
S T A T U T O R Y I N S T R U M E N T S

1982 No. 1272

ROAD TRAFFIC

**The Motor Vehicles (Construction and Use)
(Amendment) (No. 4) Regulations 1982**

Made - - - *6th September 1982*

Laid before Parliament *16th September 1982*

Coming into Operation *1st October 1982*

The Secretary of State for Transport, in exercise of the powers conferred by section 40(1) and (3) of the Road Traffic Act 1972(a) and now vested in him(b), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 1st October 1982 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1982.

2. The Motor Vehicles (Construction and Use) Regulations 1978(c) are further amended in accordance with the following provisions of these Regulations.

3. In Regulation 3 (Interpretation) —

(a) in paragraph (1) delete the definition of “plating certificate”; and

(b) after paragraph (2) insert the following new paragraph:—

“(2A) For the purposes of these Regulations the date of manufacture of a vehicle to which the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982(d) apply shall, as regards any provisions of these Regulations, be the date of manufacture described in Regulation 2(4)(a) of the said Regulations of 1982.”.

4. In Regulation 5A (which deals with exemptions which flow from a certificate of conformity or a Minister’s approval certificate) —

(a) for paragraph (2), substitute the following new paragraph:—

“(2) Where in the case of a motor vehicle to which this Regulation applies:—

(a) 1972 c.20.

(b) S.I. 1979/571 and 1981/238.

(c) S.I. 1978/1017; the relevant amending instrument is S.I. 1981/1189.

(d) S.I. 1982/1271.

- (a) the certificate has been issued because the vehicle, or the relevant part of the vehicle, conforms to a type approval requirement specified in either—
- (i) column 2 of Table A below by reference to an item number and description of subject matter shown in Schedule 1 to the Motor Vehicles (Type Approval) (Great Britain) Regulations 1979(a); or
 - (ii) column 2 of Table B below by reference to an item number and description of subject matter shown in Schedule 1 to the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982.
- (b) the vehicle is first used on or after the date specified opposite to that item number and description in column 3 of the said Table A or, as the case may be, the said Table B, and
- (c) in a case where a date is specified opposite to that number and description in column 4 of the said Table A or, as the case may be, the said Table B, the vehicle is first used before that date,
- then that one or more (as the case may be) of these Regulations which are specified opposite to that item number and description in column 5 of the said Table A or, as the case may be, the said Table B, shall not apply to that vehicle.”;

(b) for “TABLE” substitute “TABLE A”; and

(c) after the Table mentioned in sub-paragraph (b) above add the following new Table:—

“TABLE B

1	2	3	4	5
	Item number in Schedule 1 to the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations and subject matter	Date on or after which vehicle is first used	Date before which the vehicle is first used	Regulations from which the vehicle is exempted
1.	Item No. 2—Exhaust emissions	1st October 1982		36
2.	Items No. 3 and 3A—Exhaust emissions	1st October 1982		37
3.	Items No. 5 and 5A—Radio interference suppression	1st October 1982		32
4.	Items No. 6, 6A, 6B, 6C and 6D—Brakes	1st October 1982		13, 14, 14A, 59 and 64”

5. In Regulation 44 (certain vehicles to satisfy a minimum power to weight ratio) —

(a) in paragraph (1), for the words “and is equipped with a plate in accordance with the provisions of Regulation 42(2)(a)” substitute the words “and

(a) S.I. 1979/1092; the amending instruments are S.I. 1980/879, 1165, 1981/696, 1619, 1982/8.

which is, by virtue of Regulation 42(2) or (2A), equipped with a plate which complies with the requirements mentioned in Regulation 42(2)(a)”; and

(b) in paragraph (3), for sub-paragraph (a) substitute the following sub-paragraph:—

“(a) which, by virtue of Regulation 42(2), is equipped with a plate which complies with the requirements mentioned in Regulation 42(2)(b) or which, by virtue of Regulation 42(2A), is equipped with a plate which complies with the requirements mentioned in Regulation 42(2)(c), and”.

6. In Regulation 80 (Markings on locomotives, tractors and heavy motor cars), after the words “Vehicles (Excise) Act 1971” add the words “nor to a vehicle the unladen weight of which is shown on its Ministry plate”.

7. In Regulation 95 (Additional weight restrictions), for paragraphs (2) and (3) substitute the following paragraph:—

“(2) Paragraph 4 of this Regulation applies to—

(a) a goods vehicle being a heavy motor car or motor car to which Regulation 42 applies and for which no Ministry plate has been issued, and

(b) a locomotive or motor tractor to which Regulation 42 applies.”.

