

**2006 No. 3276**

**ROAD TRAFFIC**

**The Passenger and Goods Vehicles (Community Recording  
Equipment Regulation) Regulations 2006**

<i>Made</i>	- - - -	<i>6th December 2006</i>
<i>Laid before Parliament</i>		<i>11th December 2006</i>
<i>Coming into force</i>	- -	<i>3rd January 2007</i>

The Secretary of State for Transport is a Minister designated(a) for the purpose of section 2(2) of the European Communities Act 1972(b) in relation to the regulation of the type, description, construction or equipment of vehicles and the regulation and supervision of working conditions of persons engaged in road transport.

Accordingly the Secretary of State, in exercise of the powers conferred by section 2(2) of that Act, makes the following Regulations.

**Citation and Commencement**

1. These Regulations may be cited as the Passenger and Goods Vehicles (Community Recording Equipment Regulation) Regulations 2006 and shall come into force on 3rd January 2007.

**Amendment of definition of the Community Recording Equipment Regulation**

2.—(1) For the definition of “the Community Recording Equipment Regulation” in each of the provisions specified in paragraph (2) substitute the following definition:

““the Community Recording Equipment Regulation” means Council Regulation (EEC) No.3821/85(c) on recording equipment in road transport as it has effect in accordance with—

- (a) Commission Regulation (EEC) No.3314/90(d);
- (b) Commission Regulation (EEC) No.3688/92(e);
- (c) Commission Regulation (EC) No.2479/95(f);
- (d) Commission Regulation (EC) No.1056/97(g);
- (e) Article 1 of Council Regulation (EC) No.2135/98(h);

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(a) S.I. 1972/1811 and S.I.1975/1707.  
(b) 1972 .c.68.  
(c) O.J. No.L370, 31.12.85, p.8.  
(d) O.J. No.L318, 17.11.90, p.20.  
(e) O.J. No.L374, 22.12.92, p.12.  
(f) O.J. No.L256, 26.10.95, p.8.  
(g) O.J. No.L154, 12.06.97, p.21.  
(h) O.J. No.L274, 09.10.98, p.1.

- (f) Commission Regulation (EC) No.1360/2002(a)
  - (g) Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded(b);
  - (h) Regulation (EC) No.1882/2003 of the European Parliament and of the Council(c);
  - (i) Commission Regulation (EC) No.432/2004(d); and
  - (j) Regulation (EC) No.561/2006 of the European Parliament and of the Council(e);
- and as read with the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986(f).”.

(2) The provisions referred to in paragraph (1) are:

- (a) section 97(7) of the Transport Act 1968(g);
- (b) regulation 1(3) of the Passenger and Goods Vehicles (Recording Equipment) Regulations 1979(h);
- (c) regulation 3(3) of the Passenger and Goods Vehicles (Recording Equipment)(Amendment) Regulations 1984(i);
- (d) section 85 of the Road Traffic Act 1988(j); and
- (e) regulation 2(1) of the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card Fees) Regulations 2005(k);
- (f) regulation 2 of the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card) Regulations 2006(l).

(3) For the definition of the Community Recording Equipment Regulation in regulation 1(1) of the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 substitute the following definition:

““the Community Recording Equipment Regulation” means Council Regulation (EEC) No.3821/85 on recording equipment in road transport as it has effect in accordance with—

- (a) Commission Regulation (EEC) No 3314/90;
- (b) Commission Regulation (EEC) No 3688/92;
- (c) Commission Regulation (EC) No 2479/95;
- (d) Commission Regulation (EC) No 1056/97;
- (e) Article 1 of Council Regulation (EC) No 2135/98;
- (f) Commission Regulation (EC) No 1360/2002;
- (g) Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the

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(a) O.J. No.L207, 05.08.02, p.1.

(b) O.J. No.L236, 23.9.03, p.33.

(c) O.J. No.L284, 31.10.03, p.1.

(d) O.J. No.L071, 10.03.04, p.3.

(e) O.J. No.L102, 11.04.06, p.1.

(f) S.I. 1986/1456, amended by S.I.1986/1669, 1987/805, 1988/760, 1994/857, 1998/2006, 2001/1149, 2002/2469, 2003/1615 and 2004/696.

(g) 1968 c.73; section 97 was substituted by S.I.1979/1746 and amended by S.I.1984/144, 1986/1457, 1989/2121, 1996/941 and 2005/1904.

(h) S.I.1979/1746; the definition of “the Community Recording Equipment Regulation” was substituted by S.I.1996/941.

(i) S.I.1984/144; the definition of “the Community Recording Equipment Regulation” was substituted by S.I.1996/941.

(j) 1988 c.52; the definition of “the Community Recording Equipment Regulation” was substituted by S.I.1996/941.

(k) S.I.2005/1140.

(l) S.I.2006/1937.

Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded;

- (h) Regulation (EC) No 1882/2003 of the European Parliament and of the Council;
- (i) Commission Regulation (EC) No 432/2004; and
- (j) Regulation (EC) No 561/2006 of the European Parliament and of the Council.”.

**Revocation**

3.—(1) The Passenger and Goods Vehicles (Recording Equipment) Regulations 1996(a) are hereby revoked.

(2) Regulation 2(7) of the Passenger and Goods Vehicles (Recording Equipment) Regulations 2005(b) is hereby revoked.

Signed by authority of the Secretary of State for Transport

*S.J. Ladyman*  
Minister of State  
Department for Transport

6th December 2006

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(a) S.I.1996/941  
(b) S.I.2005/1904.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These regulations amend the definition of “the Community Recording Equipment Regulation” in the Transport Act 1968, the Passenger and Goods Vehicles (Recording Equipment) Regulations 1979, the Passenger and Goods Vehicles (Recording Equipment)(Amendment) Regulations 1984, the Community Drivers’ Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986, the Road Traffic Act 1988, the Passenger and Goods Vehicles (Recording Equipment)(Tachograph) Card Fees Regulations 2005 and the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card) Regulations 2006.

The amendments substitute new definitions, building on the old definitions and taking account of the amendments to Council Regulation (EEC) No.3821/85 made by Commission Regulations (EC) Nos.1056/97, 1360/2002 and 432/2004, by Council Regulation (EC) No.2135/98 and by Regulations (EC) No.1882/2003 and 561/2006 of the European Parliament and Council.

These Regulations incorporate the amendments made by the Passenger and Goods Vehicles (Recording Equipment) Regulations 1996 and by regulation 2(7) of the Passenger and Goods Vehicles (Recording Equipment) Regulations 2005, which are revoked by regulation 3.

A Regulatory Impact Assessment has not been prepared for this instrument as it has no significant impact on the costs of business.

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