
STATUTORY INSTRUMENTS

1981 No. 1692**ROAD TRAFFIC****The Passenger and Goods Vehicles (Recording Equipment)
Regulations 1981**

<i>Made</i> - - - - -	25th November 1981
<i>Laid before Parliament</i>	10th December 1981
<i>Coming into Operation</i>	31st December 1981

The Secretary of State for Transport, being a Minister designated (a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation and supervision of the working conditions of persons engaged in road transport and the regulation of the type, description, construction or equipment of vehicles, in exercise of the powers conferred by that section, and now vested in him (c) hereby makes the following Regulations:—

Commencement and citation

1. These Regulations shall come into operation on 31st December 1981 and may be cited as the Passenger and Goods Vehicles (Recording Equipment) Regulations 1981.

2.—(1) In section 43 of the Road Traffic Act 1972(d) (tests of satisfactory condition of vehicles other than goods vehicles to which section 45 of that Act applies) the following subsection shall be inserted after subsection (6)—

“(7) In its application to vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, this section shall have effect as if any reference to prescribed statutory requirements included a reference to the prescribed requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be affixed to such equipment.”

(2) In section 45 of the said Act of 1972 (tests of satisfactory condition of certain classes of goods vehicles) the following subsection shall be inserted after subsection (9)—

“(9A) In its application to vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, this section shall have effect as if any reference to prescribed construction and use requirements included a reference to prescribed requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be affixed to such equipment.”

(a) S.I. 1975/1707 and 1972/1811.
(c) S.I. 1979/571 and 1981/238.

(b) 1972 c. 68.
(d) 1972 c. 20.

(3) In section 82 of the said Act of 1972 (interpretation of Part II) the following definition shall be inserted immediately before the definition of "construction and use requirements"—

“ the Community Recording Equipment Regulation ” means Council Regulation (EEC) No. 1463/60 of 20th July 1970 on the introduction of recording equipment in road transport(a), as amended by Council Regulations (EEC) Nos. 1787/73(b) and 2828/77(c), and as read with the Community Road Transport Rules (Exemption) Regulations 1978(d) and the Community Road Transport Rules (Exemptions) (Amendment) Regulations 1980(e); ’.

David Howell,

25th November 1981.

Secretary of State for Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend Part II of the Road Traffic Act 1972 to provide that the prescribed requirements of the Community Recording Equipment Regulation (as defined in these Regulations) as to the installation of recording equipment (a tachograph) in certain passenger and goods vehicles and the seals to be affixed to such equipment may be included in regulations under sections 43 and 45 of the Road Traffic Act 1972 which make provision for periodic tests of such vehicles as to specified aspects of their construction and condition, accessories and equipment.

The provision made by these amending Regulations enables to be implemented in relation to Great Britain, the United Kingdom's obligations under Council Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles (OJ No. L. 47, 18.2.77, p. 47), as respects the requirement for a periodic check for the presence of a tachograph, and the presence of, and the integrity of the seals on, a tachograph in passenger and goods vehicles as specified in paragraph 7.9 of Annex II to the Directive. Such a check is included in the annual test for goods vehicles by the Goods Vehicles (Plating and Testing) (Amendment) (No. 2) Regulations 1981 (S.I. 1981/1693), and for public service vehicles by the Motor Vehicles (Tests) Regulations 1981 (S.I. 1981/1694). Those Regulations include other provisions implementing as respects Great Britain the United Kingdom's obligations under the Directive.

(a) OJ No. L. 164, 27.7.70, p. 1.
(c) OJ No. L. 334, 24.12.77, p. 5.

(b) OJ No. L. 181, 4.7.73, p. 1.
(d) S.I. 1978/1158.
(e) S.I. 1980/266.