
STATUTORY INSTRUMENTS

1996 No. 3014

ROAD TRAFFIC

**The Motor Vehicles (Type Approval for Goods Vehicles)
(Great Britain) (Amendment) (No. 2) Regulations 1996**

<i>Made</i>	- - - -	<i>2nd December 1996</i>
<i>Laid before Parliament</i>		<i>9th December 1996</i>
<i>Coming into Force</i>	- -	<i>1st July 1997</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54, 61, 63 and 66 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:

Citation and Commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) (No. 2) Regulations 1996 and shall come into force on 1st July 1997 immediately after the Motor Vehicles (Approval) Regulations 1996(2) come into force.

Preliminary

2. The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982(3) shall be further amended in accordance with the following provisions of the Regulations.

Amendments to regulation 2 (interpretation)

3.—(1) Regulation 2(1) shall be amended as follows.

(2) In the definition of “the prescribed type approval requirements” for the words “these Regulations” there shall be substituted the words “regulation 4”.

(1) 1988 c. 52; section 61 was amended by the Road Traffic Act 1991 (c. 40), Schedule 8 and section 63 was amended by S.I. 1992/3107. Section 66 was amended by the Vehicle Excise and Registration Act 1994 (c. 22), Schedule 3, paragraph 24(4) and by S.I. 1992/3107.
(2) S.I. 1996/3013.
(3) S.I. 1982/1271; relevant amending instruments are S.I. 1984/697, 1987/1508, 1988/1523, 1989/1579, 1991/1021, 1992/25, 1342 and 3084, 1993/2200, 1995/1323.

Amendments to regulation 3 (application)

- 4.—(1) Regulation 3 shall be amended as follows.
- (2) In paragraph (1), for the words “first used on or after” there shall be substituted the words “not first used before”.
- (3) In paragraph (2), sub-paragraphs (q) and (r) shall be omitted.

New regulation 3A (modifications in relation to which the Motor Vehicles (Approval) Regulations 1996 apply)

5. After regulation 3, there shall be inserted the following regulation—

“Modifications in relation to which the Motor Vehicles (Approval) Regulations 1996 apply

3A.—(1) These Regulations shall have effect, in relation to vehicles to which Part III of the Approval Regulations apply, with the following modifications.

- (2) Regulation 4 shall have effect subject to Regulation 5 of the Approval Regulations.
- (3) Regulation 8 does not apply to an application for a Minister’s approval certificate made on basis that the vehicle complies with the relevant requirements by virtue of the Approval Regulations.
- (4) Regulations 5 and 13 do not apply in relation to any determination made for the purposes of such an application.
- (5) Regulations 10, 11 and 12 do not apply to a vehicle in respect of which there is in force a Minister’s approval certificate in the form prescribed by the Approval Regulations.
- (6) Regulation 14 does not apply to any certificate issued on the basis that the vehicle complies with the relevant requirements by virtue of the Approval Regulations.
- (7) Regulation 15 does not apply to any certificate in the form prescribed by the Approval Regulations.
- (8) Regulations 18A and 19 do not apply to any vehicle to which Part III of the Approval Regulations (which contains provisions corresponding to Regulations 18A and 19) applies.
- (9) In this Regulation—
- “the Approval Regulations” means the Motor Vehicles (Approval) Regulations 1996; and
- “the relevant requirements”, in relation to a vehicle, means the requirements prescribed under section 54 of the 1988 Act that are applicable to it.”

Amendments to regulation 4 (type approval requirements—application)

- 6.—(1) Regulation 4 shall be amended as follows—
- (a) in paragraph (1), for the words “Subject to paragraphs (2), (2A), (3), (4), (5) and (6)” there shall be substituted the words “Subject to paragraphs (2) to (6), regulation 3A” and
- (b) after paragraph (12), there shall be inserted the following paragraph—
- “(13) In this regulation “prescribed” means prescribed under section 63(1) of the Road Traffic 1988.”

Insertion of new regulation 18A (obligatory certificates)

7. After regulation 18, there shall be inserted the following regulation—

“Obligatory certificates

18A.—(1) Subject to Regulation 3A, this Regulation applies to all vehicles subject to type approval requirements.

(2) The day appointed for the purposes of section 63(1) of the Road Traffic Act 1988 in relation to all vehicles—

(a) to which this Regulation applies; but

(b) which are not of a class for which a day has previously been appointed for those purposes,

is 1st July 1997.

(3) Without prejudice to any other regulations having effect by virtue of section 63(1) of the Road Traffic Act 1988, all vehicles to which this Regulation applies are of a class prescribed for the purposes of that section.

(4) The type approval requirements prescribed under section 63(1) of the Road Traffic Act 1988, in relation to any vehicle to which this Regulation applies, are the prescribed type approval requirements.”

Substitution of Regulation 19 (Licences not to be issued for vehicles unless appropriate certificates are in force)

8. For Regulation 19 there shall be substituted the following regulation—

“(19) Where application is made for a licence under the Vehicle Excise and Registration Act 1994(4) for a vehicle to which Regulation 18A applies, the licence shall not be granted unless on the first application after the day appointed by regulations made by virtue of section 63 of the Road Traffic Act 1988 for a licence for that vehicle, there is produced evidence that there is or are one or more certificates in force for the vehicle under sections 54 to 58 of the Road Traffic Act 1988 from which it appears that the vehicle complies with the prescribed type approval requirements.”

Signed by authority of the Secretary of State for Transport

Department of Transport
2nd December 1996

John Bowis
Parliamentary Under Secretary of State,

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 (“the 1982 Regulations”) and together with the Motor Vehicles (Approval) Regulations 1986 (“the Approval Regulations”) establish a statutory scheme for approving the construction of single light goods vehicles before such vehicles are brought into service.

Regulation 4 amends regulation 3 of the 1982 Regulations so as to apply those Regulations to personally imported and amateur-built light goods vehicles, which are classes to which the Approval Regulations apply but which had previously been excluded from the application of the 1982 Regulations, thus providing the option for such vehicles either to be type approved in accordance with the 1982 Regulations or to be given single vehicle approval in accordance with the Approval Regulations.

Regulation 5 inserts a new regulation 3A into the 1982 Regulations so as to modify those Regulations in relation to light goods vehicles to which the Approval Regulations apply. Regulation 7 inserts a new regulation 18A into the 1982 Regulations specifying, pursuant to section 63(1) of the Road Traffic Act 1988, 1st July 1997 as the appointed day for the purposes of that section from which the prescribed type approval requirements must be complied with in relation to such vehicles.

Regulations 3, 6 and 8 of these Regulations make minor consequential amendments to regulations 2 (interpretation) 4 (application of type approval requirements) and 19 (issue of licences) of the 1982 Regulations.

These Regulations have been notified to the European Commission pursuant to Directive [83/189/EEC](#) of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1983 L109, p.9) as amended by Council Directive [88/182/EEC](#) of 22nd March 1988 (OJ 1988 L81, p.75) and European Parliament and Council Directive [94/10/EEC](#) of 23rd March 1994 (OJ 1994 L100, p.30).