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STATUTORY INSTRUMENTS

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**1991 No. 1526**

**The Road Vehicles (Construction and Use)  
(Amendment) (No. 1) Regulations 1991**

**Amendments to regulation 61 (emission of smoke, vapour, gases, oily substances, etc.)**

5.—(1) Regulation 61 shall be amended as follows—

(2) In paragraph (1), after the word “constructed” there shall be inserted the words “and maintained”.

(3) After paragraph (3A) there shall be inserted the following paragraphs—

“(3B) Instead of complying with paragraph (1) a vehicle may comply with a relevant instrument.

(3C) Instead of complying with such provisions of items 1, 2 and 3 in Table I as apply to it, a vehicle may at the time of its first use comply with a relevant instrument.”.

(4) In paragraph (4), for the words from the beginning to “comply” there shall be substituted the words “For the purposes of paragraphs (3B) and (3C), a reference to a vehicle complying with a relevant instrument is a reference to a vehicle complying”.

(5) After paragraph (10) there shall be inserted the following paragraphs—

“(10A) Without prejudice to paragraphs (1) and (7) no person shall use, or cause or permit to be used on a road, a vehicle first used on or after the 1 August 1975 and propelled by a four-stroke spark ignition engine, unless the vehicle is in such a condition that, when the engine is idling—

(a) the carbon monoxide content of the exhaust emissions from the engine does not exceed—

(i) in the case of a vehicle first used on or after 1 August 1983, 4.5% or

(ii) in any other case, 6%;

of the total exhaust emissions from the engine by volume; and

(b) the hydrocarbon content of those emissions does not exceed 0.12% of the total exhaust emissions from the engine by volume.

(10B) Paragraph (10A) does not apply to—

(a) a vehicle if at the date that the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph;

(b) a vehicle being driven to a place where it is to undergo repairs;

(c) a vehicle which was constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description;

(d) an exempt vehicle within the meaning given by paragraph (12)(a) above;

(e) a goods vehicle with a maximum gross weight exceeding 3,500 kg;

(f) engineering plant, an industrial tractor, or a works truck; or

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (g) a Class V or Class VI vehicle within the meaning of the Motor Vehicles (Tests) Regulations 1981<sup>(1)</sup>.”

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<sup>(1)</sup> S.I.1981/1694 ; relevant amending instruments are 1984/1126 and 1988/1894.