

*This Statutory Instrument has been amended by SI 1992/3173 and is being issued free of charge to all known recipients of SI 1992/2908.*

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## STATUTORY INSTRUMENTS

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# 1992 No. 2908

## ROAD TRAFFIC

### The Motor Vehicles (Type Approval) (Great Britain) (Amendment) (No. 3) Regulations 1992

<i>Made</i>	- - - -	<i>19th November 1992</i>
<i>Laid before Parliament</i>		<i>26th November 1992</i>
<i>Coming into force</i>	- -	<i>31st December 1992</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54(1), 61 and 63 of the Road Traffic Act 1988(1), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 195(2) of that Act, hereby makes the following Regulations:

## PART I

### INTRODUCTION

#### **Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Great Britain) (Amendment) (No. 3) Regulations 1992 and shall come into force on 31st December 1992.

#### **Preliminary**

2. The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(2) (“the principal regulations”) shall be further amended in accordance with the provisions of these Regulations.

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(1) 1988 c. 52.

(2) S.I. 1984/981, as amended by S.I. 1984/1401 and 1761, 1985/1651, 1986/739, 1987/1509, 1988/1522, 1989/1580, 1990/94 and 1839, 1991/1022 and 1971, and 1992/1341 and 2161.

## PART II

### LOW VOLUME TYPE APPROVAL

3.—(1) Regulation 2 (interpretation) shall be amended as follows.

(2) For the definition of “the type approval requirements”, there shall be substituted the following definition—

““the type approval requirements” means the requirements with respect to the design, construction, equipment or marking of vehicles or vehicle parts which—

- (a) relate to the items numbered in column (1) and listed in column (2) of Part I of Schedule 1; and
- (b) are contained in instruments, other documents, or Parts of that Schedule, and consist of the requirements, specified against each such item in column (3) of Part I of that Schedule (subject to such modifications and additions as are set out in Part I of that Schedule);”.

4. After regulation 2, there shall be inserted the following—

#### **“Interpretation of “low volume type approval vehicle”**

2A.—(1) For the purposes of these Regulations a vehicle (“the vehicle in question”) is a low volume type approval vehicle at a particular time if—

- (a) since the 31st December immediately preceding that time not more than 500 Minister’s approval certificates have been issued with respect to vehicles of the relevant class; and
- (b) no type approval certificate has been issued with respect to a vehicle of the relevant class.

(2) Notwithstanding anything in paragraph (1) a vehicle shall be deemed to be a low volume type approval vehicle for the purposes of these Regulations if a Minister’s approval certificate in the form set out in Part III Schedule 4 or a form to the like effect has been issued with respect to it.

(3) For the purposes of this Regulation, a vehicle is a vehicle of the relevant class if it is not the vehicle in question, but is a vehicle—

- (a) of the same or a similar model; and
- (b) manufactured by the same manufacturer;

as the vehicle in question.

(4) For the purposes of this regulation only, two or more vehicles manufactured by different bodies corporate shall be regarded as having been manufactured by the same manufacturer if at the date when the last of those vehicles was manufactured the bodies were interconnected within the meaning given by section 137(5) of the Fair Trading Act 1973(3).”

5. In regulation 4 (type approval requirements — application)—

- (a) before the words “Schedule 1” whenever they occur there shall be inserted the words “Part I of”; and
- (b) paragraph (5) shall be omitted.

6. In regulation 9 (forms of certificates)—

(a) at the beginning of paragraph (2), there shall be inserted the words “Subject to paragraphs (4) and (5),”; and

(b) after paragraph (3), there shall be inserted the following paragraphs—

“(4) Where the Secretary of State is satisfied that a vehicle complies with the relevant type approval requirements on the basis that it is a low volume type approval vehicle and is not satisfied that it would otherwise so comply, a Minister’s approval certificate issued in respect of that vehicle shall be in the form set out in Part III of Schedule 4 or in a form to the like effect.

(5) Where the applicant applies for a Minister’s approval certificate for a vehicle on the basis that it is a low volume type approval vehicle the certificate shall be in the form set out in Part III of Schedule 4 or in a form to the like effect.”

