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STATUTORY INSTRUMENTS

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**2001 No. 306**

**ROAD TRAFFIC**

**The Road Vehicles (Construction and Use) (Amendment) Regulations 2001**

*Made* - - - - *7th February 2001*  
*Laid before Parliament* *7th February 2001*  
*Coming into force* - - *1st March 2001*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by sections 41(1), (2) and (5) of the Road Traffic Act 1988(1), 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 Road Vehicles (Construction and Use) (Amendment) Regulations 2001 and shall come into operation on 1st March 2001.

**Preliminary**

2. The Road Vehicles (Construction and Use) Regulations 1986(2) shall be amended in accordance with the following provisions of these Regulations.

**Amendment of regulation 61A (emission of smoke, vapour, gases, oily substances etc. further requirements for certain motor vehicles first used after 1st January 2001)**

3. In regulation 61A(4), for the words “this paragraph” shall be substituted “paragraph (3)”.

**Amendment of Schedule 8 (plates for certain vehicles)**

4. In Schedule 8, Part III—

(1) in paragraph 2(1)—

(a) at the beginning shall be inserted the words “Subject to paragraph 3A,” and

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(1) 1988 c. 52; section 41(2) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 50.  
(2) S.I. 1986/1078; the relevant amending instrument is S.I. 2000/3197.

- (b) after the words “the Type Approval for Goods Vehicles Regulations(3)” shall be inserted “or the Motor Vehicles (Approval) Regulations 2001(4)”;
- (2) in paragraph 3, at the beginning shall be inserted the words “Subject to paragraph 3A,”; and
- (3) after paragraph 3, shall be inserted—

“**3A.** In the case of a vehicle—

- (a) which complies with the requirements specified in regulation 4(2) of the Motor Vehicles (Approval) Regulations 2001;
- (b) in respect of which a Minister’s approval certificate has been issued under section 58 of the 1988 Act for the purposes of the type approval requirements prescribed by those Regulations; and
- (c) in respect of which a Minister’s approval certificate has not subsequently been issued under that section for the purposes of the type approval requirements prescribed by the Type Approval for Goods Vehicles Regulations,

the weight shown on the plate in relation to items 7 and 10 in Part I of this Schedule shall be 3,500 kg.”

Signed by authority of the Secretary of State

*Larry Whitty*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

7th February 2001

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(3) Defined by regulation 3 of S.I. 1986/1078 to mean the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 (S.I. 1982/1271). Relevant amending instruments are S.I. 1984/697, 1984/1402, 1985/46, 1986/427, 1986/1089, 1987/1508, 1988/1523, 1989/1579, 1991/1021, 1991/1970, 1992/1342, 1992/3084, 1993/2200, 1994/2191, 1995/1323, 1996/2331, 1996/3014 and 1998/1006.

(4) S.I. 2001/25.

## EXPLANATORY NOTE

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

These Regulations amend the Road Vehicles (Construction and Use) Regulations 1986.

*Regulation 3* amends regulation 61A(4) to correct a cross-reference.

*Regulation 4* amends Schedule 8 to provide for certain goods vehicles which are designed or adapted to operate at a weight of between 3,500 kg. and 5,500 kg. when laden, and for which the most recent Minister's approval certificate was one issued by virtue of the Motor Vehicles (Approval) Regulations 2001 (S.I.2001/25), to bear a plate showing a weight of 3,500 kg. S.I. 2001/307, made at the same time as these Regulations, excludes such vehicles from the provisions of the Goods Vehicles (Plating and Testing) Regulations 1988 (S.I. 1988/1478).

These Regulations (except for regulation 3) have been notified to the European Commission and the other Member States in accordance with Directive 98/34/EC of the European Parliament and of the Council (OJNo. L204, 21.7.98, p. 37), as amended by Directive 98/48/EC of the European Parliament and of the Council (OJ No. L217, 5.8.98, p. 18).