
STATUTORY INSTRUMENTS

1992 No. 2161

ROAD TRAFFIC

The Motor Vehicles (Type Approval) (Great Britain) (Amendment) (No. 2) Regulations 1992

<i>Made</i>	- - - -	<i>8th September 1992</i>
<i>Laid before Parliament</i>		<i>9th September 1992</i>
<i>Coming into force</i>	- -	<i>1st October 1992</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54(1), 61(1) and 63 of the Road Traffic Act 1988(1), and all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Great Britain) (Amendment) (No. 2) Regulations 1992 and shall come into force on 1st October 1992.

Preliminary

2. The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(2) are further amended in accordance with the following provisions.

Amendments to regulation 2 (interpretation)

3. In regulation 2(1), after the definition of “the prescribed type approval requirements” there shall be inserted the following definition—

““registered” means registered under the Vehicles (Excise) Act 1971(3);”.

Amendments to regulation 4 (application of type approval requirements)

4.—(1) Regulation 4 shall be amended as follows.

(1) 1988 c. 52.

(2) S.I.1984/981; relevant amending instruments are 1987/1509, 1988/1522, 1989/1580 and 1992/1341.

(3) 1971 c. 10; the Act was extended to Northern Ireland by Section 10 of Finance Act 1991 (c. 31).

(2) In paragraph (1), before “(2)” there shall be inserted “(1A),” and for the words “used on a road” there shall be substituted the word “registered”.

(3) After paragraph (1), there shall be inserted the following paragraph—

“(1A) In relation to a particular vehicle—

- (a) a type approval requirement applicable to the vehicle at the date of manufacture shall continue to apply to it until it is registered; and
- (b) a type approval requirement which is applicable to vehicles as from a date after that vehicle was manufactured shall not apply to the vehicle unless the subject matter of the requirement is the same as that of a requirement applicable to it on the date it was manufactured;

but nothing in this paragraph affects the operation of sub-paragraph (a) or (b) of paragraph (1) in so far as it relates to item 4G of Schedule 1 (exhaust emission requirements).”

(4) After paragraph (11), there shall be inserted the following paragraph—

“(12) In this regulation, “prescribed” means prescribed under section 54 and 63(1) of the Road Traffic Act 1988.”

Amendments to Schedule 1 (Type Approval Requirements)

5. In Schedule 1—

- (a) for items 12A(1), 12A(2) and 12A(3) there shall be substituted the items set out in Schedule 1 to these Regulations;
- (b) after item 15B there shall be inserted the item set out in Schedule 2 to these Regulations; and
- (c) after item 17A, there shall be inserted the item set out in Schedule 3 to these Regulations.

Signed by authority of the Secretary of State for Transport

8th September 1992

Kenneth Carlisle
Parliamentary Under Secretary of State,
Department of Transport

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SCHEDULE 1

Regulation 5(a)

(1) Item No	(2) Subject Matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirements	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of Instrument	(b) Official Journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated			
12A(1)	Seat belts	Council Directive 77/541/EEC of 28 June 1977 as amended by Council Directive 81/576/EEC of 20 July 1981, Commission Directive 82/319/EEC of 2 April 1982 and Commission Directive 90/628/EEC of 30 October 1990.	L220, 29.77, p95, L209, 29.7.81, p32, L139, 19.5.82, p17 and L341, 6.12.90, p1.	Marking requirements in Annex III, paragraph 1.1 Marking requirements in paragraphs 4, 5.4 and 5.4.2.	Vehicles which have been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability if—	1.7.1992 1.10.1992	
		or ECE Regulation 16 as revised and amended 22 December 1985,				(a) the drivers seat and the specified passenger seat (if any) has either a disabled persons seat belt or a	

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		(a) Description, reference number and date of Instrument	(b) Official Journal of Community Instrument	(c) Nature of requirement and place in instrument where stated			
		revised on 15 June 1988, corrected on 8 April 1988, amended on 26 March 1989 and 20 November 1989 and corrected on 9 November 1990.			(b) seat belt which complies with column 3: and no seat belt is fitted to any other forward facing seat other than a disabled persons seat belt or a seat belt which complies with column 3.		
				(The definitions shown in regulation 47 of the			

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		(a) Description, reference number and date of Instrument	(b) Official Journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated			
12A(2)	Seat belt anchorages	Council Directive 76/115/EEC of 18 December 1975 as amended by Council Directive 81/575/EEC of 20 July 1981 Commission Directive 82/318/EEC of 2 April 1982 and Commission Directive 90/629/EEC of 30 October 1990.	L24, 30.1.76, p6, L209, 29.7.81, p30, L139, 19.5.82, p9 and L341, 6.12.90, p14.	Design, construction and equipment requirements in Annex I, paragraphs 4 and 5 and Annex III.	Construction and Use Regulations apply to this item.)	1.7.1992	1.10.1992
		or ECE Regulation 14 as revised on 28 April 1976, and					

