



Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Miscellaneous

85 Interpretation of Part II.

In this Part of this Act—

[^{F1}“the Community Recording Equipment Regulation” means Council Regulation (EEC) No. 3821/85 on recording equipment in road transport as read with the Community Drivers' Hours and Recording Equipment Regulations 2007]

[^{F2}“EC certificate of conformity” means—

- (a) in the case of a light passenger vehicle, a certificate of conformity issued by a manufacturer under—
 - (i) regulation 4 of the Motor Vehicles (EC Type Approval) Regulations 1992,
 - (ii) regulation 5 of the Motor Vehicles (EC Type Approval) Regulations 1998,
 - (iii) regulation 15(1) or 20(4) of the Road Vehicles (Approval) Regulations 2009, or
 - (iv) any provision of the law of a member State other than the United Kingdom giving effect to Article 6 of the light passenger vehicle type approval Directive or Article 18 of the road vehicles type approval Directive;
- (b) in the case of a vehicle to which the motorcycle type approval Directive applies, a certificate of conformity—
 - (i) issued by a manufacturer under regulation 8(1) of the Motor Cycles Etc (EC Type Approval) Regulations 1999 (whether before, on or after 9th November 2003), or

Status: Point in time view as at 23/04/2010. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 85 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (ii) issued by a manufacturer under any provision of the law of an EEA State other than the United Kingdom giving effect to Article 7(1) of the motorcycle type approval Directive or to Article 7(1) of Council Directive [92/61/EEC](#) of 30th June 1992 relating to the type approval of two- or three-wheeled motor vehicles;
- (c) in the case of a vehicle to which the tractor type approval Directive applies, a certificate of conformity issued by a manufacturer under—
 - (i) regulation 6 of the Tractor etc (EC Type-Approval) Regulations 2005, or
 - (ii) any provision of the law of an EEA State other than the United Kingdom giving effect to Article 6(1) of the tractor type approval Directive;
- (d) in the case of any other vehicle, a certificate of conformity issued by a manufacturer under—
 - (i) regulation 15(1) of the Road Vehicles (Approval) Regulations 2009, or
 - (ii) any provision of the law of a member State other than the United Kingdom giving effect to Article 18 of the road vehicles type approval Directive;]

[^{F3}“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“EEA State” means a state which is a contracting Party to the EEA Agreement;]

^{F4} . . .

[^{F5}“light passenger vehicle” means any motor vehicle which—

- (a) has at least four wheels,
- (b) ^{F6}
- (c) is constructed or adapted for use for the carriage of passengers and is not a goods vehicle,
- (d) has no more than eight seats in addition to the driver’s seat, and
- (e) has a maximum design speed exceeding 25 kilometres per hour,

but does not include a quadricycle within the meaning of Article 1(3) of the motorcycle type approval Directive ^{F7} . . . ,

“the light passenger vehicle type approval Directive” means 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 as amended by Council Directive [87/403/EEC](#) of 25th June 1987 and Council Directive [92/53/EEC](#) of 18th June 1992,

[^{F8}“the motorcycle type approval Directive” means Directive [2002/24/EC](#) of the European Parliament and of the Council of 18th March 2002 relating to the type approval of two or three-wheel motor vehicles and repealing Council Directive [92/61/EEC](#), as corrected by a Corrigendum of 22nd February 2003,]]

“official testing station” means a testing station maintained by the Secretary of State under section [^{F9}72A] of this Act,

“prescribed” means prescribed by regulations made by the Secretary of State,

^{F10}[“public service vehicle” has the same meaning as in the Public Passenger Vehicles Act 1981,]

Status: Point in time view as at 23/04/2010. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 85 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F11}“the road vehicles type approval Directive” means Directive 2007/46/EC of the European Parliament and of the Council of 5th 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,]

“sold or supplied by retail” means sold or supplied otherwise than to a person acquiring solely for the purpose of resale or of re-supply for a valuable consideration,

“tail lamp” means, in relation to a vehicle, any lamp carried attached to the vehicle for the purpose of showing a red light to the rear in accordance with regulations under section 41 of this Act,

[^{F12}“the tractor type approval Directive” means Directive 2003/37/EC of the European Parliament and of the Council of 26th May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units,]

“traffic area” has the same meaning as in the Public Passenger Vehicles Act 1981 ^{M1}, and

“vehicle part” means any article which is a motor vehicle part, within the meaning of section 80 of this Act, and any other article which is made or adapted for use as part of, or as part of the equipment of, a vehicle which is intended or adapted to be used on roads but which is not a motor vehicle within the meaning of that section.

