

1990 No. 84

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (Amendment)
Regulations (Northern Ireland) 1990**

Made 6th March 1990

Coming into operation 16th April 1990

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) 1990 and shall come into operation on 16th April 1990.

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), after paragraph (10) add—

“(11) Schedule 1B shall have effect for the purpose of specifying, in relation to certain vehicles, dates which are to be read as if they appeared in columns (5) and (6) of item 4C, and column (5) of items 4D, 4E and 27 in Schedule 1.”.

(2) In Schedule 1—

(a) for items 4B, 4C and 4D substitute the items numbered 4B, 4C, 4D and 4E in the Schedule;

(b) after item 26 add as item 27 the item so numbered in the Schedule; and

(c) in column 2 of items 5, 5A and 5B, for the words “Exhaust emissions” substitute the words “Smoke emissions”.

(3) In Schedule 1A for the definition of “off-road vehicle” substitute “ “off-road vehicle” has the meaning given by Annex 1 to Council Directive 70/156/EEC of 6th February 1970(c) as read with Council Directive 87/403/EEC of 25th June 1987(d).”.

(4) After Schedule 1A insert the following Schedule—

(a) S.I. 1981/154 (N.I. 1); Arts. 31A and 31D were inserted by S.I. 1985/755 (N.I. 6) Art. 3
 (b) S.R. 1985 No. 294; amended by S.Rs. 1987 No. 389 and 1988 No. 405
 (c) O.J. L42, 23.2.70, p. 1
 (d) O.J. L220, 8.8.87, p. 44

“SCHEDULE 1B (see regulation 4(11))

PART I

1. In this Schedule “engine capacity” and “off-road vehicle” have the same meaning as in Schedule 1A.

2. In relation to the vehicles described in column 2 of the Table in Part II the date determined in accordance with paragraphs 3 and 4 shall be the date specified for the purposes of column (5) in items 4C, 4D, 4E and 27 in Schedule 1.

3.—(1) In a case where paragraph 4 applies the date referred to in paragraph 2 shall be the date specified in column (3)(b) of the Table.

(2) In any other case, the date shall be the date specified in column (3)(a) of the Table.

4. This paragraph applies where—

(a) there is, and was on the date specified in column (3)(a) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or

(b) there was on that date, in force in respect of another vehicle, a Department’s approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

5. In relation to the vehicles described in column 2 of the Table in Part II the date determined in accordance with paragraphs 6 and 7 shall be the date specified for the purposes of column (6) in items 4C, 4D and 4E in Schedule 1.

6.—(1) In a case where paragraph 7 applies the date referred to in paragraph 2 shall be the date specified in column (4)(b) of the Table.

(2) In any other case, the date shall be the date specified in column (4)(a) of the Table.

7. This paragraph applies where—

(a) there is, and was on the date specified in column (4)(a) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or

(b) there was on that date, in force in respect of another vehicle, a Department’s approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

PART II

TABLE (SEE PART I)

(1) <i>Item in Schedule I</i>	(2) <i>Class of vehicle</i>	(3) <i>Application Date</i>		(4) <i>Cessation Date</i>	
		(a)	(b)	(a)	(b)
4C	<p>1. Vehicles propelled by spark ignition engines, constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg., not being an off-road vehicle in either case, and which has an engine capacity of:—</p> <p>(a) less than 1400 cc.,</p> <p>(b) not less than 1400 cc. and not more than 2000 cc.,</p> <p>(c) more than 2000 cc.</p> <p>2. Other vehicles propelled by spark ignition engines with a maximum gross weight of:—</p> <p>(a) not more than 2000 kg.,</p> <p>(b) more than 2000 kg. and not more than 3500 kg.,</p> <p>(c) more than 3500 kg.</p>	<p>2.12.85</p> <p>2.12.85</p> <p>1.10.90</p>	<p>2.12.85</p> <p>2.12.85</p> <p>1.10.90</p>	<p>30.9.90</p> <p>30.9.91</p> <p>30.9.91</p> <p>30.9.90</p> <p>30.9.92</p> <p>—</p>	<p>30.9.91</p> <p>30.9.93</p> <p>30.9.92</p> <p>30.9.91</p> <p>30.9.93</p> <p>—</p>

