

2006 No. 2409

ROAD TRAFFIC

**The Motor Vehicles (EC Type Approval) (Amendment No. 3)
Regulations 2006**

<i>Made</i> - - - -	<i>5th September 2006</i>
<i>Laid before Parliament</i>	<i>11th September 2006</i>
<i>Coming into force</i> - -	<i>13th October 2006</i>

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(a) for the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme (b).

Accordingly, in exercise of the powers conferred upon him by that section, he makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (EC Type Approval) (Amendment No. 3) Regulations 2006, and shall come into force on 13th October 2006.

(2) In these Regulations, “the principal Regulations” means the Motor Vehicles (EC Type Approval) Regulations 1998(c).

Amendment of regulation 3 (interpretation)

2. In regulation 3(1) of the principal Regulations, in the definition of “the Framework Directive” after the words “dated 6th March 2006”, there shall be added “, and by Directive 2005/66/EC of the European Parliament and of the Council, dated 26th October 2005/66/EC”.

Amendments of Schedule 1 (separate Directives)

3. In the table in Schedule 1 to the principal Regulations, after item 58 (pedestrian protection), there shall be added the following item—

“60	2005/66/EC†		L309, 25.11.2005, p.37	Frontal protection system”
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(a) 1972 c. 68.
(b) S.I. 1972/1811.
(c) S.I. 1998/2051; relevant amending instruments are S.I. 1999/778, 1999/2324, 2000/869, 2000/2730, 2001/2809, 2002/1835, 2002/2743, 2003/1019, 2003/2428, 2004/73, 2004/2186, 2005/2454, 2006/142 and 2006/1695.

Signed by authority of the Secretary of State

5th September 2006

G. Merron
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (EC Type Approval) Regulations 1998 (SI 1998/2051) (“the principal Regulations”), which set out the procedure and technical requirements for the type approval of “light passenger vehicles”, as defined by the Road Traffic Act 1988. Generally speaking, these are passenger vehicles with less than 8 seats not including the driver’s seat, regardless of their maximum laden weight.

Regulation 2 amends the definition of “the Framework Directive” in regulation 3(1) of the principal Regulations so that it encompasses the further amendments made to Council Directive 70/156/EEC(a), by Directive 2005/66/EC(b).

The Table in Schedule 1 to the principal Regulations (“the Table”) lists separate Directives, which lay down technical requirements for vehicle components or features of construction. Directive 2005/66/EC imposes new frontal protection requirements on light passenger vehicles of a total technically permissible laden mass less than or equal to 3.5 tonnes and on goods vehicles with a maximum mass not exceeding 3.5 tonnes.

By inserting references to this Directive at the end of the Table, *regulation 2* requires a type of light passenger vehicle to comply with the requirements of this Directive to receive EC type approval.

In order to follow the numbering of the table in Annex IV to the Framework Directive, which lists all the separate Directives, the item added will be numbered 60, even though, before the present amendment, the last item in the Table in the principal Regulations was numbered 58. Directive 2005/64/EC, which is at item 59 in the Table in Annex IV to the Framework Directive, will be implemented for the purposes of the principal Regulations at a later date.

In line with the principal Regulations, the use of the symbol † denotes that the Directive specified is a Directive of the European Parliament and of the Council.

A full regulatory impact assessment of the effect that this instrument will have on the costs of businesses has been prepared and is available from Gus Gander of the Vehicle Certification Agency of the Department for Transport, 1 Eastgate Office Centre, Eastgate Road, Bristol BS5 6XX (Tel: 01179 524119, e-mail: ggander@vca.gov.uk), and from the Office of Public Sector Information website: www.opsi.gov.uk..

A Transposition Note has been prepared, and is available from the same sources as the regulatory impact assessment.

(a) OJ No. L42, 23.02.1970, p.1.

(b) OJ No. L309, 25.11.2005, p.37.

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