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		(a) Description, reference number and date of Instrument	(b) Official Journal of Community Instrument	(c) Nature of requirement and place in instrument where stated			
		corrected on 4 August 1977, 19 July 1978, in September 1979, amended and corrected on 22 November 1984 and amended on 29 January 1992.					
12A(3)	Installation of seat belts	Council Directive 7/541/EEC of 28 June 1977. or Council Directive 77/541/EEC of 28 June 1977 as amended by Council Directive 81/576/EEC of 20 July	L220, 29.8.77, p95. L220, 29.8.77, p95, L209, 29.7.81, p32 and L39, 19.5.82, p17. L220, 29.8.77, p95, L209. 29.7.81, p32, L39, 19.5.82, p17 and L341,	Installation requirements which in Annex I, paragraph 3 with the omission of the words in 3.1 “must comply with all the provisions of this Directive” and of 3.2.1. Installation (a) requirements	Vehicles which have been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability if— the drivers	1.10.1979	30.6.1992
						11.4.1984	30.6.1992
						1.7.1992	

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		1981 and Council Directive 82/319/EEC of 2 April 1982. or Council Directive 77/541/EEC of 28 June 1977 as amended by Council Directive 81/576/EEC of 20 July 1981, Council Directive 82/319/EEC of 2 April 1982 and 90/628/EEC of 30 October 1990.	6.12.90, p1.	in Annex I paragraph 3 with the omission of the words in 3.1 “must comply with all the provisions of this Directive” and of 3.2.1. Installation requirements in Annex I, paragraph 3 with the omission of the words in 3.1 “must comply with all the provisions of this Directive” and of 3.2.1.	seat and the specified passenger seat (if any) has either a disabled persons seat belt or a seat belt which complies with column 3; and (b) no seat belt is fitted to any other forward facing seat other than a disabled		

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						<p>persons seat belt or a seat belt that so complies.</p> <p>(The definitions shown in regulation 47 of the Construction and Use Regulations apply to this item.)</p>

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SCHEDULE 2

Regulation 5(b)

(1) Item No	(2) Subject Matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirements	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of Instrument	(b) Official Journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated			
15C	Glass in windcreens and other windows on the outside.	Council Directive 92/22/ EEC of 31 March 1992.	L129, 14.5.92, p11.	Marking requirements of which in Annex II, paragraphs 4.4 and 4.5.	1. Vehicles of which the glass in the windcreens and other windows on the outside was manufactured in France and which is marked with the letters “TP GS” or “TP GS E” followed by a number being the number of a type approval certificate issued in accordance with the provisions of the law of the French Republic.	10.1992	
					2. Vehicles constructed to be used		

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					for police purposes where the windscreens and all other windows are constructed of safety glazing or safety glass.		

SCHEDULE 3

Regulation 5(c)

(1) Item No	(2) Subject Matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirements	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of Instrument	(b) Official Journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated			
17B	Tyres with a speed rating not exceeding 200 km/h in the case of diagonal	Council Directive 92/23/EEC of 31 March 1992.	L129, 14.5.92, p95.	Marking requirements in Annex I, paragraph 4.	Vehicles fitted with tyres not mentioned in column (2)	1.10.1992	

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	(bias- ply) tyres or not exceeding 210 km/h in the case of radial- ply tyres.					

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

They revise the type approval requirements so as to:

- (a) provide, in relation to seat-belts, a new alternative prescribed requirement as a result of a revision made on the 15th June 1988, and subsequent corrections and amendments, to ECE Regulation 16;
- (b) provide, in relation to seat-belt anchorages, a new alternative prescribed requirement as a result of an amendment made on the 29th of January 1992 to ECE Regulation 14;
- (c) provide, in relation to glass in windscreens and other windows, a new alternative prescribed requirement as a result of Council Directive [92/22/EEC](#); and
- (d) provide, in relation to tyres, a new alternative prescribed requirement as a result of Council Directive [92/23/EEC](#).

Regulation 4 of the 1984 Regulations is amended so as to make it clear that type approval requirements apply to vehicles until they are registered under the Vehicles (Excise) Act 1971.

Regulation 4 of the 1984 Regulations is also amended so that the type approval requirements for a vehicle are generally those which applied to it when it was manufactured. However, as from the 31st of December 1992, the type approval requirements relating to exhaust emissions then in force

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shall apply to a vehicle regardless of the date of manufacture. In all cases a vehicle has the option of meeting a later requirement.

The opportunity has been taken to make it clear that the type approval requirements prescribed by the 1984 Regulations are to be treated as being prescribed under both section 54 and 63 of the Road Traffic Act 1988.

The amendment to ECE Regulation 14 will in due course be obtainable from Her Majesty's Stationery Office. In the meantime copies can be obtained from the Department of Transport. Any person desiring to have a copy should write to the Department of Transport, Room C19/04, 2 Marsham Street, London SW1P 3EB. Otherwise, copies of the ECE Regulations and EEC Directives referred to in these Regulations can be obtained from Her Majesty's Stationery Office.