
STATUTORY INSTRUMENTS

1996 No. 16

ROAD TRAFFIC

The Road Vehicles (Construction and Use) (Amendment) Regulations 1996

<i>Made</i>	- - - -	<i>5th January 1996</i>
<i>Laid before Parliament</i>		<i>8th January 1996</i>
<i>Coming into force</i>	- -	<i>1st February 1996</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988⁽¹⁾ and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) Regulations 1996 and shall come into force on 1st February 1996.

2.—(1) Regulation 57A of the Road Vehicles (Construction and Use) Regulations 1986⁽²⁾ shall be amended as follows.

(2) After paragraph (8) there shall be inserted the following paragraph—

“(8A) For the purposes of paragraphs (1)(b) and (2) in their application to vehicles with a design speed not exceeding 50km/h, Community Directive 89/235/EEC⁽³⁾ shall have effect as if it were not only modified in accordance with paragraph (8) but were further modified by the omission of—

- (a) sub-paragraph 3.1.3 of Annex II; and
- (b) in sub-paragraph 3.2 of that Annex, the words “and 3.1.3”.

(1) 1988 c. 52; section 41 was amended by paragraph 50 of Schedule 4 to the Road Traffic Act 1991 (c. 40) and by Schedule 8 to that Act.
(2) S.I.1986/1078; relevant amending instruments are S.I. 1989/1865 and 1994/14.
(3) “Community Directive” is defined in regulation 3(2) of, and Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986.

Status: This is the original version (as it was originally made).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

Signed by authority of the Secretary of State for Transport

5th January 1996

Steven Norris
Parliamentary Under Secretary of State
Department of Transport

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EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986.
2. Regulation 57A requires original (as opposed to replacement) silencers fitted to motor bicycles (and certain light three wheeled vehicles) first used on or after the 1st February 1996 to comply with Council Directive [78/1015/EEC](#), as amended by the Council Directive [87/156/EEC](#) and Council Directive [89/235/EEC](#) subject to some modifications set out in the regulation. An effect of this requirement is that an original silencer fitted to any such vehicle would have to meet the technical requirements of the amended Directive (subject to some modifications) and bear a mark indicating that the silencer is of a type that has been officially approved under the amended Directive.
3. Regulation 57A is amended so that an original silencer fitted to a vehicle with a design speed not exceeding 50 km/h will not have to bear such an approval mark. The requirement to meet the technical requirements of the amended Directive (subject to some modifications) will not be affected.
4. The amendments do not affect the requirements of regulation 57A relating to replacement silencers or to original silencers fitted to vehicles with a design speed exceeding 50 km/h.
5. Copies of the EEC Directives can be obtained from Her Majesty's Stationery Office. The details of the Directives are set out below.

Principal Instrument	Amending Instruments
Council Directive 78/1015/EEC of 23rd November 1978 (O.J. No. L349, 13.12.78, p.21)	Council Directive 87/56/EEC of 18th December 1986 (O.J. No. L24, 27.1.87, p.42) and Council Directive 89/235/EEC of 13th March 1989 (O.J. No. L98, 11.4.89, p.1).