

1988 No. 1522

ROAD TRAFFIC

**The Motor Vehicles (Type Approval) (Great Britain)
(Amendment) Regulations 1988**

<i>Made - - - -</i>	<i>5th September 1988</i>
<i>Laid before Parliament</i>	<i>9th September 1988</i>
<i>Coming into force</i>	<i>1st October 1988</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 47(1) and 50(1) of the Road Traffic Act 1972(a), and now vested in him (b), and being a Minister designated(c) for the purposes of section 2(2) of the European Communities Act 1972(d) in relation to the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of the Road Traffic Act 1972, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Great Britain) (Amendment) Regulations 1988 and shall come into force on 1st October 1988.

Preliminary

2. The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(e) shall be further amended in accordance with the following provisions of these Regulations.

Amendments relating to exhaust emissions

3. In regulation 4(8), before "14B, 14C or 14D" there shall be inserted "4B".

4. In Schedule 1—

(a) in column (6) of item 4B, "30.9.1989" shall be inserted in the following two places, that is to say, the places opposite where "1.10.1979" and "10.1.1979" appear in column (5);

(b) in column (4) in item 4C the following words shall be omitted—

"3. Vehicles with two-stroke engines";

and

(c) after item 4C, there shall be inserted as item 4D the item so numbered in Schedule 1 to these Regulations.

(a) 1972 c.20, as amended and extended by section 10 of, and Schedule 2 to, the Road Traffic Act 1974 (c.50).

(b) S.I. 1979/571 and 1981/238.

(c) S.I. 1972/1811.

(d) 1972 c.68.

(e) S.I. 1984/981, as amended by S.I. 1984/1401, 1761, 1985/1651, 1986/739 and 1987/1509.

Amendments relating to unleaded petrol

5. At the end of regulation 4 there shall be added the following paragraph—

“(10) Schedule 1A shall have effect for the purpose of specifying, in relation to certain vehicles, dates which are to be read as if they appeared in column (5) of items 25 and 26 in Schedule 1.”.

6. In Schedule 1, after item 24A there shall be added as items 25 and 26 the items so numbered in Schedule 1 to these Regulations.

7. A schedule shall be inserted after Schedule 1 in accordance with the provisions of Schedule 2 to these Regulations.

Signed by authority of the Secretary of State

5th September 1988

Peter Bottomley
Parliamentary Under Secretary of State,
Department of Transport

SCHEDULE 1

Regulations 4 and 6

1	2	3	4	5	6
	a	b	c		
4D	Exhaust emissions Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983 and Council Directive 88/76/EEC of 3rd December 1987.	L76, 6.4.70, p.1 (SE 1970 (I), p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32, L223, 14.8.78, p.48, L197, 20.7.83, p.1 and L35, 9.2.88, p.1.	Design, construction and equipment requirements in Annex I paragraph 6 and either— (a) paragraph 5 as modified by paragraph 8.1 in the case of a vehicle to which paragraph 8.1 applies and paragraph 5 in the case of any other vehicle; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	1. Vehicles with other than spark ignition engines. 2. Vehicles over 3500kg maximum gross weight. 3. Vehicles fuelled solely by liquid petroleum gas.	1.7.88.
25	Fuel Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983 and Council Directive 88/76/EEC of 3rd December 1987.	L76, 6.4.70, p.1 (SE 1970 (I), p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32, L223, 14.8.78, p.48, L197, 20.7.83, p.1 and L36, 9.2.88, p.1.	Design requirement in Annex I, paragraph 5.1.2.	1. Vehicles with other than spark ignition engines. 2. Vehicles fuelled solely by liquid petroleum gas.	See regulation 4(10) and Schedule 1A.
26	Fuel input Road Vehicles (Construction and Use) Regulations 1986«6»		Design, construction and equipment requirements in regulation 39B.	1. Vehicles with other than spark ignition engines. 2. Vehicles fuelled solely by liquid petroleum gas.	See regulation 4(10) and Schedule 1A.

(a) S.I. 1986/1078; the relevant amending instrument is S.I. 1988/1524.

The following Schedule shall be inserted after Schedule 1 to the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984.

