

## 1988 No. 405

## ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (Amendment)  
Regulations (Northern Ireland) 1988**

*Made* . . . . . 16th November 1988

*Coming into operation* . . . . . 26th December 1988

The Department of the Environment, in exercise of the powers conferred on it by Articles 31A(1), 31D(1) and (2) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of all other powers enabling it in that behalf, makes the following Regulations:

*Citation and commencement*

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1988 and shall come into operation on 26th December 1988.

*Regulations amended*

2. The Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(b) are further amended as follows—

- (1) In regulation 4 (type approval requirements — application)—  
 (a) in paragraph (8) before “14C and 14D” insert “4B,”; and  
 (b) after paragraph (9) insert—

“(10) Schedule 1A shall have effect for the purpose of specifying, in relation to certain vehicles, dates which are to be read as if they appeared in column (5) of items 25 and 26 of Schedule 1.”.

(2) In Schedule 1—

- (a) in column (6) of item 4B (exhaust emissions) insert “30.9.1989” in the following places—  
 (i) opposite the entry in column (3)(a) relating to Council Directive 70/220/EEC of 20th March 1970,  
 (ii) opposite the entry in column (3)(a) relating to ECE Regulation 15;  
 (b) in column (4) of item 4C (exhaust emissions) delete exemption 3 and re-number exemption 4 as 3;  
 (c) after item 4C insert as item 4D the item so numbered in the Schedule;  
 and  
 (d) after item 24A insert as items 25 and 26 the items so numbered in the Schedule.

(3) After Schedule 1 insert the following Schedule—

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(a) S.I. 1981/154 (N.I.1); amended by S.I. 1985/755 (N.I. 6) Art.3  
 (b) S.R. 1985 No. 294; amended by S.R. 1987 No. 389

"SCHEDULE 1A (see regulation 4(10))

**Dates of Application of Items 25 and 26 of Schedule 1**

## PART I.

## 1. In this Schedule—

"EEC type approval certificate" means a certificate issued by a member state of the European Economic Community in accordance with Council Directive 70/220/EEC of 20th March 1970(a) as originally made or with any amendments which have from time to time been made before 16th November 1988;

"engine capacity" means, in the case of a reciprocating engine, the nominal swept volume and, in the case of a rotary engine, double the nominal swept volume;

"off-road vehicle" has the meaning given by Annex I to Council Directive 70/156/EEC of 6th February 1970(b) as amended at 16th November 1988;

"relevant authority" means—

(a) in relation to an EEC type approval certificate issued by the United Kingdom, the Secretary of State or the Department of the Environment for Northern Ireland, and

(b) in relation to an EEC type approval certificate issued by another member state of the European Economic Community, the authority having power under the law of that state to issue that certificate.

2. Items 25 and 26 of Schedule 1 shall have effect in relation to a vehicle as if the date specified for the purposes of regulation 4(1)(a), determined in accordance with the following provisions, appeared in column (5) of those items.

3. The date applicable to such vehicle shall be—

(a) where the vehicle is of a description specified in column (2) of the Table in Part II and the conditions specified in paragraph 4 are satisfied in relation to it, the date specified for a vehicle of that description in column (3) of the Table;

(b) where sub-paragraph (a) does not apply but a type approval certificate or a Department's approval certificate is in force on 30th September 1989 in relation to the vehicle, 1st October 1990;

(c) in any other case, 1st October 1989.

4. The conditions referred to in paragraph 3 are—

(a) that the vehicle is a model in relation to which there is in force an EEC type approval certificate issued before 1st October 1989;

(b) that the manufacturer of the vehicle has supplied to the relevant authority which issued the EEC type approval certificate, a certificate stating that adapting vehicles of that model to the fuel requirements specified in the Annexes to Council Directive 70/220/EEC as amended at 16th November 1988 would entail a change in material specification of the inlet or exhaust valve seats or a reduction in the compression ratio or an increase in the engine capacity to compensate for loss of power; and

(c) that the relevant authority has accepted the certificate referred to in sub-paragraph (b).

