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STATUTORY INSTRUMENTS

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**1989 No. 1580**

**ROAD TRAFFIC**

**The Motor Vehicles (Type Approval) (Great Britain) (Amendment) Regulations 1989**

<i>Made</i>	- - - -	<i>31st August 1989</i>
<i>Laid before Parliament</i>		<i>8th September 1989</i>
<i>Coming into force</i>	- -	<i>1st October 1989</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54(1) and 61 of the Road Traffic Act 1988<sup>(1)</sup> and of all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988, hereby makes the following Regulations:—

**Citation and Commencement**

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Great Britain) (Amendment) Regulations 1989 and shall come into force on 1st October 1989.

**Preliminary**

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

**Amendments relating to exhaust emissions**

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

“(11) Schedule 1B shall have effect for the purpose of specifying, in relation to certain vehicles, dates which are to be read as if they appeared in columns (5) and (6) of item 4C, and column (5) of items 4D, 4E and 27 in Schedule 1”.

4. In Schedule 1—

- (a) for items 4B, 4C and 4D there shall be substituted the items 4B, 4C, 4D and 4E so numbered in Schedule 1 to these Regulations; and

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(1) 1988 c. 52.

(2) S.I.1984/981, as amended by S.I. 1984/1401, 1761, 1985/1651, 1986/739, 1987/1509 and 1988/1522.

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(b) after item 26 there shall be added as item 27, the item so numbered in Schedule 1 to these Regulations.

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

### **Supplementary provisions**

6. In Schedule 1, in column (2) of items 5, 5A and 5B, for the words “Exhaust emissions” there shall be substituted the words “Smoke emissions”.

7. In Schedule 1A, for the definition of “off-road vehicle” there shall be substituted— ““off-road vehicle” has the meaning given by Annex 1 to Council Directive [70/156/EEC](#) of 6th February 1970(3) as read with Council Directive [87/403/EEC](#) of 25th June 1987(4);”.

Signed by authority of the Secretary of State

Department of Transport  
31st August 1989

*Robert Atkins*  
Parliamentary Under Secretary of State

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(3) O.J. No. L42, 23.2.70, p.1.  
(4) O.J. No. L220, 8.8.87, p.44.

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## SCHEDULE 1

Regulation 4

(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
4B	Exhaust emissions	Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Commission Directive 77/102/EEC of 30 November 1976 and Commission Directive 78/665/EEC of 14 July 1978  or  ECE Regulation 15 as revised on 6 March 1978.	L76, 6.4. 70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32 and L223, 14.8.78, p.48.	Design, construction and equipment requirements in Annex 1, paragraphs 3 and 4.	<b>1. Vehicles</b> with other than spark ignition engines.  <b>2. Vehicles</b> over 3,500 kg maximum gross weight.  <b>3. Vehicles</b> fuelled solely by liquid petroleum gas.
					10.1.1979 30.9.1989
				Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and,	10.1.1979 30.9.1989

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
				relation to vehicles with automatic transmission, paragraph 11.6.	
4C	Exhaust emissions	Council Directive <a href="#">70/220/EEC</a> of 20 March 1970 as amended by Council Directive <a href="#">74/290/EEC</a> of 28 May 1974, Commission Directive <a href="#">77/102/EEC</a> of 30 November 1976, Commission Directive <a href="#">78/665/EEC</a> of 14 July 1978 and Council Directive <a href="#">83/351/EEC</a> of 16 June 1983	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 and L197, 20.7.83, p.1.	Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 8.1.	<b>1. Vehicles</b> propelled by compression ignition engines, and whose gross vehicle weight exceeds 3500 kg.  <b>2. Vehicles</b> fuelled by liquid petroleum gas.
				Save as otherwise stated in regulation 4 (1) and Schedule 1B, 1.8.84.	See regulation 4(11) and Schedule 1B.

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
		or ECE Regulation 15 as revised on 20 October 1981 and corrected on 9 June 1982		Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 12.9.	Save as otherwise stated in regulation 4 and Schedule 1B, 11.4.83.
		or ECE Regulation 15 as revised on 20 October 1981, corrected on 9 June 1982 and amended on 1 June 1984.		Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons,	See regulation 4(11) and Schedule 1B. 13.12.84.

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
4D	Exhaust emissions	Council Directive <a href="#">70/220/EEC</a> of 20 March 1970 as amended by Council Directive <a href="#">74/290/EEC</a> of 28 May 1974, Commission Directive <a href="#">78/665/EEC</a> of 14 July 1978, Council Directive <a href="#">83/351/EEC</a> of 16 June 1983 and Council Directive <a href="#">88/76/EEC</a> of 3 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 1 paragraph 6 and either:—a) paragraph 5 as modified by paragraph 8.1 in the case of vehicles to which 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.	<b>1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500 kg.</b> <b>2. Vehicles fuelled by liquid petroleum gas.</b> See regulation 4(11) and Schedule 1B.

