
STATUTORY INSTRUMENTS

2009 No. 818

The Road Vehicles (Approval) (Consequential Amendments) Regulations 2009

Amendment of Road Traffic Act 1988

3.—(1) The Road Traffic Act 1988 ^{M1} is amended as provided in paragraphs (2) to (7).

^{F1}(2)

^{F1}(3)

(4) In section 65A (light passenger vehicles and motor cycles not to be sold without EC certificate of conformity) ^{M2}—

(a) in subsection (1)—

(i) omit “a light passenger vehicle or”, and

(ii) in paragraph (a)(ii), for “a member State” substitute “ an EEA State ”;

(b) omit subsection (3);

(c) in subsection (3A), omit “to which the motorcycle type approval Directive applies”;

(d) in subsection (4)—

(i) in paragraph (a), for “a member State” substitute “ an EEA State ”, and

(ii) in paragraph (b)(i), for “member State” substitute “ EEA State ”;

(e) in subsection (5)(e), for “a member State” substitute “ an EEA State ”;

(f) omit subsection (8).

(5) In consequence of the amendments made by paragraph (4), the heading to section 65A becomes “Motor cycles not to be sold without EC certificate of conformity”.

(6) In section 85(1) ^{M3} (interpretation of Part 2)—

(a) for the definition of “EC certificate of conformity” substitute—

““EC certificate of conformity” means—

(a) in the case of a light passenger vehicle, a certificate of conformity issued by a manufacturer under—

(i) regulation 4 of the Motor Vehicles (EC Type Approval) Regulations 1992 ^{M4},

(ii) regulation 5 of the Motor Vehicles (EC Type Approval) Regulations 1998 ^{M5},

(iii) regulation 15(1) or 20(4) of the Road Vehicles (Approval) Regulations 2009, or

(iv) any provision of the law of a member State other than the United Kingdom giving effect to Article 6 of the light passenger vehicle type approval Directive or Article 18 of the road vehicles type approval Directive;

(b) in the case of a vehicle to which the motorcycle type approval Directive applies, a certificate of conformity—

- (i) issued by a manufacturer under regulation 8(1) of the Motor Cycles Etc (EC Type Approval) Regulations 1999 ^{M6} (whether before, on or after 9th November 2003), or
- (ii) issued by a manufacturer under any provision of the law of an EEA State other than the United Kingdom giving effect to Article 7(1) of the motorcycle type approval Directive or to Article 7(1) of Council Directive [92/61/EEC](#) of 30th June 1992 relating to the type approval of two- or three-wheeled motor vehicles ^{M7},
- (c) in the case of a vehicle to which the tractor type approval Directive applies, a certificate of conformity issued by a manufacturer under—
 - (i) regulation 6 of the Tractor etc (EC Type-Approval) Regulations 2005 ^{M8}, or
 - (ii) any provision of the law of an EEA State other than the United Kingdom giving effect to Article 6(1) of the tractor type approval Directive;
- (d) in the case of any other vehicle, a certificate of conformity issued by a manufacturer under—
 - (i) regulation 15(1) of the Road Vehicles (Approval) Regulations 2009, or
 - (ii) any provision of the law of a member State other than the United Kingdom giving effect to Article 18 of the road vehicles type approval Directive;”;
- (b) in the definition of “light passenger vehicle”—
 - (i) omit paragraph (b), and
 - (ii) omit the words from “or a vehicle” to the end;
- (c) after the definition of “prescribed testing authority” insert—

““the road vehicles type approval Directive” means Directive [2007/46/EC](#) of the European Parliament and of the Council of 5th September 2007 establishing a framework for the approval of motor vehicles and their trailers and of systems, components and separate technical units intended for such vehicles ^{M9},”;
- (d) after the definition of “tail lamp” insert—

““the tractor type approval Directive” means Directive [2003/37/EC](#) of the European Parliament and of the Council of 26th May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units ^{M10},”.
- (7) In section 86 ^{M11} (index to Part 2), insert the following entries at the appropriate place—

“Road vehicles type approval Directive	Section 85”;
“Tractor type approval Directive	Section 85”.

F1 [Reg. 3\(2\)\(3\)](#) omitted (26.5.2015) by virtue of [The Deregulation Act 2015 \(Consequential Amendments\) Order 2015 \(S.I. 2015/971\)](#), art. 1(2)(a), [Sch. 2 para. 6](#)

Marginal Citations

M1 [1988 c.52](#).

M2 Section 65A was inserted by [S.I. 1992/3107](#). The section heading and subsection (1) were amended by [S.I. 1999/2920](#) and subsection (1) was also amended by the 1994 Act, Schedule 3, paragraph 24(4)(a). Subsection (3) was amended by [S.I. 1999/2920](#) and by the 1994 Act Schedule 3, paragraph

24(4)(b). Subsection (3A) was inserted by S.I. 1999/2920. Subsection (5) was amended by the Civil Contingencies Act 2004 (c.36), **Schedule 2**, Part 1, paragraph 9 and Schedule 3.

- M3** The relevant amendments to section 85 are by S.I. 1992/3107, 1999/2920, 2003/1099 and 2005/2060 and by the Fire and Rescue Services Act 2004 (c.21), **Schedule 1**, paragraph 69.
- M4** S.I. 1992/3107, **regulation 4** was revoked by S.I. 1998/2051.
- M5** S.I. 1998/2051, **regulation 5** was revoked by S.I. 2009/717.
- M6** S.I. 1999/2920, to which there are amendments not relevant to this instrument.
- M7** OJ No L225, 10.8.1992, p.72, repealed by the motorcycle type approval Directive.
- M8** S.I. 2005/390, to which there are amendments not relevant to this instrument.
- M9** OJ No L263, 9.10.2007, p.1, amended by Commission Regulation (EC) No 1060/2008 (OJ No L292, 31.10.2008, p.1).
- M10** OJ No L171, 9.7.2005, p.1, amended by Council Directives 2004/66/EC (L168, 1.5.2004, p.35) and 2006/96/EC and by Commission Directives 2005/13/EC (L55, 1.3.2005, p.35) and 2005/67/EC (L273, 19.10.2005, p.17).
- M11** The relevant amendments to section 86 are by S.I. 1992/3107.

Changes to legislation:

There are currently no known outstanding effects for the The Road Vehicles (Approval) (Consequential Amendments) Regulations 2009, Section 3.