7.—(1) Schedule 1 shall be amended as follows.

(2) Before the heading “TYPE APPROVAL REQUIREMENTS” at the beginning of the Schedule there shall be inserted the heading “PART I” and, accordingly, the Table in the Schedule shall have effect as Part I of the Schedule.

(3) The Table shall be amended in accordance with Schedule 1 to these Regulations.

(4) After the Table, there shall be inserted the provisions set out in Schedule 2 to these Regulations.

8. In Schedules 1A, 1B and 3, before the words “Schedule 1”, wherever they occur, there shall be inserted the words “Part I of”.

9. In Schedule 4, after Part II there shall be inserted the provisions set out in Schedule 3 to these Regulations.

## PART III

### EXHAUST EMISSIONS

10. In regulation 4, in paragraph (1A), for the words “item 4G” onwards there shall be substituted the words “requirements with respect to exhaust emissions from any vehicle not being of a description specified in column (4) of item 4G of Part I of Schedule 1”.

11.—(1) Schedule 1B shall be amended as follows.

(2) Paragraph 1 shall be renumbered paragraph 1A and before that paragraph as so renumbered there shall be inserted the following paragraph—

“1. This Part of this Schedule has effect subject to Part III of this Schedule.”

(3) After Part II, there shall be inserted the provisions set out in Schedule 4 to these Regulations.

## PART IV

### SEAT BELTS AND ANCHORAGES

12. In Part I of Schedule 1 (as amended by Part II of these Regulations), for items 12A(1), 12A(2) and 12A(3), there shall be substituted the items set out in Schedule 5 to these Regulations.

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Signed by authority of the Secretary of State for Transport

19th November 1992

*Kenneth Carlisle*  
Parliamentary Under Secretary of State,  
Department of Transport

## SCHEDULE 1

Regulation 7(3)

## AMENDMENTS TO THE TABLE IN SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

1. After item 14E, there shall be inserted the following item—

“14F	Noise and silencers	Council Directive <a href="#">70/157/EEC</a> of 6 February 1970, as amended by Commission Directive <a href="#">73/350/EEC</a> of 7 November 1973, Council Directive <a href="#">77/212/EEC</a> of 8 March 1977, Commission Directive <a href="#">81/334/EEC</a> of 13 April 1981, Commission Directive <a href="#">84/372/EEC</a> of 3 July 1984 and Council Directive <a href="#">84/424/EEC</a> of 3 September 1984.	L42, 23.2.70, p.16 (SE 1970(I) p.111), L321, 22.11.73, p.33, L66, 12.3.77, p.33, L131, 18.5.81, p.6, L196, 26.7.84, p.47, L238, 6.9.84, p.31.	Design and construction equipment requirements in Annex I, paragraph 5 (excluding sub-paragraphs: 5.2.2.1.2; 5.2.2.1.7; 5.2.2.4.3.3.1.2; Land 5.3) except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio no less than 75 kilowatts per tonne shall be tested in third gear only.	Vehicles other than low volume type approval vehicles	1.1.93”
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2. After item 16, there shall be inserted the following item—

“16A	Seats and anchorages	Council Directive <a href="#">74/408/EEC</a> of 22 July 1974 as amended by Council Directive <a href="#">81/557/</a>	L221, 12.8.74, p.1, L209, 29.7.81, p.34.	Design and construction requirements in Annex I paragraph 5 and Annex III paragraph 2.	Vehicles other than low volume type approval vehicles	1.1.93
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EEC of 20  
July 1981.

or

ECE  
Regulation  
17 as  
revised  
on 11  
September  
1973,  
amended  
on 9 March  
1981 and  
revised and  
corrected  
on 1 May  
1986.

Design and  
construction  
requirements  
of  
paragraph  
5.2.”

