
STATUTORY INSTRUMENTS

1996 No. 2085

ROAD TRAFFIC

**The Road Vehicles (Construction And Use)
(Amendment) (No. 4) Regulations 1996**

Made - - - - 8th August 1996
Laid before Parliament 9th August 1996
Coming into force - - 2nd September 1996

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: —

Commencement and citation

1.—(1) These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1996 and shall come into force on 2nd September 1996.

Preliminary

2. The Road Vehicles (Construction and Use) Regulations 1986(2) shall be further amended in accordance with the following provisions of these Regulations.

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

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

(2) In paragraph (10AB), the word “or” shall be inserted immediately after sub-paragraph (b) and —

- (a) in sub-paragraph (b), the words “and before 1st August 1996”;
- (b) the word “or” immediately after sub-paragraph (c); and
- (c) sub-paragraph (d),

shall be omitted.

(3) For paragraph (10AD) there shall be substituted the following paragraph —

(1) 1988 c. 52; section 41 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 50 and Schedule 8.
(2) S.I. 1986/1078; relevant amending instruments are S.I. 1990/1131, 1991/1526, 1992/2137 and 3285 and 1995/2210.

“(10AD) Paragraph (10A) does not apply to —

- (a) a vehicle to which paragraph (10AA) applies; or
- (b) a vehicle if, at the date that the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph.”.

(4) After paragraph (10AD), there shall be inserted the following paragraph —

“(10AE) Paragraph (10AA) does not apply to a vehicle if, at the date that the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph.”

(5) In paragraph (10B), sub-paragraph (a) shall be omitted.

Amendments to Schedule 7B (Emissions from certain motor vehicles)

4.—(1) Schedule 7B shall be amended as follows.

(2) For sub-paragraph (b) of paragraph 7, there shall be substituted the following sub-paragraph —

“(b) “the emissions publication” is the publication entitled “In-Service Exhaust Emissions Standards for Road Vehicles — Second Edition” (ISBN 0-9526457-1-8) published by the Department of Transport.”.

Signed by authority of the Secretary of State for Transport

8th August 1996

John Bowis
Parliamentary Under Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986.

S.I.1995/2210 inserted a new paragraph (10AA) into regulation 61 of the 1986 Regulations with effect from 1st January 1996. The paragraph applies to various light vehicles with spark ignition engines. It makes it unlawful for a vehicle to which it applies to be used on a road if:

- (a) the carbon monoxide content of the exhaust emissions exceeds a specified amount at idling speed,
- (b) the carbon monoxide content of the emissions exceeds 0.3% at fast idling speed,
- (c) the hydrocarbon content of the emissions exceeds 0.02% at fast idling speed, or
- (d) the ratio of air to petrol vapour in the mixture entering the combustion chambers is outside specified limits.

As regards paragraph (a) and (d) above the permitted carbon monoxide content at idling speed and air to petrol ratios for a number of individual models were set out in a publication entitled “In-Service Exhaust Emission Standards for Road Vehicles” (ISBN 0-9526457-0-X). Those limits were applied by the 1986 Regulations by reference to that publication. The Regulations specified fixed limits for models not mentioned in that publication.

These Regulations amend the 1986 Regulations so that they refer to the second edition of “In-Service Exhaust Emissions Standards for Road Vehicles” (ISBN 0-9526457-1-8) instead of the first edition. The main effect of the substitution is to revise the requirements of paragraph (10AA) for most models. The description of some models in the second edition of the publications differ from the description in the first edition.

These Regulations also amend the 1986 Regulations so that the requirements of paragraph (10AA) no longer apply to any vehicle that is not a passenger car (as defined in regulation 61) unless it is of a model listed in the substituted publication. The vehicles that no longer have to comply with paragraph (10AA) will instead have to comply with paragraph (10A).

The opportunity has been taken to make some drafting improvements (see regulation 3(3), (4) and (5) of these Regulations).

A copy of the publications referred to above can be obtained free of charge from the Department of Transport, Vehicle Certification Agency, 1 Eastgate Office Centre, Eastgate Road, Bristol, BS5 6XX (telephone 01179-515151).