“SCHEDULE 1A (see regulation 4(10) and Schedule 1)

Dates of Application of Items 25 and 26 of Schedule 1

PART I

1. In this Schedule—

“EEC type approval certificate” means a certificate issued by a member state of the European Economic Community in accordance with Council Directive 70/220/EEC of 20th March 1970(a) as originally made or with any amendments which have from time to time been made before 5th September 1988;

“engine capacity” means in the case of a reciprocating engine, the nominal swept volume and, in the case of a rotary engine, double the nominal swept volume;

“off-road vehicle” has the meaning given by Annex I to Council Directive 70/156/EEC of 6th February 1970(b) as amended at 5th September 1988;

“relevant authority” means

- (a) in relation to an EEC type approval certificate issued by the United Kingdom, the Secretary of State, and
- (b) in relation to an EEC type approval certificate issued by any other member state of the European Economic Community, the authority having power under the law of that state to issue that certificate.

2. Items 25 and 26 of Schedule 1 shall have effect in relation to a vehicle as if the date applicable to that vehicle determined in accordance with the following provisions of this Schedule appeared in column (5) of those items.

3. The date applicable to a vehicle shall be—

- (a) where the vehicle is of a description specified in column 2 of the Table in Part II of this Schedule and the conditions specified in paragraph 4 are satisfied in relation to it, the date specified for a vehicle of that description in column 3 of the Table;
- (b) where paragraph (a) does not apply but the vehicle is one for which, or for a model of which, there is a type approval certificate or (as the case may be) a Minister's approval certificate in force on 30th September 1989, 1st October 1990;
- (c) in any other case, 1st October 1989.

4. The conditions referred to in paragraph 3 are—

- (a) that the vehicle is a model in relation to which there is in force an EEC type approval certificate issued before 1st October 1989;
- (b) that the manufacturer of the vehicle has supplied to the relevant authority which issued the EEC type approval certificate, a certificate stating that adapting vehicles of that model to the fuel requirements specified in the Annexes to Council Directive 70/220/EEC as amended at 5th September 1988 would entail a change in material specification of the inlet or exhaust valve seats or a reduction in the compression ratio or an increase in the engine capacity to compensate for loss of power; and
- (c) that the relevant authority has accepted the certificate referred to in sub-paragraph (b).

(a) OJ No L76, 6.4.70, p.1 (OJ/SE 1970(I) p.171); amending instruments are listed in item 4D in Schedule 1 to these Regulations.

(b) OJ No L42, 23.2.70, p.1; the relevant amending instrument is Council Directive 87/403/EEC (OJ No L220, 8.8.87, p.44).

PART II
TABLE (see Part I)

(1) <i>Item</i>	(2) <i>Description of vehicle</i>	(3) <i>Date in cases where paragraph 3(a) of Part I applies</i>
1.	Vehicles with an engine capacity of less than 1400cc.	1.10.1991
2.	Vehicles with an engine capacity of not less than 1400cc and not more than 2000cc.	1.10.1993
3.	Vehicles with an engine capacity of more than 2000cc and which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, or (b) have a maximum gross weight of not more than 2500kg. not being in either case, an off-road vehicle.	1.10.1992 ”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984.

Regulations 3 and 4 revise the type approval requirements relating to the exhaust emissions so as to—

- (a) provide (by adding a new item 4D to Schedule 1) a new alternative prescribed requirement as a result of Council Directive 88/76/EEC;
- (b) provide for the cessation of the requirements specified in item 4B of Schedule 1 on the 30th September 1990, in the case of vehicles for which, or for a model of which, there is a type approval or Minister's approval certificate in force on the 30th September 1989;
- (c) provide for the cessation of the requirements specified in item 4B of Schedule 1 on the 30th September 1989, in the case of vehicles for which, or for a model of which, there is no type approval or Minister's approval certificate in force on that date; and
- (d) remove vehicles with two-stroke engines from the classes of vehicles which are exempt from the requirements specified in item 4C of Schedule 1.

Regulations 5 and 6 and items 25 and 26 of Schedule 1 add new type approval requirements relating to fuel so that vehicles with petrol engines—

- (a) will have to be able to be run on unleaded petrol, and
- (b) must either be incapable of being readily filled from a petrol pump nozzle with a diameter of 23.6mm or greater, or (if certain conditions are met) be clearly marked (in the prescribed manner) so as to indicate that unleaded petrol can be used.

The date when these new fuel requirements start to apply is determined in accordance with a new Schedule 1A which is added by regulation 7.

Copies of the EEC Directives and ECE Regulations (and amendments) referred to in these Regulations can be obtained from Her Majesty's Stationery Office.