

1989 No. 1580

ROAD TRAFFIC

The Motor Vehicles (Type Approval) (Great Britain)
(Amendment) Regulations 1989

Made - - - - *31st August 1989*

Laid before Parliament *8th September 1989*

Coming into force *1st October 1989*

The Secretary of State for Transport, in exercise of the powers conferred by sections 54(1) and 61 of the Road Traffic Act 1988(a) and of all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Great Britain) (Amendment) Regulations 1989 and shall come into force on 1st October 1989.

Preliminary

2. The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(b) shall be further amended in accordance with the following provisions of these Regulations.

Amendments relating to exhaust emissions

3. At the end of regulation 4 there shall be added the following paragraph:—

“(11) Schedule 1B shall have effect for the purpose of specifying, in relation to certain vehicles, dates which are to be read as if they appeared in columns (5) and (6) of item 4C, and column (5) of items 4D, 4E and 27 in Schedule 1”.

4. In Schedule 1—

(a) for items 4B, 4C and 4D there shall be substituted the items 4B, 4C, 4D and 4E so numbered in Schedule 1 to these Regulations; and

(b) after item 26 there shall be added as item 27, the item so numbered in Schedule 1 to these Regulations.

5. A Schedule shall be inserted after Schedule 1A in accordance with the provisions of Schedule 2 to these Regulations.

Supplementary provisions

6. In Schedule 1, in column (2) of items 5, 5A and 5B, for the words “Exhaust emissions” there shall be substituted the words “Smoke emissions”.

(a) 1988 c.52.

(b) S.I. 1984/981, as amended by S.I. 1984/1401, 1761, 1985/1651, 1986/739, 1987/1509 and 1988/1522.

7. In Schedule 1A, for the definition of "off-road vehicle" there shall be substituted—
 "“off-road vehicle” has the meaning given by Annex 1 to Council Directive 70/156/EEC of 6th February 1970(a) as read with Council Directive 87/403/EEC of 25th June 1987(b);”.

Signed by authority of the Secretary of State

31st August 1989

Robert Atkins
 Parliamentary Under Secretary of State,
 Department of Transport

SCHEDULE 1

Regulation 4

(1)	(2)	(3)			(4)	(5)	(6)	
		<i>Particulars of instrument or other document containing requirements and of the nature of the requirements</i>						
<i>Item No</i>	<i>Subject Matter</i>	(a) <i>Description, reference number and date of instrument</i>	(b) <i>Official journal reference of Community Instrument</i>	(c) <i>Nature of requirement and place in instrument where stated</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>	
4B	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	L76, 6.4. 70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32 and L223, 14.8.78, p.48.	Design, construction and equipment requirements in Annex 1, paragraphs 3 and 4.	1. Vehicles with other than spark ignition engines. 2. Vehicles over 3,500 kg maximum gross weight. 3. Vehicles fuelled solely by liquid petroleum gas.	1.10.1979	30.9.1989	
		or		Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, relation to vehicles with automatic transmission, paragraph 11.6.		10.1.1979	30.9.1989	
		ECE Regulation 15 as revised on 6 March 1978.						

(a) O.J. No. L42, 23.2.70, p.1.

(b) O.J. No. L220, 8.8.87, p.44.

(1)	(2)	(3)			(4)	(5)	(6)
<i>Particulars of instrument or other document containing requirements and of the nature of the requirements</i>							
<i>Item No</i>	<i>Subject Matter</i>	(a) <i>Description, reference number and date of instrument</i>	(b) <i>Official journal reference of Community Instrument</i>	(c) <i>Nature of requirement and place in instrument where stated</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
4C	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, Commission Directive 78/665/EEC of 14 July 1978 and Council Directive 83/351/EEC of 16 June 1983	L76, 6.4.70, p.1 (SE 1970 (I), p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32, L223, 14.8.78, p.48 and L197, 20.7.83, p.1.	Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 8.1.	1. Vehicles propelled by compression ignition engines, and whose gross vehicle weight exceeds 3500 kg. 2. Vehicles fuelled by liquid petroleum gas.	Save as otherwise stated in regulation 4(11) and Schedule 1B, 1.8.84.	See regulation 4(11) and Schedule 1B.
		or					
		ECE Regulation 15 as revised on 20 October 1981 and corrected on 9 June 1982		Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 12.9.		Save as otherwise stated in regulation 4(11) and Schedule 1B, 11.4.83.	See regulation 4(11) and Schedule 1B.
		or					
		ECE Regulation 15 as revised on 20 October 1981, corrected on 9 June 1982 and amended on 1 June 1984.		Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 12.9.		Save as otherwise stated in regulation 4(11) and Schedule 1B, 13.12.84.	See regulation 4(11) and Schedule 1B.

