

STATUTORY INSTRUMENTS

**2005 No. 1904**

**The Passenger and Goods Vehicles  
(Recording Equipment) Regulations 2005**

**Amendments of the Transport Act 1968**

2.—(1) Section 97 of the 1968 Act (installation and use of recording equipment) is amended as follows.

(2) In subsection (1)(a)(ii), for “Annexes I and II” substitute “ the relevant Annexes ”.

(3) In subsection (2), for “Annexes I and II of” substitute “ the relevant Annexes to ”.

(4) After subsection (4) insert—

“(4A) A person shall not be liable to be convicted under subsection (1)(a) of this section by reason of the driver card not being used with the recording equipment installed in the vehicle in question if he proves to the court that—

(a) the driver card was damaged, malfunctioning, lost or stolen;

(b) the requirements of Article 16(2) and, apart from the last paragraph thereof, Article 16(3) of the Community Recording Equipment Regulation were being complied with; and

(c) in all other respects the recording equipment was being used as provided by Articles 13 to 15 of that Regulation.”

(5) Subsection (7) is amended as follows.

(6) Omit the word “ and ” before paragraph (c).

<sup>F1</sup>(7) .....

(8) Insert at the end—

““the relevant Annexes” to the Community Recording Equipment Regulation means—

(a) either Annex I or Annex IB to that Regulation; and

(b) Annex II to that Regulation.”.

**F1** Reg. 2(7) revoked (3.1.2007) by [The Passenger and Goods Vehicles \(Community Recording Equipment Regulation\) Regulations 2006 \(S.I. 2006/3276\)](#), regs. 1, **3(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Passenger and Goods Vehicles (Recording Equipment) Regulations 2005, Section 2.