Textual Amendments

- F1** S. 85(1): definition of "Community Recording Equipment Regulation" substituted (23.4.2010) by [The Passenger and Goods Vehicles \(Community Recording Equipment Regulation\) Regulations 2010 \(S.I. 2010/892\)](#), [reg. 3\(2\)\(d\)](#)
- F2** S. 85: definition of "EC certificate of conformity" substituted (29.4.2009) by virtue of [The Road Vehicles \(Approval\) \(Consequential Amendments\) Regulations 2009 \(S.I. 2009/818\)](#), [reg. 3\(6\)\(a\)](#)
- F3** In s. 85 definition of "EEA Agreement" inserted (30.11.1999) by [S.I. 1999/2920](#), [reg. 19](#), [Sch. 2 para. 4\(3\)](#)
- F4** in s. 85 definition of "licensing authority" repealed (1.1.1996) by [1995 c. 23, s. 60\(1\)\(2\)](#), [Sch. 7 para. 13](#), [Sch. 8 Pt. I](#); [S.I. 1995/2181](#), [art. 2](#)
- F5** In s. 85 definitions of "light passenger vehicle", "the light passenger vehicle type approval Directive" and "the motorcycle type approval Directive" inserted (1.1.1993) by [S.I. 1992/3107](#), [regs. 1\(2\)](#), [16](#), [Sch. 2 para. 5\(2\)\(b\)](#)
- F6** S. 85: para. (b) in definition of "light passenger vehicle" omitted (29.4.2009) by virtue of [The Road Vehicles \(Approval\) \(Consequential Amendments\) Regulations 2009 \(S.I. 2009/818\)](#), [reg. 3\(6\)\(b\)\(i\)](#)
- F7** S. 85: words in definition omitted (29.4.2009) by virtue of [The Road Vehicles \(Approval\) \(Consequential Amendments\) Regulations 2009 \(S.I. 2009/818\)](#), [reg. 3\(6\)\(b\)\(ii\)](#)
- F8** In s. 85 definition of "the motorcycle type approval Directive" substituted (9.11.2003) by [The Motor Cycles Etc. \(EC Type Approval\) \(Amendment\) Regulations 2003 \(S.I. 2003/1099\)](#), [reg. 3\(b\)](#)
- F9** Word in s. 85 substituted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), [s. 48](#), [Sch. 4 para. 61\(a\)](#); [S.I. 1992/1286](#), [art. 2](#), [Sch.](#)
- F10** Definition in s. 85 inserted (1.7.1992) (after the definition of "prescribed") by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), [s. 48](#), [Sch. 4 para. 61\(b\)](#); [S.I. 1992/1286](#), [art. 2](#), [Sch.](#)
- F11** S. 85: definition of "the road vehicles type approval Directive" inserted (29.4.2009) by [The Road Vehicles \(Approval\) \(Consequential Amendments\) Regulations 2009 \(S.I. 2009/818\)](#), [reg. 3\(6\)\(c\)](#)
- F12** S. 86: definition of "the tractor type approval Directive" inserted (29.4.2009) by [The Road Vehicles \(Approval\) \(Consequential Amendments\) Regulations 2009 \(S.I. 2009/818\)](#), [reg. 3\(6\)\(d\)](#)

Status: Point in time view as at 23/04/2010. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 85 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Marginal Citations

M1 1981 c. 14.

Status:

Point in time view as at 23/04/2010. This version of this provision has been superseded.

Changes to legislation:

Road Traffic Act 1988, Section 85 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.