	3. Vehicles propelled by compression ignition, direct injection engines constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg., not being an off-road vehicle, and which has an engine capacity of not less than 1400 cc. and not more than 2000 cc.	1.10.90	1.10.90	30.9.94	30.9.96
	4. All other vehicles propelled by compression ignition engines.	1.10.90	1.10.90	30.9.92	30.9.93
4D	1. Vehicles propelled by spark ignition engines with a maximum gross weight of:— (a) not more than 3500 kg., (b) more than 3500 kg.	26.12.88 1.10.90	26.12.88 1.10.90	— —	— —
	2. Vehicles propelled by compression ignition engines.	1.10.90	1.10.90	—	—
4E	All vehicles.	1.10.90	1.10.90	—	—
27	1. Vehicles with indirect injection engines. 2. Vehicles with direct injection engines.	1.10.90 1.10.94	1.10.90 1.10.96	— —	— —

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Sealed with the Official Seal of the Department of the Environment on 6th
March 1990.

(L.S.)

Trevor Pearson

Assistant Secretary

SCHEDULE

(see regulation 2(2))

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<p>+B</p>	<p>Exhaust emissions</p>	<p>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 and Commission Directive 78/665/EEC of 14th July 1978</p> <p>or</p> <p>ECE Regulation 15 as revised on 6th March 1978.</p>	<p>L76, 6,4. 70. p. 1 (SE 1970 (1), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32 and L223, 14.8.78, p. 48.</p>	<p>Design, construction and equipment requirements in Annex I, paragraphs 3 and 4.</p> <p>Design, construction and equipment requirements in Annex I, paragraphs 5 and 6 and, in relation to vehicles with automatic transmission, paragraph 11.6.</p>	<p>1. Vehicles with other than spark ignition engines. 2. Vehicles over 3500 kg. maximum gross weight. 3. Vehicles fuelled solely by liquid petroleum gas.</p>	<p>30.9.89</p> <p>30.9.89</p>
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4C

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
and Council
Directive
83/351/EEC of
16th June 1983

or

ECE Regulation
15 as revised on
20th October
1981 and
corrected on 9th
June 1982

L76, 6.4.70, p. 1
(SE 1970 (I),
p. 171), L159,
15.6.74, p. 61,
L32, 3.2.77,
p. 32 and L223,
14.8.78, p. 48
and L197,
20.7.83, p. 1.

Design,
construction and
equipment
requirements in
Annex I
paragraphs 5 and
6 and, in relation
to vehicles
designed to carry
more than 6
persons,
paragraph 8.1.

Design,
construction and
equipment
requirements in
Annex I,
paragraphs 5 and
6 and, in relation
to vehicles
designed to carry
more than 6
persons,

1. Vehicles
propelled by
compression
engines and
whose gross
vehicle weight
exceeds 3500 kg.
2. Vehicles
fuelled by liquid
petroleum gas.

See regulation
4(11)

See regulation
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		or ECE Regulation 15 as revised on 20th October 1981, corrected on 9th June 1982 and amended on 1st June 1984.		paragraph 12.9. Design, construction and equipment requirements in Annex 1, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 12.9.		See regulation 4(11)
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	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 L35, 9.2.88, p. 1.	Design, construction and equipment requirements in Annex 1 paragraph 6 and either:— (a) paragraph 5 as modified by paragraph 8.1 in the case of vehicles to which 8.1 applies and paragraph 5 in the	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500 kg. 2. Vehicles fuelled by liquid petroleum gas.	See regulation 4(11)

and Council
Directive
88/76/EEC of 3rd
December 1987

or

Council Directive
70/220/EEC of
20th March 1970
as amended by
Council Directive
74/290/EEC of
28th May 1974,
Council 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,
Council Directive
88/76/EEC of 3rd

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, L35, 9.2.88,
p. 1 and L214,
6.8.88, p. 1.

case of any
other
vehicle; or
(b) paragraph
8.3 and
paragraph
5 as
modified
by
paragraph
8.3.

