

## SCHEDULE 2

### AMENDMENTS OF ACTS

#### **Obligation to hold EC certificate of conformity for certain unregistered vehicles**

2. After subsection 64 of the 1988 Act there shall be inserted—

**“Failure to hold EC certificate of conformity for unregistered light passenger vehicle**

**64A.**—(1) Subject to subsections (2) to (5) below, if a person uses on a road a light passenger vehicle—

- (a) which has not been registered—
  - (i) under section 19 of the Vehicles (Excise) Act 1971, or
  - (ii) under the law of a member State other than the United Kingdom, and
- (b) in respect of which no EC certificate of conformity has effect,

he is guilty of an offence.

(2) A person shall not be convicted of an offence under this section in respect of the use of a vehicle if he proves—

- (a) that the vehicle was one in respect of which the grant of a licence under the Vehicles (Excise) Act 1971 was not prohibited by regulation 10 of the Motor Vehicles (EC Type Approval) Regulations 1992, or
- (b) in the case of a vehicle in respect of which duty is not chargeable under that Act, that the vehicle was one whose registration under section 19 of that Act was not prohibited by that regulation.

(3) This section does not apply in relation to a vehicle in respect of which a Minister’s approval certificate issued under section 58(1) of this Act or a Department’s approval certificate issued under Article 31A(4) of the Road Traffic (Northern Ireland) Order 1981 has effect.

(4) This section does not apply to the use of a vehicle under a trade licence (within the meaning of the Vehicles (Excise) Act 1971) in accordance with regulations made under section 16(2) of that Act.

(5) This section does not apply in relation to a vehicle brought temporarily into Great Britain by a person resident outside the United Kingdom.”.