
STATUTORY INSTRUMENTS

2003 No. 1959

**The Motor Cycles Etc. (Single
Vehicle Approval) Regulations 2003**

**PART I
GENERAL**

Citation and commencement

1. These Regulations may be cited as the Motor Cycles Etc. (Single Vehicle Approval) Regulations 2003 and shall come into force on 8th August 2003.

Interpretation

2.—(1) In these Regulations—

“Directive 92/61/EEC” means Council Directive [92/61/EEC](#) relating to the type-approval of two or three-wheel motor vehicles(1) as amended by Directive [2000/7/EC](#) of the European Parliament and of the Council(2);

“Directive 93/34/EEC” means Council Directive [93/34/EEC](#) on statutory markings for two or three-wheel motor vehicles(3) as amended by Commission Directive [1999/25/EC](#)(4);

“Directive 2002/24/EC” means Directive [2002/24/EC](#) of the European Parliament and of the Council relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive [92/61/EC](#)(5);

“the 1988 Act” means the Road Traffic Act 1988;

“the 1994 Act” means the Vehicle Excise and Registration Act 1994(6);

“appeal” means an appeal under section 60 of the 1988 Act in respect of the determination of an application;

“application” means an application (whether an original application or a further application) under regulation 5 of these Regulations for the issue of a Minister’s approval certificate under section 58 of the 1988 Act;

“approval requirements” means the requirements as to the design, construction, equipment and marking of vehicles prescribed for the purpose of section 54 of the 1988 Act by regulation 4(1) of these Regulations;

“axle weight” has the meaning specified for that expression in column 2 of the table in regulation 3(2) of the Construction and Use Regulations;

(1) OJNo. L 225, 10.8.92, p.72.

(2) OJ No. L 106, 3.5.2000, p.1.

(3) OJ No. L 188, 29.7.93, p.38.

(4) OJ No. L 104, 21.4.1999, p.19.

(5) OJ No. L 124, 9.5.2002, p.1.

(6) [1994 c. 22.](#)

“conformity certificate” means—

- (a) a type approval certificate issued pursuant to Directive 92/61/EEC or Directive 2002/24/EC;
- (b) a communication issued pursuant to an ECE Regulation, or under the law of any State in which that Regulation has effect, indicating that a vehicle or part of a vehicle conforms to that Regulation; or
- (c) an EC certificate of conformity;

“the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986(7);

“cm³” means cubic centimetres;

“diesel moped” means a three-wheel vehicle fitted with an internal combustion engine other than of the spark (positive) ignition type the maximum net power output of which does not exceed 4 kW being a moped within the meaning of the second indent of Article 1.2(a)(ii) of Directive 2002/24/EC;

“driver” includes the rider and controller of a vehicle and “drive ” shall be construed accordingly;

“electric moped” means a vehicle fitted with an electric motor being a moped within the meaning of the second indent of Article 1.2(a)(i) or the third indent of Article 1.2(a)(ii) of Directive 2002/24/EC;

“examination” means an examination for the purposes of an application or a re-examination for the purposes of an appeal and “examiner” means the person carrying out an examination;

“48 km/h moped” means a vehicle which—

- (a) has a maximum design speed not exceeding 48 km/h and would be a moped within the meaning of the first indent of Article 1.2 of Directive 92/61/EEC save that it has a maximum design speed exceeding 45 km/h; and
- (b) is manufactured before these Regulations come into force;

“further application” means an application made in accordance with regulation 5(6) of these Regulations;

“gross weight” has the meaning specified for that expression in column 2 of the table in regulation 3(2) of the Construction and Use Regulations;

“km/h” means kilometres per hour;

“kW” means kilowatts;

“the Lighting Regulations” means the Road Vehicles Lighting Regulations 1989(8);

“mm” means millimetres;

“original application” means an application made in accordance with regulation 5(1) to (3) of these Regulations, not being a further application;

“part”, in relation to a vehicle, includes a system, a separate technical unit and a component;

“relevant vehicle” means a vehicle to which these Regulations apply by virtue of regulation 3;

“Schedule 1 vehicle” means a vehicle falling within Schedule 1;

“system” means a system as defined in Article 2.4 of Directive 2002/24/EC; and

“350kg quadricycle” means a vehicle within the meaning of Article 1.3(a) of Directive 2002/24/EC the unladen mass of which is—

(7) S.I.1986/1078.

(8) S.I. 1989/1796; relevant amending instrument is S.I. 1994/2280.

- (a) in the case of an electric vehicle, 350 kilogrammes excluding the mass of its batteries; and
- (b) in the case of any other vehicle, 350 kilogrammes.

(2) Other expressions used in these Regulations which are also used in Directive 92/61/EEC shall have the same meaning as in that Directive and cognate expressions shall be construed accordingly.

(3) A reference in Schedule 2 to these Regulations to a Community Directive as amended by another Directive is a reference to that Directive as amended by that other Directive and by Community instruments dated prior to the date of that other Directive.

(4) A reference in any provision of these Regulations to a prescribed fee is a reference to the fee (if any) for the time being prescribed for the purposes of that provision in regulations made under section 61 of the 1988 Act.

(5) Paragraphs (7) and (8) of regulation 3 of the Construction and Use Regulations (determination of the numbers of wheels and axles of a vehicle) shall apply for the purposes of these Regulations other than item 6 of Schedule 2 as they apply for the purposes of the Construction and Use Regulations other than regulations 26 and 27.

(6) For the purposes of these Regulations, a vehicle is to be regarded as being manufactured on or after a particular date if it was first assembled on or after that date, even if it included one or more parts which were manufactured before that date.

(7) In these Regulations “ECE Regulation” means a Regulation annexed to the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958⁽⁹⁾ as amended⁽¹⁰⁾ to which the United Kingdom is a party⁽¹¹⁾ and—

- (a) a reference to an ECE Regulation followed by a two or three digit number which is not itself followed by a two digit number (for example “ECE Regulation 30”) shall be read as a reference to the ECE Regulation of that number which follows that reference;
- (b) a reference to an ECE Regulation followed by a two or three digit number which is itself followed by a full-stop and a two digit number (for example “ ECE Regulation 30.01”) shall be read as a reference to the ECE Regulation of the first number as amended by the amending series represented by the second number.

⁽⁹⁾ Cmnd. 2535.

⁽¹⁰⁾ Cmnd. 3562.

⁽¹¹⁾ By an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.