

1988 No. 1103

**ROAD TRAFFIC**

**The Motor Vehicles (Type Approval) (Amendment)  
Regulations 1988**

<i>Made</i> - - - -	<i>24th June 1988</i>
<i>Laid before Parliament</i>	<i>4th July 1988</i>
<i>Coming into force</i>	<i>25th July 1988</i>

The Secretary of State for Transport, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme, in exercise of the powers conferred by that section and of all other enabling powers, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations 1988 and shall come into force on 25th July 1988.

**Preliminary**

2. The Motor Vehicles (Type Approval) Regulations 1980(c) are hereby amended in accordance with the following provisions of these Regulations.

**Amendments relating to the issue of type approval certificates**

3. In regulation 5 after paragraph (1) there is added –

“(1A) Where the Secretary of State is satisfied that a vehicle component conforms with the requirements referred to in paragraph (1) but it appears to him that it fulfills its function or offers a specific feature only in conjunction with another vehicle component of a particular class, he may approve the first mentioned vehicle component as a type subject to –

(a) restrictions relating to the use of components of that type, or

(b) conditions relating to the fitting of components of that type,

and any such restrictions and conditions shall be shown on the type approval certificate.”.

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(a) S.I. 1972/1811. (b) 1972 c.68. (c) S.I. 1980/1182, amended by S.I. 1982/7, 1623, 1984/1927, 1985/1072, 1986/1501 and 1987/524.

4. In regulation 9(1) after sub-paragraph (b) there is added –

“and

- (c) the delivery by the manufacturer with any component which –

- (i) is supplied by him other than as part of a complete vehicle, and  
(ii) is of a type to which the type approval certificate relates,

of a document giving details of any restrictions and conditions imposed under regulation 5(1A).”.

**Amendments relating to form of information document**

5. In the form set out in Part I of Schedule 1, in paragraph (a) of the notes at the end, there is inserted after the definition of “Category N3” –

“off-road vehicle: Off road vehicles are defined in paragraph (b) of the notes to Annex 1 of Council Directive 70/156/EEC as last amended by Council Directive 87/403/EEC.”.

**Amendments relating to type approval requirements**

6. In Part I of Schedule 2 –

- (a) in item 2, in column 2, there is added –

“or  
70/220/EEC as 3 December 1987 O.J. L 36, 9.2.88, p.1”  
amended by 74/290/EEC,  
77/102/EEC, 78/665/EEC,  
83/351/EEC and 88/76/EEC

- (b) in item 9, in column 2, there is added –

“or  
71/320/EEC as amended 24 March 1988 O.J. L 92, 9.4.88, p.47”  
by 74/132/EEC,  
75/524/EEC, 79/489/EEC,  
85/647/EEC and  
88/194/EEC

- (c) after item 11, there is inserted the following new item –

“11A 88/77/EEC 3 December 1987 O.J. L36, 9.2.88, p.33 The emission of  
pollutants from diesel  
engines for use in  
vehicles”

- (d) in item 40, in column 2, there is added –

“or  
80/1269/EEC 24 March 1988 O.J. L92, 9.4.88, p.50”.  
as amended by  
88/195/EEC

Signed by authority  
of the Secretary of State  
24th June 1988

*Peter Bottomley*  
Parliamentary Under  
Secretary of State,  
Department of Transport

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations further amend the Motor Vehicles (Type Approval) Regulations 1980.

Regulations 3 and 4 are made in consequence of Council Directive 87/358/EEC (O.J. L192, 11.7.87, p.51) and regulation 5 is made in consequence of Council Directive 87/403/EEC (O.J. L220, 8.8.87, p.44).

Regulation 3 enables a type approval certificate relating to a component to be issued subject to restrictions of use and to conditions relating to fitting.

Regulation 4 enables a type approval certificate relating to a vehicle component to be issued subject to conditions requiring the manufacturer to deliver with each component details of any restrictions or conditions imposed under the new power referred to above.

Regulation 5 amends the form of information document set out in Schedule 1 to the 1980 Regulations by adding to the notes a definition of "off-road vehicle".

Regulation 6 amends Schedule 2 to the 1980 Regulations so that –

- (a) type approval requirements relating to exhaust emissions from vehicles with petrol engines are, as an alternative to the existing requirements, the requirements of Council Directive 70/220/EEC as amended by Directives 74/290/EEC, 77/102/EEC, 78/665/EEC, 83/351/EEC and 88/76/EEC;
- (b) type approval requirements relating to braking devices are, as an alternative to the existing requirements, the requirements of Council Directive 71/320/EEC as amended by Directives 74/132/EEC, 75/524/EEC, 79/489/EEC, 85/647/EEC and 88/194/EEC;
- (c) type approval requirements relating to gaseous exhaust emissions from diesel vehicles are the requirements of Council Directive 88/77/EEC in addition to the existing requirements of Council Directive 72/306/EEC; and
- (d) type approval requirements relating to engine power of motor vehicles are, as an alternative to existing requirements, the requirements of Council Directive 80/1269/EEC as amended by Commission Directive 88/195/EEC.

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