

---

## EXPLANATORY NOTE

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

These Regulations amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (the “1999 Regulations”) in relation to in-service and roadside exhaust emissions tests as a result of the requirement to implement Commission Directive [2003/27/EC](#) (O.J. No. 90, 8.4.2003, p. 41) which amended Council Directive [96/96/EC](#) (O.J. No. 46, 17.2.1997, p. 1) and Commission Directive [2003/26/EC](#) (O.J. No. 90, 8.4.2003, p. 37) which amended Directive [2000/30/EC](#) (O.J. No. 203, 10.8.2000, p. 1) of the European Parliament and of the Council.

Schedule 10 to the 1999 Regulations sets out the maximum acceptable levels of Carbon Monoxide in exhaust emissions for normal and fast idling speeds for vehicles propelled by spark engines (i.e. petrol fuelled vehicles) and the emission limits for vehicles propelled by compression ignition engines (i.e. diesel fuelled vehicles). Manufacturers are able to specify the relevant exhaust emissions limits for petrol-fuelled vehicles equipped with advanced emission control systems. Where no such specification is available the limit has been specified in Schedule 10 as 0.5% for normal idling speeds and 0.3% for fast idling speeds. With regard to vehicles propelled by compression ignition systems, Schedule 10 has specified that if the engine is turbo-charged, the exhaust emission limit is 3.0 per metre (coefficient of absorption) or in any other case 2.5 per metre (coefficient of absorption).

Requirements for such tests are laid out in point 8.2 of Annex II to Directive [96/96/EC](#) and point 2 of Annex II to Directive [2000/30/EC](#). These provisions have been respectively amended by Commission Directive [2003/27/EC](#) and Commission Directive [2003/26/EC](#). The effect of these amendments is to introduce tighter emission limits for more recently registered vehicles.

Regulation 3 of these Regulations amends regulation 74 of the 1999 Regulations so that the requirements of paragraph (16) apply to a non-passenger vehicle first used on or after 1st July 2002 which is not of a model listed in the Annex to the publication entitled ‘In-Service Exhaust Emission Standards for Road Vehicles’.

Regulation 4 of these Regulations amends Schedule 10 by introducing a default limit of 0.3% for normal idling speeds and 0.2% for fast idling speeds for vehicles propelled by spark ignition engines first used on or after 1st July 2002. It also introduces a default limit of 1.5 per metre (coefficient of absorption) for vehicles propelled by compression ignition engines first used on or after 1st July 2008.

Copies of the relevant EC Directives can be obtained from TSO.