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
		or			
		Council Directive <a href="#">70/220/EEC</a> of 20 March 1970 as amended by Council Directive <a href="#">74/290/EEC</a> of 28 May 1974, Council Directive <a href="#">77/102/EEC</a> of 30 November 1976, Commission Directive <a href="#">78/665/EEC</a> of 14 July 1978, Council Directive <a href="#">83/351/EEC</a> of 16 June 1983, Council Directive <a href="#">88/76/EEC</a> of 3 December 1987 and Council Directive	L76, 6.4.70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p32, L223, 14.8.78, p.48, L197, 20.7.83, p.1, L35, 9.2.88, p.1 and L214, 6.8.88, p.1.	Design, construction and equipment requirements in Annex 1 paragraph 6 and either:— (a) paragraph 5 or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	See regulation 4(11) and Schedule 1B.

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
4E	Exhaust emissions	<a href="#">88/436/EEC</a> of 16 June 1988, as corrected on 8 November 1988.  Council Directive <a href="#">88/77/EEC</a> of 3 December 1987.	L36, 9.2.88, p.33.	Design, construction and equipment requirements in Annex 1, paragraph 6.	<b>1. Vehicles</b> See regulation 4(11) and Schedule 1B. not propelled by compression ignition engines. <b>2. Vehicles</b> whose maximum gross weight does not exceed 3500 kg. <b>3. Vehicles</b> with less than 4 wheels if they are constructed not to exceed a speed of 30 mph on the level under their own power or if

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
					they have an unladen weight of less than 400 kg.
					4. Vehicles fuelled by liquid petroleum gas.
27	Particulate emissions	Council Directive <a href="#">70/220/EEC</a> of 20 March 1970 as amended by Council Directive <a href="#">74/290/EEC</a> of 28 May 1974, Council Directive <a href="#">77/102/EEC</a> of 30 November 1976, Commission Directive <a href="#">78/665/EEC</a> of 14 July 1978, Council Directive <a href="#">83/351/</a>	L76, 6.4.70, p.1 (SE 1970 (I) p.171), L159, 15.6.74, p.61, L32, 3.2.77, p32, L223, 14.8.78, p.48, L197, 20.7.83, p.1, L35, 9.2.88, p.1 and L214, 6.8.88, p.1.	Design, construction and equipment requirements in Annex 1 paragraph 6 and either:— (a) paragraph 5, or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3, as far as they relate to	1. Vehicles with other regulation 4(11) and compression ignition engines. 2. Vehicles constructed or adapted to carry more than 5 passengers, excluding the driver. 3. Vehicles of over 2500 kg maximum gross weight. 4. Off-road vehicles as defined by Annex 1

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(1)	(2)	(3)	(4)	(5)	(6)
Item No	Subject Matter	Particulars of instrument or other document containing requirements and of the nature of the requirements			
(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application
		EEC of 16 June 1983, Council Directive 88/76/EEC of 3 December 1987 and Council Directive 88/436/EEC of 16 June 1988, as corrected on 8 November 1988.		the mass of particular	to Council Directive 70/156/EEC of 6 February 1970 (O.J. No L42, 23.2.70, p.1) as amended by Council Directive 87/403/EEC of 25 June 1987 (O.J. No L220, 8.8.87, p.44).

## SCHEDULE 2

Regulation 5.

### “SCHEDULE 1B

(SEE REGULATION 4(11) AND SCHEDULE 1)

## PART I

1. In this Schedule “engine capacity” and “off-road vehicle” have the same meaning as in Schedule 1A.

2. Items 4C, 4D, 4E and 27 of Schedule 1 shall have effect in relation to a vehicle as if wherever the words “see regulation 4(11) and Schedule 1B” appear in columns (5) and (6) there were substituted the date applicable in accordance with the following provisions of this Schedule.

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**3.—**(1) In relation to an item specified in column 1 of the Table in Part II of this Schedule and a vehicle of a class specified in column 2 of the Table, the date to be substituted for each entry in column (5) of that item shall be—

- (a) in a case where sub-paragraph (2) applies, the date specified in column 3(b) of the Table, and
- (b) in any other case, the date specified in column 3(a) of the Table, against a vehicle of that class.

(2) This sub-paragraph applies in relation to a particular item and vehicle where—

- (a) there is, and was on the date specified in column 3(a) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or
- (b) there was on that date, in force in respect of another vehicle, a Minister's approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

**4.—**(1) In relation to an item specified in column 1 of the Table in Part II of this Schedule and a vehicle of a class specified in column 2 of the Table, the date to be substituted for each entry in column (6) of that item shall be—

- (a) in a case where sub-paragraph (2) applies, the date specified in column 4(b) of the Table; and
- (b) in any other case, the date specified in column 4(a) of the Table, against a vehicle of that class.

