

1989 No. 1579

ROAD TRAFFIC

**The Motor Vehicles (Type Approval for Goods Vehicles)
(Great Britain) (Amendment) Regulations 1989**

<i>Made</i> - - - - -	<i>31st August 1989</i>
<i>Laid before Parliament</i>	<i>8th September 1989</i>
<i>Coming into force</i>	<i>1st October 1989</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54(1) and 61 of the Road Traffic Act 1988(a), and of all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 1989 and shall come into force on 1st October 1989.

Preliminary

2. The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982(b) shall be further amended in accordance with the following provisions of these Regulations.

Amendments relating to exhaust emissions

3. At the end of regulation 4 there shall be added the following paragraph:—

“(14) 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 2B, and column (5) of items 2C and 2D in Schedule 1.”.

4. For items 2, 2A and 2B in Schedule 1 there shall be substituted the items numbered 2, 2A, 2B, 2C and 2D as set out in Schedule 1 to these Regulations.

5. A Schedule shall be inserted after Schedule 1A in accordance with the provisions of Schedule 2 to these Regulations.

Supplementary provisions

6. In Schedule 1, in column (2) of items 3, 3A and 3B, for the words “Exhaust emissions” there shall be substituted the words “Smoke emissions”.

Signed by authority of the Secretary of State

Robert Atkins
Parliamentary Under Secretary of State,
Department of Transport

31st August 1989

(a) 1988 c.52.

(b) S.I. 1982/1271, as amended by S.I. 1984/697, 1402, 1985/46, 1986/427, 1089, 1987/1508 and 1988/1523.

SCHEDULE 1

Regulation 4

(1)	(2)	(3)			(4)	(5)	(6)	
		<i>Particulars of instrument or other document containing requirements, and of the nature of the requirements</i>						
Item No	Subject Matter	(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated	Vehicles exempted from requirement	Date of application	Date of cessation of application	
2	Exhaust emissions	Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Commission Directive 77/102/EEC of 30 November 1976 and Commission Directive 78/665/EEC of 14 July 1978	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.	Design, construction and equipment requirements in Annex 1, paragraph 5.	1. Vehicles not propelled by spark ignition engines. 2. 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. 3. Vehicles fuelled by liquid petroleum gas.	1.10.1982	30.9.1989	
		or		Design, construction and equipment requirements in paragraph 5 but with the increased limit values for nitrogen oxides given in paragraph 11.7.		1.10.1982	30.9.1989	
2A	Exhaust emissions	Regulation 61(3) of the Construction and Use Regulations.			1. Vehicles not propelled by spark ignition engines. 2. Vehicles whose maximum gross weight does not exceed 3500kg. 3. Vehicles propelled by 2 stroke engines. 4. Vehicles fuelled by liquid petroleum gas.	1.10.1982	30.9.1989	
2B	Exhaust emissions	Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Commission Directive 77/102/EEC of 30 November 1976, Commission Directive 78/665/EEC of 14 July 1978 and Council Directive 83/351/EEC of 16 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 and L197, 20.7.83, p.1.	Design, construction and equipment requirements in Annex 1 paragraph 5, as modified by paragraph 8.1.	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500kg. 2. 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 400kg. 3. Vehicles fuelled by liquid petroleum gas.	See regulation 4(14) and Schedule 1B.	See regulation 4(14) and Schedule 1B.	

(1)	(2)	(3)			(4)	(5)	(6)
<i>Particulars of instrument or other document containing requirements, and of the nature of the requirements</i>							
<i>Item No</i>	<i>Subject Matter</i>	(a) <i>Description, reference number and date of instrument</i>	(b) <i>Official journal reference of Community Instrument</i>	(c) <i>Nature of requirement and place in instrument where stated</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
		ECE Regulation 15 as revised on 20 October 1981 and corrected on 9 June 1982		Design, construction and equipment requirements in paragraph 5 but with the increased limit values for nitrogen oxides given in paragraph 12.4.		See regulation 4(14) and Schedule 1B.	See regulation 4(14) and Schedule 1B.
		or					
		ECE Regulation 15 as revised on 20 October 1981, corrected on 9 June 1982 and amended on 1 June 1984.		Design, construction and equipment requirements in paragraph 5 but with the increased limit values for nitrogen oxides given in paragraph 12.4.		See regulation 4(14) and Schedule 1B.	See regulation 4(14) and Schedule 1B.
2C	Exhaust emissions	Council Directive 70/220/EEC of 20 March 1970 as amended by Council Directive 74/290/EEC of 28 May 1974, Commission Directive 77/102/EEC of 30 November 1976, Commission Directive 78/665/EEC of 14 July 1978, Council Directive 83/351/EEC of 16 June 1983 and Council Directive 88/76/EEC of 3 December 1987.	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 L36, 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, or b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	1. 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 400kg. 2. Vehicles fuelled by liquid petroleum gas.	See regulation 4(14) and Schedule 1B.	
2D	Exhaust emissions	Council Directive 88/77/EEC of 3 December 1987.	L36, 9.2.88, p.33.	Design, construction and equipment requirements in Annex 1, paragraph 6.	1. Vehicles not propelled by compression ignition engines. 2. 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 400kg. 3. Vehicles fuelled by liquid petroleum gas.	See regulation 4(14) and Schedule 1B.	

