47 and L238, 6.9.84, p31.	Design, construction and equipment requirements in Annex I, paragraphs 5.1, 5.2.1, 5.2.2.1, 5.2.2.2, 5.2.2.3, 5.2.2.4 and 5.2.2.5 and 5.3. Marking requirements in Annex I, paragraph 3.	Public works vehicles.	1st October 1987	

SCHEDULE - continued

(1)	(2)	(3)(a)	(b)	(c)	(4)	(5)	(6)
6I	BRAKES	Council Directive 71/320/EEC of 26th July 1971 as amended by Commission Directive 74/132/EEC of 11th February 1974, Commission Directive 75/524/EEC of 25th July 1975, Commission Directive 79/489/EEC of 18th April 1979 corrected on 26th July 1979 and amended by Commission Directive 85/647/EEC of 23rd December 1985.	L202, 6.9.71, p37 (SE 1971 (III), p746), L74, 19.3.74, p7, L236, 8.9.75, p3, L128, 26.5.79, p12, L188, 26.7.79, p54 and L380, 31.12.85, p1.	Design, construction and equipment requirements prescribed for category N1, N2 and N3 vehicles in Annexes I, II, III, IV, V, VI, VII, X (if applicable) and XII.	<ol style="list-style-type: none"> 1. Slow vehicles. 2. Vehicles with less than 4 wheels and a maximum design weight not exceeding 1,000 kg. 3. Dual-purpose vehicles constructed or adapted to carry more than 2 passengers. 4. Public works vehicles. 	1st October 1987	
6J	BRAKES	Council Directive 71/320/EEC of 26th July 1971 as amended by Commission Directive 74/132/EEC of 11th February 1974, Commission Directive 75/524/EEC of 25th July 1975, Commission Directive 79/489/EEC of 18th April 1979 corrected on 26th July 1979 and amended by Commission Directive 85/647/EEC of 23rd December 1985.	L202, 6.9.71, p37 (SE 1971 (III), p746), L74, 19.3.74, p7, L236, 8.9.75, p3, L128, 26.5.79, p12, L188, 26.7.79, p54 and L380, 31.12.85, p1.	Design, construction and equipment requirements prescribed for category M1, M2 and M3 vehicles in Annexes I, II, III, IV, V, VI, VII, X (if applicable) and XII.	<ol style="list-style-type: none"> 1. Slow vehicles. 2. Vehicles other than dual-purpose vehicles constructed or adapted to carry more than 2 passengers. 3. Public works vehicles. 	1st October 1987	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1984. Regulation 4 provides an exemption from type approval for recovery vehicles first used before 1st January 1988. This exemption comes into force at the same time as a new taxation class for such vehicles.

Regulation 5 amends the provisions relating to the dates when certain of the type approval requirements concerning noise and silencers, and brakes, shall cease to apply to some descriptions of vehicles.

Regulation 6 provides an exemption from the type approval requirements concerning exhaust emissions for vehicles fuelled by liquid petroleum gas, and regulation 7 specifies alternative type approval requirements concerning diesel exhaust emissions.

Regulations 8 and 9 revise the type approval requirements for noise and silencers so that, by a staged introduction, the requirements of Council Directive 84/424/EEC are made mandatory by the earliest operative dates.

Vehicles next described for which, or for a model of which, there is no type approval certificate or Minister's approval certificate in force must meet the requirements as follows:-

- (i) vehicles propelled by other than compression ignition and not exceeding 3.5 tonnes maximum gross weight by 30th September 1988, and
- (ii) vehicles propelled by compression ignition or vehicles propelled by other than compression ignition and exceeding 3.5 tonnes maximum gross weight by 30th September 1989.

For vehicles shown in (i) and (ii) for which, or for a model of which, there is a type approval certificate or Minister's approval certificate in force on the respective operative date given above, that date is deferred one year.

Regulation 10 revises the type approval requirements relating to brakes with the effect that, by a staged introduction, all new vehicles must comply with the provisions of either Council Directive 71/320/EEC as amended by Commission Directives 74/132/EEC, 75/524/EEC, 79/489/EEC and 85/647/EEC or ECE Regulation 13 (05 series of amendments).

Finally, regulation 11 amends the references to the Construction and Use Regulations, to refer to the Road Vehicles (Construction and Use) Regulations 1986.

Copies of the EEC Directives and ECE Regulations referred to in these Regulations may be obtained from Her Majesty's Stationery Office.