(1)	(2)	(3)			(4)	(5)	(6)
		<i>Particulars of instrument or other document containing requirements and of the nature of the requirements</i>					
<i>Item No</i>	<i>Subject Matter</i>	(a) <i>Description, reference number and date of instrument</i>	(b) <i>Official journal reference of Community Instrument</i>	(c) <i>Nature of requirement and place in instrument where stated</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
4D	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, Commission Directive 78/665/EEC of 14 July 1978, Council Directive 83/351/EEC of 16 June 1983 and Council Directive 88/76/EEC of 3 December 1987	L76, 6.4.70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p32, L223, 14.8.78, p.48, L197, 20.7.83, p.1 and L35, 9.2.88, p.1.	Design, construction and equipment requirements in Annex 1 paragraph 6 and either:— a) paragraph 5 as modified by paragraph 8.1 in the case of vehicles to which 8.1 applies and paragraph 5 in the case of any other vehicle; or b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500 kg. 2. Vehicles fuelled by liquid petroleum gas.	See regulation 4(11) and Schedule 1B.	
		or					
		Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Council Directive 77/102/EEC of 30 November 1976, Commission Directive 78/665/EEC of 14 July 1978, Council Directive 83/351/EEC of 16 June 1983, Council Directive 88/76/EEC of 3 December 1987 and Council Directive 88/436/EEC of 16 June 1988, as corrected on 8 November 1988.	L76, 6.4.70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p32, L223, 14.8.78, p.48, L197, 20.7.83, p.1, L35, 9.2.88, p.1 and L214, 6.8.88, p.1.	Design, construction and equipment requirements in Annex 1 paragraph 6 and either:— a) paragraph 5 or b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.		See regulation 4(11) and Schedule 1B.	

(1)	(2)	(3)			(4)	(5)	(6)
<i>Particulars of instrument or other document containing requirements and of the nature of the requirements</i>							
<i>Item No</i>	<i>Subject Matter</i>	(a) <i>Description, reference number and date of instrument</i>	(b) <i>Official journal reference of Community Instrument</i>	(c) <i>Nature of requirement and place in instrument where stated</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
4E	Exhaust emissions	Council Directive 88/77/EEC of 3 December 1987.	L36, 9.2.88, p.33.	Design, construction and equipment requirements in Annex 1, paragraph 6.	1. Vehicles not propelled by compression ignition engines. 2. Vehicles whose maximum gross weight does not exceed 3500 kg. 3. Vehicles with less than 4 wheels if they are constructed not 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. 4. Vehicles fuelled by liquid petroleum gas.	See regulation 4(11) and Schedule 1B.	
27	Particulate emissions	Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Council Directive 77/102/EEC of 30 November 1976, Commission Directive 78/665/EEC of 14 July 1978, Council Directive 83/351/EEC of 16 June 1983, Council Directive 88/76/EEC of 3 December 1987 and Council Directive 88/436/EEC of 16 June 1988, as corrected on 8 November 1988.	L76, 6.4.70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32, L223, 14.8.78, p.48, L197, 20.7.83, p.1, L35, 9.2.88, p.1 and L214, 6.8.88, p.1.	Design, construction and equipment requirements in Annex 1 paragraph 6 and either:— a) paragraph 5, or b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3, as far as they relate to the mass of particulates.	1. Vehicles with other than compression ignition engines. 2. Vehicles constructed or adapted to carry more than 5 passengers, excluding the driver. 3. Vehicles over 2500 kg. maximum gross weight. 4. Off-road vehicles as defined by Annex 1 to Council Directive 70/156/EEC of 6 February 1970 (O.J. No L42, 23.2.70, p.1) as amended by Council Directive 87/403/EEC of 25 June 1987 (O.J. No L220, 8.8.87, p.44).	See regulation 4(11) and Schedule 1B.	

“SCHEDULE 1B (SEE REGULATION 4(11) AND SCHEDULE 1)

PART I

1. In this Schedule “engine capacity” and “off-road vehicle” have the same meaning as in Schedule 1A.

2. Items 4C, 4D, 4E and 27 of Schedule 1 shall have effect in relation to a vehicle as if wherever the words “see regulation 4(11) and Schedule 1B” appear in columns (5) and (6) there were substituted the date applicable in accordance with the following provisions of this Schedule.

3.—(1) In relation to an item specified in column 1 of the Table in Part II of this Schedule and a vehicle of a class specified in column 2 of the Table, the date to be substituted for each entry in column (5) of that item shall be—

- (a) in a case where sub-paragraph (2) applies, the date specified in column 3(b) of the Table, and
- (b) in any other case, the date specified in column 3(a) of the Table,

against a vehicle of that class.