(2) This sub-paragraph applies in relation to a particular item and vehicle where—

- (a) there is, and was on the date specified in column 4(a) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or
- (b) there was on that date, in force in respect of another vehicle, a Minister's approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

## PART II

TABLE (SEE PART I)

(1)	(2)	(3)
Application Date		
(a)	(b)	(4)
Cessation date		
(a)	(b)	
Item in Schedule 1	Class of vehicle	
4C	1. Vehicles propelled by spark ignition engines, constructed or	

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(1)	(2)	(3)			
Application Date					
(a)	(b)	(4)			
Cessation date					
(a)	(b)				
Item in Schedule 1	Class of vehicle				
	adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500kg, not being an off- road vehicle in either case, and which has an engine capacity of:—				
	less than 1400 cc,	See Schedule 1 item 4C	See Schedule 1 item 4C	30.9.1990 30.9.1991 30.9.1991	30.9.1991 30.9.1993 30.9.1992
	not less than 1400 cc and not more than 2000 cc,				
	more than 2000 cc.				
	<b>2. Other vehicles propelled by spark ignition engines, with a maximum gross weight of:—</b>				
	not more than 2000 kg,	See Schedule 1 item 4C	See Schedule 1 item 4C	30.9.1990 30.9.1992	30.9.1991 30.9.1993
	not less than 2000 kg and not more than 3500 kg,			—	—
	more than 3500 kg.				

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(1)	(2)	(3)			
Application Date					
(a)	(b)	(4)			
Cessation date					
(a)	(b)				
Item in Schedule 1	Class of vehicle				
	<b>3. Vehicles propelled by compression ignition, direct injection engines constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg, not being an off-road vehicle, and which has an engine capacity of not less than 1400 cc and not more than 2000 cc.</b>	1.10.1990	1.10.1990	30.9.1994	30.9.1996
	<b>4. All other vehicles propelled by compression ignition engines.</b>	1.10.1990	1.10.1990	30.9.1992	30.9.1993
4D	<b>1. Vehicles propelled by spark ignition engines with a maximum gross weight of:—</b>				
	not more than 3500 kg,	1.7.1988	1.7.1988	—	—
	more than 3500 kg.	1.10.1990	1.10.1990	—	—

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(1)	(2)	(3)			
Application Date					
(a)	(b)	(4)			
Cessation date					
(a)	(b)				
Item in Schedule 1	Class of vehicle				
	<b>2.</b> Vehicles propelled by compression ignition engines.	1.10.1990	1.10.1990	—	—
4E	All vehicles.	1.10.1990	1.10.1990	—	—
27	<b>1.</b> Vehicles with indirect injection engines	1.10.1990	1.10.1990	—	—
	<b>2.</b> Vehicles with direct injection engines.	1.10.1994	1.10.1996	—	—”

## EXPLANATORY NOTE

*This note is not part of the Regulations)*

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

Previously only vehicles with petrol engines were subject to type approval requirements relating to the content of exhaust emissions (as opposed to the density of smoke) and there were no requirements relating to particulate emissions. These Regulations replace three items in Schedule 1 of the 1984 Regulations and add two new items. The three substituted items re-enact the existing requirements for vehicles with petrol engines. They also introduce new alternative requirements for vehicles with petrol engines and new requirements for vehicles with diesel engines. The table below sets out the derivations of the substituted items in so far as they re-enact previous items and the subject matter of the items. It also identifies the requirements that are new.

Subject matter of item	Previous Schedule Item	New Schedule Item	Extent that requirements are new
Exhaust emissions	4B	4B	—
Exhaust emissions	4C	4C	New so far as the requirement applies

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Subject matter of item	Previous Schedule Item	New Schedule Item	Extent that requirements are new to vehicles with diesel engines
Exhaust emissions	4D	4D	New so far as the requirement applies to vehicles with diesel engines
Exhaust emissions	—	4E	A new requirement for vehicles with diesel engines as a result of Council Directive <a href="#">88/77/EEC</a>
Particulate emissions	—	27	A new requirement for diesel engines as a result of Council Directive <a href="#">88/436/EEC</a>

The application dates for the new alternative requirements, are determined in accordance with the new Schedule 1B which is added by regulation 6. The dates of cessation of the existing requirements and some of the new requirements, in so far as they are not set out in the items, are also determined in accordance with that Schedule.

Regulation 7 changes the name of the subject matter of items 5, 5A and 5B from “exhaust emission” to “smoke emissions”. These items relate only to vehicles with diesel engines and the change is made to avoid confusion with the exhaust emission requirements set out in items 4B, 4C, 4D and 4E.

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