SCHEDULE 2

Regulation 5

“ SCHEDULE 1B (See REGULATION 4(14) AND SCHEDULE 1)

PART I

1. Items 2B, 2C and 2D of Schedule 1 shall have effect in relation to a vehicle as if wherever the words “ see regulation 4(14) and Schedule 1B ” appear in columns (5) and (6) there were substituted the date applicable in accordance with the following provisions of this Schedule.

2. In relation to an item specified in column 1 of the Table in Part II of this Schedule and a vehicle of a class specified in column 2 of the Table, the date to be substituted for each entry in column (5) of that item shall be the date shown in column 3 of the Table against a vehicle of that class.

3.—(1) In relation to an item specified in column 1 of the Table in Part II of this Schedule and a vehicle of a class specified in column 2 of the Table, the date to be substituted for each entry in column (6) of that item shall be—

- (a) in a case where sub-paragraph (2) applies, the date shown in column 4(b) of the Table, and
- (b) in any other case, the date shown in column 4(a) of the Table,

against a vehicle of that class.

(2) This sub-paragraph applies in relation to a particular item and vehicle where—

- (a) there is, and was on the date shown 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 the 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 Minister’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)	(2)	(3)	(4)	
<i>Item in Schedule 1</i>	<i>Class of Vehicle</i>	<i>Application Date</i>	<i>Cessation Date (a)</i>	<i>(b)</i>
2B	1. Vehicles, propelled by spark ignition engines, with a maximum gross weight of:—			
	(a) not more than 2000kg	20.6.84	30.9.1990	30.9.1991
	(b) more than 2000kg.	20.6.84	30.9.1992	30.9.1993
	2. Vehicles propelled by compression ignition engines.	1.10.1990	30.9.1992	30.9.1993
2C	1. Vehicles propelled by spark ignition engines.	1.7.1988	—	—
	2. Vehicles propelled by compression ignition engines.	1.10.1990	—	—
2D	All vehicles.	1.10.1990	—	—

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982.

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). These Regulations substitute five new items in Schedule 1 of the 1982 Regulations for four previous items. The new items re-enact the existing requirements for vehicles with petrol engines. They also introduce new alternative requirements for vehicles with petrol engines and new requirements for vehicles with diesel engines. The Table below sets out the derivation of the new items in so far as they re-enact previous items and the instruments referred to in the items. It also identifies the requirements that are new.

<i>Instrument referred to in item</i>	<i>Previous Schedule Item</i>	<i>New Schedule Item</i>	<i>Extent that requirements are new</i>
Council Directive 70/220/EEC as last amended by 78/665/EEC, or ECE Regulation 15.03.	2	2	—
The Road Vehicles (Construction and Use) Regulations 1986.	2A	2A	—
Council Directive 70/220/EEC as last amended by 83/351/EEC; and ECE Regulation 15.04.	2	2B	New so far as the requirement applies to vehicles with diesel engines.
Council Directive 70/220/EEC as last amended by 88/76/EEC.	2B	2C	New so far as the requirement applies to vehicles with diesel engines.
Council Directive 88/77/EEC.	—	2D	New for vehicles with diesel engines and does not apply to vehicles with petrol engines.

The application dates for the new alternative requirements, in so far as they are not set out in the items, are determined in accordance with the new Schedule 1B which is added by regulation 5. 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 6 changes the name of the subject matter of items 3, 3A and 3B in Schedule 1 from "exhaust emission" 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 2, 2A, 2B, 2C and 2D.

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