**3.** After item 18A, there shall be inserted the following item—

“18B	Interior fittings	Part II of this Schedule	Design and construction requirements set out in that Part.	Vehicles other than low volume type approval vehicles	1.1.93”
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**4.** After item 22, there shall be inserted the following item—

“22A	Wiper and washer systems	Council Directive <a href="#">78/318/EEC</a> of 21 December 1977	L81, 28.3.78, p.49.	Design and construction requirements in Annex I, paragraph 5 (excluding sub-paragraphs 5.1.2, 5.1.4, 5.1.7, 5.1.8, 5.1.9, 5.1.11, 5.2.2, 5.2.3).	Vehicles other than low volume type approval vehicles	1.1.93”
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**5.** After item 23, there shall be inserted the following item—

“23A	Defrosting and demisting systems	Council Directive <a href="#">78/317/EEC</a> of 21	L81, 28.3.78, p.27, L194,	Requirements of Annex I, sub-paragraphs	Vehicles other than low volume type	1.1.93”
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December 1977 as corrected on 9 July 1978.	19.7.78, p.29.	5.1.1 and 5.2.1.	approval vehicles
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## SCHEDULE 2

Regulation 7(4)

### PROVISIONS TO BE INSERTED AFTER THE TABLE IN SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

#### “PART II

#### LOW VOLUME TYPE APPROVAL VEHICLES

##### INTERIOR FITTINGS

1. The vehicle must comply with the design and construction requirements specified in—
  - (a) Annex I, paragraph 5 (excluding sub-paragraphs 5.1.2, 5.2.4, 5.3.4.1, 5.4.2.2, 5.7.1.2 and with the omission of the second sentence in 5.2.3.1) of Council Directive [74/60/EEC](#) of 17th December 1973<sup>(4)</sup> as corrected on 6th August 1974<sup>(5)</sup> and 25th February 1977<sup>(6)</sup> and amended by Commission Directive [78/632/EEC](#) of 19th May 1978<sup>(7)</sup>; or
  - (b) paragraph 5 (excluding sub-paragraphs 5.1.2, 5.2.3.1, 5.2.4, 5.3.4.1, 5.4.2.2, 5.4.2.3, and 5.7.1.2) of ECE Regulation 21 as revised on 8th October 1980, amended on 26th April 1986 and corrected on 10th October 1986.
2. The vehicle must also be constructed so that the metal wires which stretch the lining of the roof and the frames of the sun visors have a maximum diameter of 5mm.”

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(4) OJ L38, 11.2.74, p.2.

(5) OJ L215, 6.8.74, p.20.

(6) OJ L53, 25.2.77, p.30.

(7) OJ L206, 29.7.78, p.26.

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SCHEDULE 3

Regulation 9

“PART III

**(Form of Minister’s approval certificate for a low volume type approval vehicle)**

**(A)**

**Approval No.**

**Vehicle Model Variant**

**BRITISH NATIONAL TYPE APPROVAL**

**Minister’s Approval Certificate for a Low Volume Motor Vehicle**

The Secretary of State for Transport, having examined the low volume type approval vehicle (chassis number.....) described in the attached information document, hereby certifies in pursuance of section 58(1) of the Road Traffic Act 1988 that it complies with such of the type approval requirements set out in Part I of Schedule 1 to the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984 as amended as are referred to in the said information document.

Signed by authority of the Secretary of State

Date

**(Office Stamp)**

.....

**(B)**

**Approval Reference No.**

**BRITISH NATIONAL TYPE APPROVAL**

**Minister’s approval certificate for a low volume motor vehicle of a type covered by a previous certificate**

The Secretary of State for Transport, being satisfied that the low volume type approval vehicle which has been manufactured by ..... and has the vehicle identification or chassis number ..... conforms with the vehicle to which Minister’s approval certificate number ..... relates, hereby certifies in pursuance of section 58(4) of the Road Traffic Act 1988 that the vehicle which has the vehicle identification or chassis number mentioned above complies with the type approval requirements which are referred to in that Minister’s approval certificate.

**(Authenticating mark and date)”**



SCHEDULE 4

Regulation 11(3)

PROVISIONS TO BE INSERTED INTO SCHEDULE  
1B TO THE PRINCIPAL REGULATIONS

“PART III

1. Items 4D and 4F of Part I of Schedule 1 shall have effect in relation to a vehicle to which this Schedule applies as if wherever the words “see regulation 4(11) of Schedule 1B” appear in column (6) there were substituted “30.12.1993”.

