
STATUTORY INSTRUMENTS

1992 No. 2137

**The Road Vehicles (Construction and Use)
(Amendment) (No. 5) Regulations 1992**

Amendments relating to exhaust emissions

3.—(1) Regulation 61 shall be amended as follows.

(2) In paragraph 4(b)—

- (a) in sub-paragraph (i), for “or 88/76” there shall be substituted “, 88/76 or 91/441”;
- (b) the word “or” immediately following sub-paragraph (i) shall be omitted;
- (c) for sub-paragraph (ii), there shall be substituted the following sub-paragraphs—
 - “(ii) in a case where the first use is on or after 1st April 1991 but before 31st December 1992, with Community Directive 83/351, 88/76 or 91/441, or ECE Regulation 15.04; or
 - (iii) in any other case, with Community Directive 91/441.”

(3) In paragraph (7)(b), for the words “those requirements would neither” there shall be substituted the words “neither would those requirements”.

(4) For paragraph (10) there shall be substituted the following paragraph—

“(10) Where a vehicle is constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description, the date on which it is first used shall, for the purposes of paragraphs (3A), (7), (8) and (9), be regarded as being the 1st January immediately preceding the date of manufacture of the engine by which it is propelled.

However, the date on which a vehicle is first used shall not, by virtue of the foregoing provisions of this paragraph, be regarded in any circumstances as being later than the date on which it would otherwise have been regarded as being first used had those provisions been omitted.”

(5) In paragraph (10B), the word “or” immediately following sub-paragraph (f) shall be omitted, and after sub-paragraph (g) there shall be added the following words—

“or

- (h) a vehicle first used before 1st August 1987 if the engine is a rotary piston engine; and for the purposes of this paragraph “the engine”, in relation to a vehicle, means the engine by which it is propelled.”

(6) After paragraph (10B) there shall be inserted the following paragraph—

“(10C) For the purposes of this regulation—

- (a) any rotary piston engine shall be deemed to be a four-stroke engine; and
- (b) “rotary piston engine” means an engine in which the torque is provided by means of one or more rotary pistons and not by any reciprocating piston.”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(7) In paragraph (11), after sub-paragraph (c) there shall be added the words “and for the purposes of determining whether a vehicle is a vehicle to which item 8, 9 or 10 in that Table applies, regulation 4(2) shall be disregarded”.

(8) For Table II, there shall be substituted the following Table—

“TABLE II (regulation 61(3A) and (7))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment requirements</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirement where requirements are stated</i>		
1	Vehicles propelled by a spark ignition engine	1st October 1992	Community Directive 78/665 or ECE Regulation 15.03.	Annex I, paragraph 3 and 5 Paragraphs 5, 8 and 11	(a)	A Carbon monoxide, hydrocarbons and oxides of nitrogen. gross weight exceeds 3500 kg;
					(b)	A vehicle which complies with the requirements of item 2, 4, 5 or 8;
					(c)	A vehicle whose maximum speed is less than

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated		
						50 km/ h;
					(d) An exempt vehicle.	
2	All vehicles.	1st April 1991.	Community Directive 83/351 or ECE Regulation 15.04.	Annex I, paragraphs 5, 7 and 8 Paragraphs 5, 8 and 12.	(a) A Carbon monoxide, hydrocarbons by and oxides of nitrogen. compression ignition engine and whose maximum gross weight exceeds 3500 kg;	
					(b) A vehicle which complies with the requirements of item 4, 5 and 8;	
					(c) A vehicle within	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
					the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9 or 10;
				(d) An industrial tractor, works truck or engineering plant;	
				(e) A vehicle whose maximum speed is less than 50	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
					km/ h; (f) An exempt vehicle.
3	Industrial tractors, works trucks and engineering plant propelled in each case by a compression ignition engine.	1st April 1993.	ECE Regulation 49.	Paragraphs 5 and 7.	A vehicle which complies with the requirements of item 6, 9 or 10. Carbon monoxide, hydrocarbons and oxides of nitrogen.
4.	(a) Passenger vehicles which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, and (b) have a maximum gross weight	1st April 1991.	Community Directive 88/76 or Community Directive 89-458 or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8 Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(a) A Carbon monoxide, hydrocarbons and oxides of nitrogen. which complies with the requirements of item 2 or 8; (b) A vehicle whose maximum speed is less than 50