8. In Regulation 96 (Special provisions as to display of particulars by certain trailers and drawing vehicles), in paragraph (1)(b), for “30 hundredweight” substitute “1525 kilograms”.

9. In Regulation 101A (which relates to the maintenance of braking systems), in paragraph (2), after sub-paragraph (c) insert the following sub-paragraph:—

“(cc) if it is a vehicle to which, by virtue of Regulation 5A, Regulation 14A does not apply, the requirements as to design and construction and equipment specified in items 6, 6A, 6B, 6C or 6D in Schedule 1 to the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 and, save as provided in paragraphs (3) to (6) below, the requirements as to performance specified in the instrument or other document mentioned, respectively, in relation to those items in column 3 of the said Schedule, are complied with;”.

10. In Regulation 146 (Interpretation) delete the definition “operative date”.

11. For Regulation 148 (Ministry plates for goods vehicles) substitute the following Regulation:—

“148.—(1) Every goods vehicle to which this part of these Regulations applies shall, from the date specified in paragraph (2) below, be equipped with a Ministry plate securely affixed, so as to be legible at all times, in a conspicuous and readily accessible position, and in the cab of the vehicle if it has one.

- (2) The date mentioned in paragraph (1) above is—
- (a) in the case of a vehicle to which the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 apply, 14 days after the plate was issued;
 - (b) in the case of any other vehicle, the relevant date as defined in section 46(1) of the 1972 Act.”.

12. In Regulations 149, 150(1) and 154 delete the words “or the operative date, whichever date is the later”, and in Regulations 152(2), 152(3) and 153(2) delete the words “or from the operative date, whichever is the later”.

13. In Schedule 2 (Plates for certain vehicles), in Part III, in paragraph 2, for the part of sub-paragraph (1) which does not consist of a proviso, substitute the following:—

- “(1) The weights to be shown on the plate to represent the weight limits at or below which the vehicle is fit for use, having regard to its design, construction and equipment and the stresses to which it is likely to be subject in use are those considered to be appropriate by—
- (a) in relation to items 6, 7 and 8 in Part I above, the Secretary of State if the vehicle is one to which the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 apply, or the manufacturer if the vehicle is one to which those Regulations do not apply;
 - (b) in relation to items 4, 5 and 6 in Part II above, the manufacturer.”.

14. In Schedule 11 (Form of Ministry plate), for Note 2 substitute the following Notes:—

- “2. Entries in respect of train weight are required in the cases of—
- (a) a motor vehicle constructed or adapted to form part of an articulated vehicle, and
 - (b) a rigid vehicle which is constructed or adapted to draw a trailer and is manufactured on or after 1st October 1982 and first used on or after 1st April 1983.
- 2A. A Ministry plate shall contain the words “Road Traffic Act 1972, Sections 40 and 47” instead of the words “Road Traffic Act 1972, Sections 40 and 45” in a case where the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 apply.
- 2B. A Ministry plate shall show the unladen weight and function of the vehicle in a case where the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 apply.”.

6th September 1982.

David Howell,
Secretary of State for Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978 (“the 1978 Regulations”) principally in view of the scheme of compulsory type approval for goods vehicles contained in the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 (“the 1982 Regulations”).
2. The amendments may be summarised as follows:—
 - (1) the date of manufacture of a vehicle subject to the 1982 Regulations is made the same in the 1978 Regulations as in the 1982 Regulations (Regulation 3(b));
 - (2) exemptions are given from certain provisions of the 1978 Regulations in the case of a vehicle, or vehicle part, which conforms to the 1982 Regulations (Regulation 4);
 - (3) the requirement as to marking of unladen weight is amended so as to cater for a case where that weight is shown on a Ministry plate (Regulation 6);
 - (4) certain additional weight restrictions are amended so as to avoid an incompatibility with the 1982 Regulations (Regulation 7);
 - (5) one provision in imperial units is converted to metric units (Regulation 8);
 - (6) the provisions as to the maintenance of braking systems are amended so as to cover vehicles subject to the 1982 Regulations but exempt from certain of the 1978 Regulations by virtue of Regulation 5A thereof (Regulation 9);
 - (7) defunct provisions relating to an operative date are revoked (Regulations 10 and 12);
 - (8) the provisions relating to the date from which a vehicle must be equipped with a Ministry plate are amended to cover vehicles for which such a plate will be issued as part of the certification under the 1982 Regulations as well as vehicles for which a Ministry plate will be issued as a result of a first examination under the Goods Vehicles (Plating and Testing) Regulations 1971 (S.I. 1971/352) (Regulation 11); and
 - (9) minor or consequential amendments are made (Regulations 3(a), 5, 13 and 14).

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