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[^{F1}SCHEDULE 3A

EXCLUSION OF CERTAIN VEHICLES FROM THE APPLICATION OF REGULATION 39A

Textual Amendments

- F1** Sch. 3A inserted (1.10.1988) by [The Road Vehicles \(Construction and Use\) \(Amendment\) \(No. 6\) Regulations 1988 \(S.I. 1988/1524\)](#), reg. 1, [Sch.](#)

PART I

1.—(1) In this Part —

“EEC type approval certificate” means a certificate issued by a member state of the European Economic Community in accordance with Community Directive 70/220 as originally made or with any amendments which have from time to time been made before 5th September 1988;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;

^{F2} ...

“relevant authority” means —

- (a) in relation to an EEC type approval certificate issued by the United Kingdom, the Secretary of State, and
- (b) in relation to an EEC type approval certificate issued by any other member state of the European Economic Community, the authority having power under the law of that state to issue that certificate.

(2) The reference in this Schedule to a M1 category vehicle is a reference to a vehicle described as M1 in Council Directive [70/156/EEC](#) of 6th February 1970 as amended at 5th September 1988.

Textual Amendments

- F2** Words in Sch. 3A para. 1 omitted (26.6.1990) by virtue of [The Road Vehicles \(Construction and Use\) \(Amendment\) \(No. 2\) Regulations 1990 \(S.I. 1990/1131\)](#), regs. 1, [6\(3\)\(a\)](#)

^{F3}**2.** A vehicle of a description specified in column 2 of the Table below is excluded from the application of regulation 39A if it is first used before the date specified in column 3 and the conditions specified in paragraph 3 are satisfied in respect to it on that date.

Textual Amendments

- F3** Sch. 3A para. 3 renumbered as Sch. 3A para. 2 (26.6.1990) by [The Road Vehicles \(Construction and Use\) \(Amendment\) \(No. 2\) Regulations 1990 \(S.I. 1990/1131\)](#), regs. 1, [6\(3\)\(b\)](#)

^{F4}**3.** The conditions referred to in paragraph 2 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

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to the fuel requirements specified in the Annexes to Community Directive 88/76 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).

Table

Item	Description of vehicle	Date before which vehicle must be first used
(1)	(2)	(3)
1.	Vehicles with an engine capacity of less than 1400cc.	1.4.92
2.	Vehicles with an engine capacity of not less than 1400cc and not more than 2000cc.	1.4.94
3.	M1 category vehicles with an engine capacity of more than 2000cc 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, an off-road vehicle.	1.4.93]

Textual Amendments

- F4** Sch. 3A para. 4 renumbered as Sch. 3A para. 3 (26.6.1990) by [The Road Vehicles \(Construction and Use\) \(Amendment\) \(No. 2\) Regulations 1990 \(S.I. 1990/1131\)](#), regs. 1, **6(3)(b)**

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