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated		
	of not more than 2500 kg. not being off-road vehicles.				(c) An exempt vehicle.	km/ h;
5	Vehicles which are not of a description specified in this column in item 4 but which— (a) are propelled by a spark ignition engine and have a maximum gross weight of not more than 2000 kg, or (b) are propelled by a compression ignition engine and	1st April 1992. 1st April 1991.	Community Directive 88/76 or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(a) A Carbonmonoxide, vehiclehydrocarbons withand oxides the of nitrogen. meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9 or 10; (b) An industrial tractor, works truck or	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
	have a maximum gross weight of more than 3500 kg.				engineering plant; (c) A vehicle whose maximum speed is less than 50 km/h; (d) A vehicle which complies with the requirements of item 8; (e) An exempt vehicle.
6	All vehicles propelled by compression ignition engines.	1st April 1991.	Community Directive 88/77 or ECE Regulation 49.01.	Annex I, paragraphs 6, 7 and 8. Paragraphs 5, 6 and 7.	(a) A Carbon monoxide, hydrocarbons and oxides of nitrogen. weight is less than 3500 kg and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
					which complies with the requirements of item 2;
					(b) A vehicle which complies with the requirements of item 4, 5, 8, 9 or 10;
					(c) A fire appliance which is first used before 1st October 1992;
					(d) An industrial tractor, works

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
					truck or engineering plant;
					(e) An exempt vehicle.
7	Passenger vehicles which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, (b) have a maximum gross weight of not more than 2500 kg, and (c) are propelled by a compression ignition engine	1st April 1991.	Community Directive 88/436.	Annex I, paragraphs 5, 7 and 8, as far as they relate to particulate emissions.	(a) A Particulates. vehicle which complies with the requirements of item 8; (b) A vehicle whose maximum speed is less than 50 km/ h; (c) An off- road vehicle; (d) An exempt vehicle.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
8	All vehicles. of the indirect injection type.	31st December 1992.	Community Directive 91/441.	Annex I, paragraphs 5, 7 and 8.	(a) A Carbon vehicle, containing carbon monoxide, hydrocarbons the oxides of nitrogen, lead and by particulates. Article 1 of Community Directive 88/77 and which complies with the requirements of item 6 and is first used before 1st October 1993 or which complies with the

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirement where requirements are stated	
					requirements of item 9 or 10;
					(b) An industrial tractor, works truck or engineering plant;
					(c) A vehicle whose maximum speed is less than 50 km/h;
					(d) An exempt vehicle.
9	All vehicles propelled by compression ignition engines.	1st October 1993.	Community Directive 91/542.	Annex I, paragraphs 6, 7 and 8 (excluding line B in the Tables in sub-paragraphs 6.2.1 and 8.3.1.1).	(a) A Carbon monoxide, hydrocarbons, particulates, nitrogen, and nitric oxides. item 8

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements	(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument (b) Place in instrument where requirement where requirements are stated		
					or 10;
				(b) An industrial tractor, works truck or engineering plant;	
				(c) An exempt vehicle.	
10	All vehicles propelled by compression ignition engines.	1st October 1996.	Community Directive 91/542.	Annex I, paragraphs 6,7 and 8 (excluding line A in the Tables in sub-paragraphs 6.2.1 and 8.3.1.1).	(a) A Carbon monoxide, hydrocarbons, particulates, nitrogen, and nitric oxides.” item 8; (b) An industrial tractor, works truck or engineering plant; (c) An exempt vehicle.