
EXPLANATORY NOTE

(This note is not part of the Regulations)

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

Regulation 61 of the 1986 Regulations is amended so as to introduce:

- (a) compulsory compliance with the limits on emissions from vehicles with spark ignition engines first used on or after 1st January 1997 as set by Council Directive [94/12/EC](#);
- (b) provision for other vehicles whenever first used to comply with those limits as an alternative to existing requirements.

Regulation 61(10A) previously made it unlawful (with certain exceptions) for a vehicle with a four stroke spark ignition engine to be used on a road if it was in such a condition that, with the engine idling, the carbon monoxide and hydrocarbon content of the exhaust emissions exceeded specified limits. The limit in the case of carbon monoxide content was 4.5% if the vehicle was first used on or after 1st August 1983 or 6% in any other case. The limit in the case of hydrocarbon content was 0.12%. The provision applied only to vehicles first used on or after 1st August 1975.

These Regulations substitute, with effect from 25th September 1995, a new regulation 61(10A) in similar terms but with the following modifications:

- (a) the fuel on which a vehicle is running as well as its condition has to be such that the emission requirements are met,
- (b) a 4.5% carbon monoxide limit applies to all vehicles first used on or after 1st August 1975 and before 1st August 1986,
- (c) in the case of vehicles first used on or after 1st August 1986, the carbon monoxide limit is reduced to 3.5%, and
- (d) the hydrocarbon content of the emissions has to be within the required limit when the engine is running without load at 2,000 rpm and not when idling.

A new Regulation 61(10AA) is inserted with effect from 1st January 1996 and applies to various light vehicles with spark ignition engines. As from that date, regulation 61(10A) will not apply to vehicles to which the new Regulation 61(10AA) applies. However, it will be unlawful for a vehicle to which regulation 61(10AA) applies to be used on a road if:

- (a) its carbon monoxide content exceeds a specified amount at idling speed,
- (b) the carbon monoxide content of the exhaust emissions exceeds 0.3% at fast idling speed,
- (c) the hydrocarbon content of the emissions exceeds 0.02% at fast idling speed, or
- (d) the ratio of air to petrol vapour in the mixture entering the combustion chambers is outside specified limits.

The new regulation 61(10AA) does not apply to any vehicle first used before 1st August 1992, to some vehicles first used before 1st August 1994 and to some vehicles first used before 1st August 1996. For some vehicles application of the provision is deferred until 1st August 1997.

A new regulation 61(10BA) is inserted with effect from 25th September 1995 and applies to vehicles with diesel engines (with certain exceptions). It makes it unlawful for a vehicle with a diesel engine to be used on a road if it is in such a condition and running on such fuel that specified limits concerning the emissions are exceeded. In the case of London taxis the regulation does not have effect until 1st April 1996.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The new regulation 61(10A), (10AA) and (10BA) as read with the Motor Vehicles (Tests) Regulations 1981 (S.I.1981/1694 as amended) will give effect to Council Directive [92/55/EEC](#) (OJNo. L225, 10.8.92, p. 68).

Compliance cost assessments have been prepared and copies can be obtained from the Department of Transport, Zone 2/04, Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone 0171-271-4632). Copies have been placed in the libraries in each House of Parliament.

A copy of the publication referred to in Schedule 2 to these Regulations can be obtained free of charge from the Department of Transport, Vehicle Certification Agency, 1 Eastgate Office Centre, Eastgate Road, Bristol, BS5 6XX (telephone 01179-515151).

Copies of the EC Directives can be obtained from Her Majesty's Stationary Office. The details of the Directives are set out in the Table below.

Principal Instrument	Amending Instruments
Council Directive 70/220/EEC (OJ No. L76, 6.4.70, p. 1) (SE 1970(I), p. 171).	Council Directive 74/290/EEC (OJ No. L159, 15.6.74, p. 61); Commission Directive 77/102/EEC (OJ No. L32, 3.2.77, p. 32); Commission Directive 78/665/EEC (OJ No. L223, 14.8.78, p. 48); Council Directive 83/351/EEC (OJ No. L197, 20.7.83, p. 1); Council Directive 88/76/EEC (OJ No. L36, 9.2.88, p. 1); Council Directive 88/436/EEC (OJ No. L214, 6.8.88, p. 1 to which there is a corrigendum in OJ No. L303, 8.11.88, p. 36); Council Directive 89/458/EEC (OJ No. L226, 3.8.89, p. 1); Council Directive 91/441/EEC (OJ No. L242, 30.8.91, p.1); Council Directive 93/59/EEC (OJ No. L186, 28.7.93, p. 21); and Council Directive 94/12/EC (OJ No. L100, 19.4.94, p. 42).
Council Directive 77/143/EEC (OJ No. L47, 18.2.77, p. 47)	Council Directive 88/449/EEC (OJ No. L222, 12.8.88, p. 10); Council Directive 91/225/EEC (OJ No. L103, 23.4.91, p.3); Council Directive 91/328/EEC (OJ No. L178, 6.7.91, p. 29); and Council Directive 92/55/EEC (OJ No. L225, 10.8.92, p.68).