

STATUTORY INSTRUMENTS

**1996 No. 2329**

**The Road Vehicles (Construction and Use)  
(Amendment) (No. 5) Regulations 1996**

**New regulation 55A (noise limits—vehicles first used on or after 1st October 1996)**

6. After regulation 55, there shall be inserted—

**“Noise limits—certain vehicles first used on or after 1st October 1996—general**

**55A.**—(1) A motor vehicle to which an item in the Table below applies shall be so constructed that it meets the requirements specified in column 4 of that item; and an item in that Table applies to a vehicle if it is of the description specified in column 2 of that item.

This paragraph has effect subject to the following provisions of this regulation, regulation 59 and Schedule 7XA.

**THE TABLE**

(1) <i>Item</i>	(2) <i>Vehicles to which the item applies</i>	(3) <i>Earliest date of first use (see column 2)</i>	(4) <i>The requirements</i>	(5) <i>Modification of Community Directives in relation to special vehicles (See paragraph (4) (c))</i>
1	<p><b>1.</b> All motor vehicles with less than 4 wheels and first used on or after the date specified in column 3 of this item.</p> <p><b>2.</b> All special vehicles first used on or after the date specified in</p>	1st October 1996	<p>The requirements of—</p> <p>(a) regulation 55 as they would apply to the vehicle but for paragraph (1A) of that regulation; or</p> <p>(b) paragraphs 3 and 5.2 of Annex I to Community Directive</p>	<p>For paragraph 5.2.2.1 of Annex I, substitute—</p> <p>“The sound level measured in accordance with 5.2.2.2 to 5.2.2.5 of this Annex shall not exceed—</p> <p>(a) in the case of vehicles with engine power of less than 75 kW, 84 dB(A)</p> <p>(b) in the case of vehicles</p>

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*Status: This is the original version (as it was originally made).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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(1) <i>Item</i>	(2) <i>Vehicles to which the item applies</i>	(3) <i>Earliest date of first use (see column 2)</i>	(4) <i>The requirements</i>	(5) <i>Modification of Community Directives in relation to special vehicles (See paragraph (4) (c))</i>
	column 3 of this item.  <b>3.</b> All motor vehicles first used on or after the date specified in column 3 of this item with a maximum speed not exceeding 25 km/h.		92/97 or 96/20.	with engine power not less than 75 kW, 86 dB(A).”
2	All motor vehicles first used on or after the date specified in column 3 of this item, not being a vehicle to which item 1 applies.	1st October 1996	The requirements of paragraphs 3 and 5 of Annex I to Community Directive 92/97 or 96/20.	

(2) Paragraph (1) does not apply to—

- (a) a vehicle with fewer than 3 wheels; or
- (b) a vehicle of a description mentioned in regulation 55(2).

(3) In this regulation, “special vehicle” means a vehicle which is—

- (a) engineering plant;
- (b) a locomotive other than an agricultural motor vehicle;
- (c) a motor tractor other than an industrial tractor or an agricultural motor vehicle;
- (d) a public works vehicle; or
- (e) a works truck.

(4) For the purposes of this regulation—

- (a) subject to paragraphs (b), (c), (d) and (e), the Community Directives referred to in this regulation shall have effect in relation to a vehicle that is not a “vehicle” within the meaning of the Framework Directive but is of a class of a description specified in column 2 of an item in the Table in regulation 15 (whether or not

- regulation 15 applies to the vehicle) as it has effect in relation to a vehicle of the category specified in column 3 of that item;
- (b) subject to paragraphs (c), (d) and (e), a vehicle that does not fall within sub-paragraph (a) and is not a “vehicle” within the meaning of the Framework Directive shall be regarded as meeting the requirements of paragraph 5 of a Community Directive mentioned in the Table if it meets—
    - (i) the requirements of that paragraph as it applies to a vehicle in category M<sub>1</sub> or N<sub>1</sub> within the meaning of the Community Directive, or
    - (ii) the requirements of that paragraph as it applies to a vehicle that is not in either of those categories;
  - (c) subject to sub-paragraphs (d) and (e), in relation to a special vehicle the Community Directives mentioned in column 4 of an item in the Table shall have effect with the modifications (if any) specified in column 5 of the item;
  - (d) a requirement in paragraph 5.2.2.1 of Annex 1 to Community Directive 92/97 for a sound level not to exceed a specified limit in specified circumstances shall be read as a requirement for the sound level not to exceed that limit by more than the amount mentioned in paragraph 4.1 of Annex V to the Community Directive in those circumstances;
  - (e) a requirement in paragraph 5.2.2.1 of Annex 1 to Community Directive 96/20 for a sound level not to exceed a specified limit in specified circumstances shall be read as a requirement for the sound level not to exceed that limit by more than the amount mentioned in paragraph 4.1 of Annex III to the Directive in those circumstances.
- (5) Instead of complying with paragraph (1) a vehicle may comply at the time of its first use—
- (a) in the case of a vehicle to which item 1 of the Table applies, with Community Directive 77/212, 81/334, 84/424, 92/97 or 96/20 or ECE Regulation 51.02; or
  - (b) in the case of a vehicle to which item 2 of the Table applies, with Community Directive 92/97 or 96/20 or ECE Regulation 51.02.”.