2.—(1) This Part of this Schedule applies to a vehicle on or after 31st December 1992 if it fulfils the following four requirements, namely—

- (a) it was manufactured on or after 1st September 1990 and before 1st September 1992;
- (b) either—
  - (i) a certificate of conformity was issued in respect of the vehicle before 31st December 1992 on the basis that it conforms with a type vehicle in respect of which a TAC had been issued before 1st July 1992; or
  - (ii) a sub-MAC was issued in respect of the vehicle before 31st December 1992 on the basis that it conforms with a vehicle in respect of which a MAC had been issued before 1st July 1992;
- (c) it was in the territory of a member State at some time before 31st December 1992; and
- (d) it was manufactured at a time when, out of all the relevant vehicles in existence on 31st December 1992, not more than the specified number had been manufactured.

(2) For the purposes of this paragraph, in relation to a vehicle (“the vehicle in question”),—

- (a) “the specified number” is 10 per cent of the total number of vehicles to which these Regulations apply that were both—
  - (i) manufactured by the manufacturer of the vehicle in question; and
  - (ii) registered during the period beginning on 31st December 1991 and ending on 30th December 1992.
- (b) a “relevant vehicle” is a vehicle which—
  - (i) was manufactured by the manufacturer of the vehicle in question; and
  - (ii) satisfies the requirements of sub-paragraphs (a), (b) and (c) of paragraph 2(1) above; but
  - (iii) had not been registered before 31st December 1992.

(3) In this paragraph—

“MAC” means a Minister’s approval certificate not being a sub-MAC;

“sub-MAC” means a Minister’s approval certificate issued by virtue of section 58(4) of the Road Traffic Act 1988; and

“TAC” means a type approval certificate.

(4) For the purposes of this paragraph—

- (a) a reference to a vehicle conforming with another vehicle is a reference to a vehicle conforming with another vehicle as respects the relevant aspects of design, construction, equipment and marking;

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- (b) a TAC relates to a vehicle where a certificate of conformity has been issued on the basis of the vehicle conforming with a type vehicle in respect of which the TAC was issued; and
- (c) a MAC relates to a vehicle where a sub-MAC has been issued on the basis of the vehicle conforming with another vehicle in respect of which the MAC was issued.”

SCHEDULE 5

Regulation 12

(1) <i>Item No</i>	(2) <i>Subject Matter</i>	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>			(4) <i>Vehicles exempted from requirement</i>	(5) <i>Date of application</i>	(6) <i>Date of cessation of application</i>
		<i>(a)</i> <i>Description, reference number and date of instrument</i>	<i>(b)</i> <i>Official Journal reference of Community Instrument</i>	<i>(c)</i> <i>Nature of requirement and place in instrument where stated</i>			
12A(1)	Seat belts	Council Directive <a href="#">77/541/EEC</a> of 28 June 1977	L220, 29.8.77, p.95	Marking requirements in Annex III, paragraphs 1.1, 1.1.1 and 1.1.2	Vehicles which have been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability if—	1.10.1980	30.6.1992
		or Council Directive <a href="#">77/541/EEC</a> of 28 June 1977 as amended by Council Directive <a href="#">81/576/EEC</a> of 20 July 1981 and Commission Directive <a href="#">82/319/EEC</a> of 2 April 1982.	L220, 29.8.77, p.95, L209, 29.7.81, p.32 and L139, 19.5.82, p.17.	Marking requirements in Annex III, paragraphs 1.1, 1.1.1 and 1.1.2.	(a) the drivers seat and the specified passenger seat (if any)	11.4.1983	30.6.1992

