
STATUTORY INSTRUMENTS

2020 No. 818

The Road Vehicles (Approval) Regulations 2020

PART 4

Conditions for licensing or entry into service of vehicles

CHAPTER 1

Conditions relating to motor vehicles

Grant of first licence or registration of motor vehicle

21.—(1) Where a person makes an application under section [^{F1}7] of the 1994 Act for—

- (a) the issue of a first vehicle licence for a motor vehicle which is a relevant vehicle, or
- (b) the issue of a first nil licence for a motor vehicle which is a relevant vehicle,

the licence must not be granted unless [^{F2}the vehicle satisfies the condition in paragraph (1A) and either][^{F3}the condition] in paragraph (3) is satisfied or paragraph (6) applies.

[^{F4}(1A) The condition in this paragraph is that, if no vehicle approval issued by the Secretary of State, whether before or after IP completion day, in accordance with Article 45 of the Type Approval Regulation or the EU Type Approval Regulation has effect with respect to the vehicle, the vehicle—

- (a) has been constructed for use in left-hand traffic, and
- (b) uses both imperial and metric units of measurement for the speedometer.]

(2) Where a person makes an application under section 21 of the 1994 Act for the registration, before the issue of a first licence, of a motor vehicle which is a relevant vehicle the vehicle must not be registered unless [^{F5}the vehicle satisfies the condition in paragraph (1A), and either—

- (a) the condition in paragraph (3) is satisfied, or
- (b) paragraph (6) applies.]

[^{F6}(3) The “condition” is that an appropriate approval or certificate of conformity has effect with respect to the vehicle.]

(4) Subject to [^{F7}paragraphs (4A) and (5)], for the purposes of this Part a certificate of conformity of any kind has effect if—

- (a) it is issued in respect of—
 - (i) a type approval which, at the appropriate date, is valid for the vehicle in question, or
 - (ii) an end-of-series vehicle [^{F8}and the Secretary of State has permitted the registration of that vehicle in accordance with Article 49 of the Type Approval Regulation, or of the EU Type Approval Regulation], and
- (b) it is not issued in contravention of—
 - (i) an implementing act adopted under Article 36(4) of the Type Approval Regulation [^{F9}or the EU Type Approval Regulation], or

- (ii) regulation 16(7) (limitation on putting into service of vehicles covered by small series type approvals).

[^{F10}(4A) For the purposes of this Part, where a vehicle is to be kept, or normally kept, at a place in Great Britain—

- (a) an EU certificate of conformity which is not a certificate of conformity to which paragraph (4B) applies only has effect if it is issued in relation to a vehicle which—
 - (i) is a qualifying Northern Ireland good, or
 - (ii) was in the United Kingdom before IP completion day;
- (b) an EU individual approval certificate which is not issued by the Secretary of State only has effect if it is issued in relation to a vehicle which—
 - (i) is a qualifying Northern Ireland good, or
 - (ii) was in the United Kingdom before IP completion day.

(4B) This paragraph applies to—

- (a) an EU certificate of conformity to which section 57(1ZA) or 57(1ZC) of the Road Traffic Act 1988 applies, and
- (b) an EU certificate of conformity issued pursuant to an EU type-approval granted by the Secretary of State.]

(5) An EU certificate of conformity also has effect for the purposes of this Part if—

- [^{F11}(a) the vehicle to which it relates—
 - (i) was first put into service in a member State, and
 - (ii) if it is to be kept or normally kept at a place in Great Britain, it was first registered outside the United Kingdom before IP completion day,]
- (b) it was issued in respect of an EU type-approval which was valid on the date on which the vehicle was first put into service, and
- (c) it shows that the vehicle was constructed for use in left-hand traffic and that it uses imperial and metric units of measurement for the speedometer.

(6) This paragraph applies where a vehicle—

- (a) is of a class falling in category M₂ or M₃, and
- (b) was completed before 30th July 2011.

(7) In relation to a vehicle of a type to which [^{F12}a GB small series type-approval] has been granted by the approval authority under regulation 16 [^{F13}, where the vehicle is to be kept or normally kept in Great Britain], the Secretary of State must not—

- (a) issue a first vehicle licence for a motor vehicle,
- (b) issue a first nil licence for a motor vehicle,
- (c) register a motor vehicle before the issue of a first licence, or
- (d) give consent under regulation 23(3) to the supply of a large trailer for use on a road,

if it appears that doing so would cause the total number of vehicles registered or, as the case may be, put into service on roads in the [^{F14}Great Britain] in any year to exceed the maximum permitted number.

[^{F15}(7A) In relation to a vehicle of a type to which a national small series type-approval or a UK (NI) national small series type-approval has been granted by the approval authority under regulation 16, the Secretary of State must not—

- (a) issue a first vehicle licence for a motor vehicle,

- (b) issue a first nil licence for a motor vehicle,
- (c) register a motor vehicle before the issue of a first licence, or
- (d) give consent under regulation 23(3) to the supply of a large trailer for use on a road,

if it appears that doing so would cause the total number of vehicles registered or, as the case may be, put into service on roads in the United Kingdom in any year to exceed the maximum permitted number.]

