

1974 No. 64

ROAD TRAFFIC
**The Motor Vehicles (Construction and Use) (Amendment)
Regulations 1974**

<i>Made</i>	- - -	10th January 1974
<i>Laid before Parliament</i>		25th January 1974
<i>Coming into Operation</i>		15th February 1974

The Secretary of State for the Environment, in exercise of his powers under section 40(1) and (3) of the Road Traffic Act 1972(a) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 15th February 1974 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations 1974.

2. The Motor Vehicles (Construction and Use) Regulations 1973(b), as amended (c), shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

3. In Regulation 4A (which exempts certain vehicles from certain requirements of the said Regulations of 1973, being vehicles in respect of which a type approval certificate or a certificate of conformity has been issued under the Motor Vehicles (Type Approval) Regulations 1973(d) by virtue of the vehicles' conforming to the requirements of the Council Directives specified in the Table set out at the end of the said Regulation 4A), at the end of the said Table there shall be added the following entry:—

"Council Directive 72/306/EEC of 2nd August 1972(e) relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles.	2nd February 1974	34
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4. In Regulation 102 (certain vehicles propelled by a compression ignition engine not to be used if parts of the engine have been altered so as to increase

(a) 1972 c. 20.

(b) S.I. 1973/24 (1973 I, p. 93).

(c) The relevant amending instrument is S.I. 1973/1347 (1973 II, p. 4133).

(d) S.I. 1973/1199 (1973 II, p. 3610).

(e) O.J. L 190, 20.8.72, p. 1 (SE 1972 (III), p. 889).

the emission of smoke), after the words "Regulation 34 applies" there shall be inserted the following words:—

"or a motor vehicle to which Regulation 4A(1) applies by virtue of the vehicle's conforming to the requirements of Council Directive 72/306/EEC of 2nd August 1972 (which relates to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles)."

Signed by authority of the Secretary of State.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

10th January 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1973 as follows:—

1. Motor Vehicles in respect of which a type approval certificate or a certificate of conformity has been issued under the Motor Vehicles (Type Approval) Regulations 1973 by virtue of their conforming to the requirements of the Council Directive referred to in Regulation 3 of these Regulations, being vehicles which are first used on or after 2nd February 1974, are exempted from the requirements of Regulation 34 of the Motor Vehicles (Construction and Use) Regulations 1973 (which imposes certain requirements on vehicles propelled by diesel engines as to the emission of smoke) (Regulation 3);
2. Motor Vehicles referred to in 1 above are not to be used on a road if a part of the engine has been altered so as to increase the emission of smoke (Regulation 4).

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