Design,
construction and
equipment
requirements in
Annex I
paragraph 6 and
either:—

(a) paragraph
5; or
(b) paragraph
8.3 and
paragraph
5 as
modified
by
paragraph
8.3.

See regulation
4(11)

		December 1987 and Council Directive 88/436/EEC of 16th June 1988, as corrected on 8th November 1988.				
-E	Exhaust emissions	Council Directive 88/77/EEC of 3rd December 1987.	L36; 9.2.88, p. 33.	Design, construction and equipment requirements in Annex I, paragraph 6.	<ol style="list-style-type: none"> 1. Vehicles not propelled by compression ignition engines. 2. Vehicles whose maximum gross weight does not exceed 3500 kg. 3. Vehicles with less than 4 wheels if they are constructed not to exceed a speed of 30 mph on the level under their own power or if they have an unladen weight of less than 400 kg. 4. Vehicles fuelled by liquid petroleum gas. 	See regulation 4(11)

27	Particulate emissions	Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Council 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, Council Directive 88/76/EEC of 3rd December 1987 and Council Directive 88/436/EEC of 16th June 1988, as corrected on 8th November 1988.	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, L35, 9.2.88, p. 1 and L214, 6.8.88, p. 1.	Design, construction and equipment requirements in Annex I paragraph 6 and either:— (a) paragraph 5; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3, as far as they relate to the mass of particulates.	1. Vehicles with other than compression ignition engines. 2. Vehicles constructed or adapted to carry more than 5 passengers, excluding the driver. 3. Vehicles over 2500 kg. maximum gross weight. 4. Off-road vehicles as defined by Annex I to Council Directive 70/156/EEC of 6th February 1970 (O.J. No. L42, 23.2.70, p. 1) as amended by Council Directive 87/403/EEC of 25th June 1987 (O.J. No. L220, 8.8.87, p. 44).		See regulation 4(11)
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EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985 by—

1. substituting 3 items in Schedule 1 and adding 2 new items. (The 3 substituted items re-enact the existing requirements for vehicles with petrol engines); and
2. introducing new alternative requirements for vehicles with petrol engines and vehicles with diesel engines. (Previously only vehicles with petrol engines were subject to type approval requirements relating to the content of exhaust emissions (as opposed to the density of smoke)).

The table below sets out the subject matter of the items, their derivations and the extent to which the requirements are new.

<i>Subject matter of item</i>	<i>Previous Schedule Item</i>	<i>New Schedule Item</i>	<i>Extent that requirements are new</i>
Exhaust emissions	4B	4B	—
Exhaust emissions	4C	4C	New so far as the requirement applies to vehicles with diesel engines and to vehicles with spark ignition engines which have a gross weight of more than 3500 kg.
Exhaust emissions	4D	4D	New so far as the requirement applies to vehicles with diesel engines.
Exhaust emissions	—	4E	A new requirement for vehicles with diesel engines as a result of Council Directive 88/77/EEC.
Particulate emissions	—	27	A new requirement for diesel engines as a result of Council Directive 88/436/EEC.

The application dates for the new alternative requirements are determined in accordance with the new Schedule 1B which is inserted by regulation 2(4). The dates of cessation of the existing requirements and some of the new requirements, in so far as they are not set out in the items, are also determined in accordance with that Schedule.

Regulation 2(2) changes the name of the subject matter of items 5, 5A and 5B from "exhaust emissions" to "smoke emissions". These items relate only to vehicles with diesel engines and the change is made to avoid confusion with the exhaust emission requirements set out in items 4B, 4C, 4D and 4E.

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