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(1) Item No	(2) Subject Matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirement	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of instrument	(b) Official Journal of Community Instrument	(c) Nature of requirement and place in instrument where stated			
		or					
		Council Directive 77/541/EEC of 28 June 1977 as amended by Council Directive 91/576/EEC of 20 July 1981, Commission Directive 92/319/EEC of 2 April 1982 and 90/628/EEC of 30 October 1990.	L220, 29.8.77, p.95, L209, 29.7.81, p32. L139, 19.5.82, p.17 and L341, 6.12.90, p.1.	Marking requirements in Annex III, paragraphs 1.1, 1.1.1 and 1.1.2.	has either a disabled persons seat belt or a seat belt which complies with column 3; and (b) no seat belt is fitted to any other forward facing seat other than a disabled persons seat belt or a seat belt which complies with	1.7.1992	
		or					
		ECE Regulation 16 as revised on 9 December 1979 and corrected on 25 June 1981.		Marking requirements in paragraphs 4 and 5.4.		1.10.1980	30.6.1992
		or					

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(1) <i>Item No</i>	(2) <i>Subject Matter</i>	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>	(4) <i>Vehicles exempted from requirement</i>	(5) <i>Date of application</i>	(6) <i>Date of cessation of application</i>
		(a) <i>Description, Official 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>			
		ECE Regulation 16 as revised on 9 December 1979 and corrected on 25 June 1981 and amended on 22 December 1985.	Marking requirements in paragraphs 4 and 5.4 (The definitions shown in regulation 47 of the Construction and Use Regulations apply to this item)	column 3.	1.10.1987 30.6.1992
		or ECE Regulation 16 as revised and amended on 22 December 1985, revised on 15 June 1988, corrected on 8 April 1989, amended on 26 March 1989 and 20 November 1989 and corrected	Marking requirements in paragraphs 4 and 5.4.	1.10.1992	

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(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>			(4) <i>Vehicles exempted from requirement</i>	(5) <i>Date of application</i>	(6) <i>Date of cessation of application</i>
<i>Item No</i>	<i>Subject Matter</i>	<i>(a) Description, Official reference number and date of instrument</i>	<i>(b) Official Journal reference of Community Instrument</i>	<i>(c) Nature of requirement and place in instrument where stated</i>			
12A(2)	Seat belt anchorages	on 9 November 1990. Council Directive <a href="#">76/115/EEC</a> of 18 December 1975.	L24, 30.1.76, p.6.	Design, construction and equipment requirements in Annex I paragraphs 4 and 5 and Annex III.	1.10.1979	30.6.1992	
		or					
		Council Directive <a href="#">76/115/EEC</a> of 18 December 1975 as amended by Council Directive <a href="#">81/575/EEC</a> of 20 July 1981 and Commission Directive <a href="#">82/318/EEC</a> of 2 April 1982.	L24, 30.1.76, p.6, L209, 29.7.81, p.30 and L139, 19.5.82, p.9.	Design, construction and equipment requirements in Annex I paragraphs 4 and 5 and Annex III.	11.4.1983	30.6.1992	
		or					
		Council Directive <a href="#">76/115/</a>	L24, 30.1.76, p.6, L209,	Design, construction and	1.7.1992		

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(1) Item No	(2) Subject Matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirement	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of instrument	(b) Official Journal of Community Instrument	(c) Nature of requirement and place in instrument where stated			
		<a href="#">EEC of 18 December 1975 as amended by Council Directive 81/575/EEC of 20 July 1981 Commission Directive 82/318/EEC of 2 April 1982 and Commission Directive 90/629/EEC of 30 October 1990.</a>	29.7.81, p.30, L139, 19.5.82, p.9 and L341, 6.12.90, p.14.	equipment requirements in Annex I paragraphs 4 and 5 and Annex III.			
		or ECE Regulation 14 as revised on 28 April 1976 and corrected on 4 August 1977, 19 July 1978 and in September 1979.		Design, construction and equipment requirements in paragraphs 5, 6 and 7 and Annexes 3, 4 and 5.	1.10.1979	1.6.1992	
		or					