(8) In calculating whether the maximum permitted number is exceeded in any particular year, no account is to be taken of any vehicle manufactured in an earlier year which was not registered or, as the case may be, put into service on roads in the United Kingdom [^{F16}or Great Britain, as the case may be,] in that year and provided that the number of vehicles manufactured in that earlier year did not exceed the maximum permitted number.

(9) In this regulation—

[^{F17}“appropriate approval or certificate of conformity” means any of the following which is appropriate to the vehicle—

- (a) where the vehicle is to be kept, or normally kept, at a place in Great Britain—
 - (i) a certificate of conformity issued under regulation 16(7) relating to—
 - (aa) a GB small series type approval,
 - (bb) a UK (NI) national small series type approval; or
 - (cc) a national small series type approval issued by the Secretary of State before IP completion day,
 - (ii) an individual vehicle approval certificate issued under regulation 18(10) of these Regulations, whether that approval—
 - (aa) is an individual vehicle approval issued by the Secretary of State before IP completion day, or
 - (bb) is a GB individual vehicle approval or a UK (NI) national individual vehicle approval,
 - (iii) an EU individual vehicle approval,
 - (iv) a GB certificate of conformity issued in relation to a GB whole-vehicle type-approval, or a GB medium series type-approval,
 - (v) an EU certificate of conformity issued in relation to an EU type-approval, including a UK (NI) type approval, granted by the Secretary of State under the Motor Vehicles (EC Type Approval) Regulations 1998, the Road Vehicles (Approval) Regulations 2009 or under these Regulations,
 - (vi) an EU certificate of conformity issued in relation to an EU type-approval granted by a member State under the EU Type Approval Regulation, Council Directive [70/156/EEC](#) of 6th February 1970 on the approximation of the laws of the member States relating to the type-approval of motor vehicles and their trailers, or [Directive 2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as either of those directives were implemented in the law of that member State, or
 - (vii) a certificate of conformity issued under section 57 of the Road Traffic Act 1988; or
- (b) where the vehicle is to be kept, or normally kept, at a place in Northern Ireland, a certificate or approval referred to in sub-paragraph (a)(i)(bb) or (cc), (ii) (except for a GB individual vehicle approval), (iii), (v), or (vi);]

[^{F18c}“appropriate date” means, as the case may be —

- (a) in the case of a certificate of conformity issued under section 57(1) of the Road Traffic Act 1988 in respect of a vehicle of a type which has been approved under section 55(1A) or 55(1D) of that Act, the date of issue of that certificate of conformity or the date of issue of that type-approval (whichever date is later), or
- (b) in any other case, the date of application under section 7 or 21 of the 1994 Act for the registration of, or the issue of a first licence for a vehicle];

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...

[^{F20c}“maximum permitted number” means —

- (a) for the purposes of paragraph (7), the number of units specified in the table in paragraph 2 of Section A of Annex V to the Type Approval Regulation in relation to the vehicle category to which that type belongs, and
- (b) for the purposes of paragraph (7A), the number of units specified in the table in paragraph 2 of Section A of Annex V to the EU Type Approval Regulation in relation to the vehicle category to which that type belongs;]

“old vehicle” means—

- (a) a vehicle of category M₁ or N₁ which is more than 10 years old at the appropriate date, or
- (b) vehicle of category N₂ or N₃ which is more than 25 years old at the appropriate date;

“relevant vehicle” means a vehicle which is not an old vehicle and which is—

- (a) a vehicle of category M or N to which the Type Approval Regulation applies on a compulsory basis, or
- (b) a vehicle of any category except category O to which the Type Approval Regulation applies on an optional basis and where the manufacturer has obtained type approval or individual approval in respect of that vehicle;

“year” means any period commencing with 1st January and ending with 31st December.

Textual Amendments

- F1** Word in reg. 21(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **15(1)(a)(i)**
- F2** Words in reg. 21(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **15(1)(a)(ii)(aa)**
- F3** Words in reg. 21(1) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **15(1)(a)(ii)(bb)**
- F4** Reg. 21(1A) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **15(1)(b)**
- F5** Words in reg. 21(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **15(1)(c)**
- F6** Reg. 21(3) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **15(1)(d)**

- F7** Words in reg. 21(4) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(e)(i)**
- F8** Words in reg. 21(4)(a)(ii) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(e)(ii)**
- F9** Words in reg. 21(4)(b)(i) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(e)(iii)**
- F10** Reg. 21(4A)(4B) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(f)**
- F11** Reg. 21(5)(a) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(g)(i)**
- F12** Words in reg. 21(7) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(h)(i)**
- F13** Words in reg. 21(7) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(h)(ii)**
- F14** Words in reg. 21(7) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(h)(iii)**
- F15** Reg. 21(7A) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(i)**
- F16** Words in reg. 21(8) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(j)**
- F17** Words in reg. 21(9) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(k)(i)**
- F18** Words in reg. 21(9) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(k)(ii)**
- F19** Words in reg. 21(9) omitted (31.12.2022 at 11.00 p.m.) by virtue of The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(k)(iii)**
- F20** Words in reg. 21(9) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **15(1)(k)(iv)**

Commencement Information

- I1** Reg. 21 in force at 1.9.2020, see reg. 1(b)

Changes to legislation:

There are currently no known outstanding effects for the The Road Vehicles (Approval) Regulations 2020, Section 21.