
STATUTORY INSTRUMENTS

2016 No. 248

**The Passenger and Goods Vehicles
(Tachographs) (Amendment) Regulations 2016**

PART 3

Amendments to secondary legislation

Passenger and Goods Vehicles (Recording Equipment) Regulations 1979

14.—(1) The Passenger and Goods Vehicles (Recording Equipment) Regulations 1979(1) are amended as follows.

(2) In regulation 1(3) (commencement, citation, revocation and interpretation)(2) for the definition of “the Community Recording Equipment Regulation” substitute—

““the EU Tachographs Regulation means Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007”.

(3) In regulation 4 (installation or repair of recording equipment, checks and inspections)(3)—

(a) in paragraph (1)(a) for “Article 12 of the Community Recording Equipment Regulation” substitute “Article 22 of the EU Tachographs Regulation”;

(b) in paragraph (1)(b) after “Chapter VI of Annex I” insert “, or Chapter VI of Annex IB,”;

(c) after paragraph (5) insert—

“(6) A reference in this Regulation to Annex IB to the EU Tachographs Regulation has effect, until the coming into force of that Annex, as a reference to Annex IB to [Council Regulation \(EEC\) No. 3821/85](#) on recording equipment in road transport as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007.”.

Road Vehicles (Construction and Use) Regulations 1986

15.—(1) The Road Vehicles (Construction and Use) Regulations 1986(4) are amended as follows.

(2) In regulation 3(2) (interpretation)(5), in the table omit the entry for the Community Recording Equipment Regulation and at the appropriate place insert—

“EU Tachographs Regulation

Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport as read with the Community

(1) [S.I. 1979/1746](#).

(2) Regulation 1(3) is amended by [S.I. 2010/892](#).

(3) Regulation 4 is substituted by [S.I. 1984/144](#) and amended by [S.I. 1986/1457](#).

(4) [S.I. 1986/1078](#).

(5) Relevant amending instruments are [S.I. 1989/1865](#) and [S.I. 2010/2060](#).

Drivers' Hours and Recording Equipment Regulations 2007.”

(3) In regulation 35(2)(h) (speedometers)(6) and regulation 36(1)(b) (maintenance of speedometers) for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”.

Passenger and Goods Vehicles (Recording Equipment) (Approval of fitters and workshops) (Fees) Regulations 1986

16.—(1) The Passenger and Goods Vehicles (Recording Equipment) (Approval of fitters and workshops) (Fees) Regulations 1986(7) are amended as follows.

(2) In regulation 2(8) for ““the Community Recording Equipment Regulation” means [Council Regulation \(EEC\) No. 3821/85](#) on recording equipment in road transport” substitute “the EU Tachographs Regulation” means Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport”.

(3) In regulation 3(9) for “Article 12 of the Community Recording Equipment Regulation” substitute “Article 22 of the EU Tachographs Regulation”.

Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987

17.—(1) In the Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987(10), regulation 12 (exemptions) is amended as follows.

(2) In paragraph (4) for the words from “regulation 5” to “transport” substitute “regulation 2(1)(b) (ii) of the Community Drivers' Hours and Recording Equipment Regulations 2007 ([S.I. 2007/1819](#)) the EU Tachographs Regulation”.

(3) After paragraph (5) insert—

“(6) In this regulation “the EU Tachographs Regulation” means Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport.”.

Fixed Penalty Order 2000

18.—(1) The Fixed Penalty Order 2000(11) is amended as follows.

(2) In article 1A (interpretation)(12) for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”.

(3) In Schedule 2 (graduated fixed penalties), in Table 3 (section 97(1) Transport Act 1968)(13)—

(a) in entry 1 for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”;

(b) in entries 2, 3 and 4 for “article 13” substitute “article 32(1);

(c) in entry 5 for “article 14(1)” substitute “the third paragraph of article 33(1)”;

(d) in entry 6 for “article 14(1)” substitute “the second paragraph of article 33(1)”;

(6) Regulation 35 is amended by [S.I. 1998/1188](#) and [S.I. 2015/142](#).

(7) [S.I. 1986/2128](#).

(8) Regulation 2 is amended by [S.I. 2012/1502](#).

(9) Regulation 3 is amended by [S.I. 2009/866](#).

(10) [S.I. 1987/1421](#).

(11) [S.I. 2000/2792](#).

(12) Article 1A is inserted by [S.I. 2009/488](#).

(13) Table 3 is inserted by [S.I. 2009/488](#) and amended by [S.I. 2013/1569](#).

- (e) in entries 7 and 8 for “article 14(4)(a)” substitute “article 27(2)”;
- (f) in entry 9 for “article 15(1)(a)” substitute “article 35(2)(a)”;
- (g) in entry 10 for “article 15(1)(b)” substitute “article 35(2)(b)”;
- (h) in entries 11 and 12 for “article 15(2)” substitute “article 34(1)”;
- (i) in entry 13 for “article 15(2)” substitute “article 34(3)”;
- (j) in entry 14 for “article 15(2)” substitute “article 34(4)”.

Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card Fees) Regulations 2005

19.—(1) The Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card Fees) Regulations 2005(**14**) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1)(**15**)—

(a) omit the entry for the Community Recording Equipment Regulation and at the appropriate place insert—

““the EU Tachographs Regulation means Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007.”;

(b) in the definition of “company card”, “control card”, “driver card” and “workshop card” for “Annex IB to the Community Recording Equipment Regulation” substitute “Article 2 of the EU Tachographs Regulation”;

(c) in the definition of “competent authority” for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”.

(3) In that regulation, after paragraph (2) insert—

“(3) A reference in these Regulations to Annex IB to the EU Tachographs Regulation has effect, until the coming into force of that Annex, as a reference to Annex IB to [Council Regulation \(EEC\) No. 3821/85](#) on recording equipment in road transport as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007.”.

(4) In regulation 3(2)(a)(ii) (driver cards) for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”.

(5) In regulation 5(2)(a)(i) (company cards) for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”.

Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006

20.—(1) Regulation 2 of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 (interpretation)(**16**) is amended as follows.

(2) The existing text becomes paragraph (1).

(3) In that paragraph—

(a) omit the entry for the Community Recording Equipment Regulation and at the appropriate place insert—

““the EU Tachographs Regulation means Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007.”;

(14) [S.I. 2005/1140](#).

(15) Paragraph (1) is amended by [S.I. 2010/892](#).

(16) [S.I. 2006/1937](#). Regulation 2 is amended by [S.I. 2010/892](#).

- (b) in the definition of “company card”, “control card”, “driver card” and “workshop card” for “Annex IB to the Community Recording Equipment Regulation” substitute “Article 2 of the EU Tachographs Regulation”.
- (4) After that paragraph insert—
 - “(2) A reference in these Regulations to Annex IB to the EU Tachographs Regulation has effect, until the coming into force of that Annex, as a reference to Annex IB to [Council Regulation \(EEC\) No. 3821/85](#) on recording equipment in road transport as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007.”.

Community Drivers’ Hours and Recording Equipment Regulations 2007

21.—(1) The Community Drivers’ Hours and Recording Equipment Regulations 2007(17) are amended as follows.

(2) In regulation 1(2) (citation, commencement, interpretation and revocation) for “the Community Recording Equipment Regulation” means [Council Regulation \(EEC\) No. 3821/85](#)” substitute “the EU Tachographs Regulation” means Regulation (EU) No. 165/2014 of the European Parliament and of the Council on tachographs in road transport”.

(3) In regulation 2(1)(b)(iii) (exemption from the Community Drivers’ Hours Regulation) for “50” substitute “100”.

(4) In regulation 4 (exemption from the Community Recording Equipment Regulation), in the heading and in paragraphs (1) and (2) for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”.

(5) In the Schedule (exempted vehicles)(18)—

- (a) omit paragraph 4;
- (b) in paragraphs 6 and 15 for “50” substitute “100”.

Road Safety (Financial Penalty Deposit) (Appropriate Amount) Order 2009

22.—(1) The Road Safety (Financial Penalty Deposit) (Appropriate Amount) Order 2009(19) is amended as follows.

(2) In article 1(2) (citation, commencement and interpretation) omit the definition of “the Community Recording Equipment Regulation” and at the appropriate place insert—

“the EU Tachographs Regulation” has the meaning given in section 97(7) of the Transport Act 1968;”.

(3) In Schedule 2 (deposits for graduated fixed penalty offences), in Table 3 (section 97(1) Transport Act 1968)(20)—

- (a) in entry 1 for “Community Recording Equipment Regulation” substitute “EU Tachographs Regulation”;
- (b) in entries 2, 3 and 4 for “article 13” substitute “article 32(1);
- (c) in entry 5 for “article 14(1)” substitute “the third paragraph of article 33(1);
- (d) in entry 6 for “article 14(1)” substitute “the second paragraph of article 33(1);
- (e) in entries 7 and 8 for “article 14(4)(a)” substitute “article 27(2)”;
- (f) in entry 9 for “article 15(1)(a)” substitute “article 35(2)(a)”;

(17) [S.I. 2007/1819](#).

(18) There are amendments to the Schedule which are not relevant to these Regulations.

(19) [S.I. 2009/492](#).

(20) Table 3 is amended by [S.I. 2013/2025](#).

- (g) in entry 10 for “article 15(1)(b)” substitute “article 35(2)(b)”;
- (h) in entries 11 and 12 for “article 15(2)” substitute “article 34(1)”;
- (i) in entry 13 for “article 15(2)” substitute “article 34(3)”;
- (j) in entry 14 for “article 15(2)” substitute “article 34(4)”.