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(1) <i>Item No</i>	(2) <i>Subject Matter</i>	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>	(4) <i>Vehicles exempted from requirement</i>	(5) <i>Date of application</i>	(6) <i>Date of cessation of application</i>
		(a) <i>Description, Official 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>			
		ECE Regulation 14 as revised on 28 April 1976 and corrected on 4 August 1977, 19 July 1978, in September 1979 and amended and corrected on 22 November 1984.	Design, construction and equipment requirements in paragraphs 5, 6 and 7 and Annexes 3, 4 and 5.	26.5.1986	1.6.1992
		or ECE Regulation 14 as revised on 28 April 1976 and corrected on 4 August 1977, 19 July 1978, in September 1979 and amended and corrected	Design, construction and equipment requirements in paragraphs 5, 6 and 7 and Annexes 3, 4, 5 and 6.	1.10.1992	

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(1) Item No	(2) Subject Matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirement	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of instrument	(b) Official Journal of Community Instrument	(c) Nature of requirement and place in instrument where stated			
		on 22 November 1984 and amended on 29 January 1992.					
12A(3)	Installation of seat belts	Council Directive <a href="#">77/541/EEC</a> of 28 June 1977	L220, 29.8.77, p.95	Installation requirements in Annex I, paragraph 3 with the omission of the words in 3.1 “must comply with all the provisions of this Directive” and of 3.2.1.	Vehicles which have been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability if—	1.10.1979	30.6.1992
		or	Council Directive <a href="#">77/541/EEC</a> of 28 June 1977 as amended by Council Directive <a href="#">81/576/EEC</a> of	L220, 29.8.77. p.95, L209, 29.7.81, p.32 and L39, 19.5.82, p.17	Installation requirements in Annex I, paragraph 3 with the omission of the words in 3.1 “must comply with	(a) the drivers11.4.1984	30.6.1992
					seat and the specified passenger seat (if any) has either a		



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(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>			(4) <i>Vehicles exempted from requirement</i>	(5) <i>Date of application</i>	(6) <i>Date of cessation of application</i>
<i>Item No</i>	<i>Subject Matter</i>	<i>(a) Description, reference number and date of instrument</i>	<i>(b) Official Journal of Community Instrument</i>	<i>(c) Nature of requirement and place in instrument where stated</i>			
		20 July 1981 and Council Directive <a href="#">82/319/EEC</a> of 2 April 1982.		all the provisions of this Directive” and of 3.2.1.	disabled persons seat belt or a seat belt which complies with	column 7.1992	
		or Council Directive <a href="#">77/541/EEC</a> of 29 June 1977 as amended by Council Directive <a href="#">81/576/EEC</a> of 20 July 1981, Council Directive <a href="#">82/319/EEC</a> of 2 April 1982 and <a href="#">90/628/EEC</a> of 30 October 1990.	L220, 29.8.77, p.95, L209, 29.7.81, p.32, L39, 19.5.82, p.17 and L341, 6.12.90, p.1.	Installation requirements in Annex I, paragraph 3 with the omission of the words in 3.1 “must comply with all the provisions of this Directive” and of 3.2.1.	(b) no seat belt is fitted to any other forward facing seat other than a disabled persons seat belt or a seat belt that so complies.		

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(1) <i>Item No</i>	(2) <i>Subject Matter</i>	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>	(4) <i>Vehicles exempted from requirement</i>	(5) <i>Date of application</i>	(6) <i>Date of cessation of application</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>		
						(The definitions shown in regulation 47 of the Construction and Use Regulations apply to this item)

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

1. These Regulations further amend the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984.

**Low volume type approval**

2. The amendments enable Minister’s approval certificates to be issued under section 58 of the Road Traffic Act 1988 with respect to vehicles that do not meet all of the normal type approval requirements. Concessions are made in relation to the following subject matters:

- noise and silencers;
- seats and anchorages;
- interior fittings;
- wiper and washer systems; and
- defrosting and demisting systems.

3. However, the number of certificates that can be issued each year on the basis of the concessions, with respect to vehicles of the same or similar model and manufactured by the same manufacturer, is limited to 500. Provision is made for vehicles manufactured by different companies

in the same group and to prevent certificates of conformity being issued under section 55 of the Act. A “low volume vehicle” is broadly a vehicle to which the concessions are available.

