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STATUTORY INSTRUMENTS

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**2001 No. 25**

**The Motor Vehicles (Approval) Regulations 2001**

**PART II**

**APPROVAL REQUIREMENTS FOR RELEVANT VEHICLES**

**Application of Regulations**

- 4.—(1) These Regulations apply to every motor vehicle—
- (a) to which the 1984 Regulations apply; or
  - (b) to which the 1982 Regulations apply and which either has a design gross weight not exceeding 3,500 kg or complies with the requirements specified in paragraph (2).
- (2) The requirements referred to in paragraph (1)(b) are that the vehicle in question—
- (a) has a design gross weight exceeding 3,500 kg but not exceeding 5,500 kg;
  - (b) has a kerbside weight not exceeding 3,425 kg; and
  - (c) belongs to the same family of types as at least one vehicle to which these Regulations apply by virtue of paragraph (1) and which has been granted a Minister's approval certificate on the basis that it complies with the approval requirements by virtue of these Regulations or the Motor Vehicles (Approval) Regulations 1996<sup>(1)</sup>.
- (3) In these Regulations, "relevant vehicle" means a vehicle to which these Regulations apply.

**Approval requirements for relevant vehicles**

5.—(1) Subject to the following provisions of this regulation, the following are prescribed under section 54 of the 1988 Act as requirements as to the design, construction, equipment and marking of relevant vehicles—

- (a) in the case of any relevant vehicle, compliance with the requirements set out in column 3 of the Table in Schedule 3; and
- (b) in the case of any relevant vehicle which is not a Schedule 2 vehicle, and in relation to each item in the Table in Schedule 4 for which is specified in column 3(a) of that Table a date which is, or falls before, the date of manufacture of the vehicle, compliance with the requirements of the Community instruments set out in column 3(b) of that Table in relation to that item, or with any equivalent requirement of the ECE Regulations set out in column 3(c) of that Table.

(2) Subject to paragraph (3), the requirements of paragraph (1)(b) shall not apply to a relevant vehicle until 1st August 2001.

(3) Where, in the case of any relevant vehicle which is of category M1 and to which the requirements of paragraph (1)(b) would not otherwise apply, a person making an application in accordance with regulation 6 requests the Secretary of State in writing at the time of making the

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(1) [S.I. 1996/3013](#); relevant amending instruments are set out in Schedule 1.

application that the provisions of paragraph (1)(b) be applied for the purposes of the application, those provisions shall so apply.

(4) The items in Schedule 3 numbered 1, 3, 6, 7, 8, 9, 10, 11, 14, 15, 16 and 19 and the items in Schedule 4 numbered 3, 8, 10, 11, 26, 27 and 28 shall not apply to goods vehicles.

(5) The requirements set out or referred to in column 3 of the Tables in Schedules 3 and 4 have effect subject to the exceptions and modifications set out in column 5 of those Tables.

(6) An entry in column 4 of an item in the Table in Schedules 3 and 4 shall have effect for the purposes of interpreting or otherwise supplementing the entries in that item and, for convenience, expressions that are defined in that column are printed in bold type.

(7) Where a provision of any Community instrument or ECE Regulation is applied by Schedule 4, that provision as so applied shall (except in so far as the contrary intention appears) have effect in relation to—

- (a) a vehicle to which the 1984 Regulations apply as it has effect in relation to a vehicle of category M1; and
- (b) a vehicle to which the 1982 Regulations apply as it has effect in relation to a vehicle of category N1.

(8) A relevant vehicle shall be regarded as complying with all the requirements prescribed under section 54 of the 1988 Act if at least one of the following three conditions are satisfied in relation to each applicable subject matter mentioned in Schedule 3 or 4—

- (a) that the vehicle complies with the requirements set out in paragraph (1);
- (b) that requirements applicable to the vehicle are prescribed by regulation 4 of the 1984 Regulations or by regulation 4 of the 1982 Regulations in relation to the subject matter and the vehicle complies with those requirements;
- (c) that there is produced to the Secretary of State evidence that satisfies him that the vehicle has been found by a competent authority in another EEA State to comply with requirements applicable to the vehicle equivalent to those prescribed in relation to the subject matter.

(9) For the purposes of paragraph (8)(b), the requirements prescribed by regulation 4 of the 1984 Regulations in relation to the subject matter mentioned in item 6 of column 2 of the Table in Schedule 3 to these Regulations (lamps, reflectors and devices) shall be regarded as the requirements prescribed in relation to—

- (a) installation of lighting and signalling equipment;
- (b) direction indicators;
- (c) headlamps and filament lamps;
- (d) side, rear and stop lamps;
- (e) rear reflectors; and
- (f) rear fog lamps.

(10) For the purposes of paragraph (8), regulation 4(1A) of the 1984 Regulations shall have effect as if—

- (a) for sub-paragraph (a), there were substituted—
  - “(a) an entry in column (6) of Part I of Schedule 1 shall not apply to the vehicle if the vehicle was manufactured before the date specified or having effect as if specified in that entry;”;and
- (b) the words after sub-paragraph (b) were omitted.

(11) For the purposes of paragraph (8), regulation 4(2A) of the 1982 Regulations shall have effect as if—

(a) for sub-paragraph (a), there were substituted—

“(a) an entry in column (6) of Part I of Schedule 1 shall not apply to the vehicle if the vehicle was manufactured before the date specified or having effect as if specified in that entry;” and

(b) the words after sub-paragraph (b) were omitted.

(12) If a relevant vehicle complies with all the requirements prescribed by—

(a) regulation 4 of the 1984 Regulations (disregarding paragraph (9)); or

(b) regulation 4 of the 1982 Regulations (disregarding paragraph (10)),

that are applicable to it, the requirements prescribed by this regulation shall not apply to it.