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(a) O.J. No. 1. L76, 6.4.70, p.1 (O.J./SE 1970(I) p.171); amending instruments are listed in item 4D in the Schedule to these Regulations

(b) O.J. L42, 23.2.70, p.1; the relevant amending instrument is Council Directive 87/403/EEC (O.J. L220, 8.8.87, p.44)

## PART II

Table (see sub-paragraph 3(a) of Part I)

(1) Item	(2) Description of vehicle	(3) Date in cases where sub-paragraph — 3(a) of Part I applies
1.	Vehicles with an engine capacity of less than 1400 cc.	1.10.1991
2.	Vehicles with an engine capacity of not less than 1400 cc. and not more than 2000cc.	1.10.1993
3.	Vehicles with an engine capacity of more than 2000 cc. and which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, or (b) have a maximum gross weight of not more than 2500kg. not being, in either case, off-road vehicles.	1.10.1992

Sealed with the Official Seal of the Department of the Environment on 16th November 1988.

(L.S.)

*Trevor Pearson*

Assistant Secretary

SCHEDULE

(see regulation 2(2))

4D	Exhaust emissions	Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983 and Council Directive 88/76/EEC of 3rd December 1987.	L76, 6.4.70, p.1 (SE 1970 (I), p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32, L223, 14.8.78, p.48, L197, 20.7.83, p.1 and L36, 9.2.88, p.1.	Design, construction and equipment requirements in Annex I, paragraph 6 and either— (a) paragraph 5 as modified by paragraph 8.1 in the case of a vehicle to which paragraph 8.1 applies and paragraph 5 in the case of any other vehicle; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	1. Vehicles with other than spark ignition engines. 2: Vehicles over 3500kg. maximum gross weight. 3. Vehicles fuelled solely by liquid petroleum gas.	1st October 1988	
25	Fuel	Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive	L76, 6.4.70, p.1 (SE 1970 (I), p.171), L159, 15.6.74, p.61, L32, 3.2.77, p.32, L223, 14.8.78, p.48, L197, 20.7.83, p.1 and L36, 9.2.88, p.1.	Design requirement in Annex I, paragraph 5.1.2.	1. Vehicles with other than spark ignition engines. 2. Vehicles fuelled solely by liquid petroleum gas.	See regulation 4(10) and Schedule 1A.	

		83/351/EEC of 16th June 1983 and Council Directive 88/76/EEC of 3rd December 1987.				
26	Fuel input	Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1988(a)		Design, construction and equipment requirements in regulation 19.	<ul style="list-style-type: none"> <li>1. Vehicles with other than spark ignition engines.</li> <li>2. Vehicles fuelled solely by liquid petroleum gas.</li> </ul>	See regulation 4(10) and Schedule 1A.

(a) S.R. 1988 No. 404

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations further amend the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985 ("the 1985 Regulations").

Regulation 2(1) and (2) revise the type approval requirements relating to exhaust emissions by—

- (a) providing, by adding a new item 4D to Schedule 1 of the 1985 Regulations, a new alternative prescribed requirement as a result of Council Directive 88/76/EEC;
- (b) providing for the cessation on 30th September 1990 of the requirements specified in item 4B of that Schedule in the case of vehicles for which, or for a model of which, there is a type approval or Department's approval certificate in force on 30th September 1989;
- (c) providing for the cessation on 30th September 1989 of the requirements specified in item 4B of that Schedule in the case of vehicles for which, or for a model of which, there is no type approval or Department's approval certificate in force on that date; and
- (d) removing vehicles with two-stroke engines from the classes of vehicles which are exempt from the requirements specified in item 4C of that Schedule.

Regulation 2(1) and (2) and items 25 and 26 of said Schedule 1 add new type approval requirements relating to fuel so that vehicles with petrol engines—

- (a) will have to be able to be run on unleaded petrol, and
- (b) must either be incapable of being readily filled from a petrol pump nozzle with a diameter of 23.6mm or greater, or (if certain conditions are met) be clearly marked (in the prescribed manner) so as to indicate that unleaded petrol can be used.

The date when these new fuel requirements start to apply is determined in accordance with a new Schedule 1A inserted in the 1985 Regulations by regulation 2(3).

Copies of the EEC Directives and ECE Regulations (and amendments) referred to in these Regulations may be obtained from Her Majesty's Stationery Office.

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**1988 Nos. 406 and 407**

These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.