4. Where a Minister’s approval certificate is issued on the basis of the concessions or if an applicant requests a certificate on the basis of a vehicle being a low volume type approval vehicle, the certificate has to be in a form prescribed for the purpose.

### **Exhaust emissions**

5. By virtue of S.I.1992/1341 certain vehicles had to meet, as from the 31st December 1992, the exhaust emissions requirements set by Council Directive 91/441/EEC before they could be registered.

6. These Regulations exempt, until 31st December 1993, the compulsory application of the requirements in relation to a limited class of vehicles.

7. In order for a vehicle to have the benefit of the exemption it must satisfy the following basic requirements:

- (a) it must have been manufactured on or after the 1st September 1990 and before the 1st September 1992;
- (b) a certificate of conformity or a Minister’s approval certificate must have been issued in respect of it before the 31st December 1992 on the basis of it conforming with a type of vehicle approved by the Secretary of State under the Road Traffic Act 1988 before the 1st July 1992; and
- (c) it must have been in the territory of a member state of the European Community at some time before the 31st December 1992.

8. The number of vehicles that can have the benefit of the exemption is limited in the case of vehicles produced by any one manufacturer to a figure not exceeding 10% of all the vehicles manufactured by that manufacturer that are registered between the 31st December 1991 and the 30th December 1992. If on the 31st December 1992 the number of unregistered vehicles made by a manufacturer which would otherwise have had the benefit of the exemption exceeds the 10% limit, the vehicles which have the benefit of the exemption are the first 10% to have been manufactured.

9. S.I. 1992/2161 amended regulation 4 of the 1984 Regulations so that the type approval requirements for a vehicle would generally be those which applied to it when it was manufactured. These Regulations go on to ensure that the exhaust emission requirements introduced by Council Directive 91/441/EEC apply to certain non-exempt vehicles regardless of the date of manufacture.

### **Seat belts and anchorages**

10. S.I. 1992/1341 amended the 1984 Regulations so as to remove some options for meeting the type approval requirements relating to seat belts and anchorages as from 1st July 1992. However, an exception was made for vehicles of a type approved before that date. The exception was inadvertently removed by S.I. 1992/2161. The effect of those amendments as read with regulation 4(3) of the 1984 Regulations would have been that the options would not have been available in relation to any vehicle manufactured after 1st January 1993. These Regulations restore the exception.

Copies of the EEC Directives and EEC Regulations which are relevant to the Regulations can be obtained from Her Majesty’s Stationery Office. Council Directive 91/441/EEC mentioned above further amended Council Directive 70/220/EEC. The details of Directive 70/220/EEC and of the amending Directives are set out below.

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

**Table**

<i>Principal Instrument</i>	<i>Relevant Amending Instrument</i>
Council Directive <a href="#">70/220/EEC</a> of 20 March 1970 (OJ No. L76, 6.4.70 p.1 — SE 1970 (I) p.171)	<p>Council Directive <a href="#">74/290/EEC</a> of 28 May 1974 (OJ No. L159, 15.6.74, p.61)</p> <p>Commission Directive <a href="#">77/102/EEC</a> of 30 November 1976 (OJ No. L32, 3.2.77, p.32)</p> <p>Commission Directive <a href="#">78/665/EEC</a> of 14 July 1978 (OJ No. L223, 14.8.78, p.48)</p> <p>Council Directive <a href="#">83/351/EEC</a> of 16 June 1983 (OJ No. L197, 20.7.83, p.1)</p> <p>Council Directive <a href="#">88/76/EEC</a> of 3 December 1987 (OJ No. L36, 9.2.88, p.1)</p> <p>Council Directive <a href="#">88/436/EEC</a> of 16 June 1988 (OJ No. L214, 6.8.88, p.1)</p> <p>Council Directive <a href="#">89/458/EEC</a> of 18 July 1989 (OJ No. L226, 3.8.89, p.1)</p> <p>Commission Directive <a href="#">89/491/EEC</a> of 17 July 1989 (OJ No. L238, 15.8.89, p.43)</p> <p>Council Directive <a href="#">91/441/EEC</a> of 26 June 1991 (OJ No. L242, 30.8.91, p.1)</p>