(2) This sub-paragraph applies in relation to a particular item and vehicle where—

- (a) there is, and was on the date specified in column 3(a) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or
- (b) there was on that date, in force in respect of another vehicle, a Minister’s approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

4.—(1) In relation to an item specified in column 1 of the Table in Part II of this Schedule and a vehicle of a class specified in column 2 of the Table, the date to be substituted for each entry in column (6) of that item shall be—

- (a) in a case where sub-paragraph (2) applies, the date specified in column 4(b) of the Table; and
- (b) in any other case, the date specified in column 4(a) of the Table,

against a vehicle of that class.

(2) This sub-paragraph applies in relation to a particular item and vehicle where—

- (a) there is, and was on the date specified in column 4(a) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or
- (b) there was on that date, in force in respect of another vehicle, a Minister’s approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

PART II

TABLE (SEE PART I)

(1) <i>Item in Schedule I</i>	(2) <i>Class of vehicle</i>	(3) <i>Application Date</i>		(4) <i>Cessation date</i>	
		(a)	(b)	(a)	(b)
		4C	<p>1. Vehicles propelled by spark ignition engines, constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500kg, not being an off-road vehicle in either case, and which has an engine capacity of:—</p> <p>(a) less than 1400 cc, (b) not less than 1400 cc and not more than 2000 cc, (c) more than 2000 cc.</p> <p>2. Other vehicles propelled by spark ignition engines, with a maximum gross weight of:—</p> <p>(a) not more than 2000 kg, (b) not less than 2000 kg and not more than 3500 kg, (c) more than 3500 kg.</p> <p>3. Vehicles propelled by compression ignition, direct injection engines constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg, not being an off-road vehicle, and which has an engine capacity of not less than 1400 cc and not more than 2000 cc.</p> <p>4. All other vehicles propelled by compression ignition engines.</p>	<p>See Schedule I item 4C</p> <p>See Schedule I item 4C</p> <p>1.10.1990</p> <p>1.10.1990</p>	<p>See Schedule I item 4C</p> <p>See Schedule I item 4C</p> <p>1.10.1990</p> <p>1.10.1990</p>
4D	<p>1. Vehicles propelled by spark ignition engines with a maximum gross weight of:—</p> <p>(a) not more than 3500 kg, (b) more than 3500 kg.</p> <p>2. Vehicles propelled by compression ignition engines.</p>	<p>1.7.1988 1.10.1990</p> <p>1.10.1990</p>	<p>1.7.1988 1.10.1990</p> <p>1.10.1990</p>	<p>— —</p> <p>— —</p>	<p>— —</p> <p>— —</p>
4E	All vehicles.	1.10.1990	1.10.1990	—	—
27	<p>1. Vehicles with indirect injection engines</p> <p>2. Vehicles with direct injection engines.</p>	1.10.1990	1.10.1990	—	—
		1.10.1994	1.10.1996	—	—

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984.

Previously only vehicles with petrol engines were subject to type approval requirements relating to the content of exhaust emissions (as opposed to the density of smoke) and there were no requirements relating to particulate emissions. These Regulations replace three items in Schedule 1 of the 1984 Regulations and add two new items. The three substituted items re-enact the existing requirements for vehicles with petrol engines. They also introduce new alternative requirements for vehicles with petrol engines and new requirements for vehicles with diesel engines. The table below sets out the derivations of the substituted items in so far as they re-enact previous items and the subject matter of the items. It also identifies the requirements that are new.

<i>Subject matter of item</i>	<i>Previous Schedule Item</i>	<i>New Schedule Item</i>	<i>Extent that requirements are new</i>
Exhaust emissions	4B	4B	—
Exhaust emissions	4C	4C	New so far as the requirement applies to vehicles with diesel engines
Exhaust emissions	4D	4D	New so far as the requirement applies to vehicles with diesel engines
Exhaust emissions	—	4E	A new requirement for vehicles with diesel engines as a result of Council Directive 88/77/EEC
Particulate emissions	—	27	A new requirement for diesel engines as a result of Council Directive 88/436/EEC

The application dates for the new alternative requirements, are determined in accordance with the new Schedule 1B which is added by regulation 6. The dates of cessation of the existing requirements and some of the new requirements, in so far as they are not set out in the items, are also determined in accordance with that Schedule.

Regulation 7 changes the name of the subject matter of items 5, 5A and 5B from "exhaust emission" to "smoke emissions". These items relate only to vehicles with diesel engines and the change is made to avoid confusion with the exhaust emission requirements set out in items 4B, 4C, 4D and 4E.

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

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