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STATUTORY INSTRUMENTS

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**2003 No. 1866**

**ROAD TRAFFIC**

**The Motor Vehicles (Type Approval for Goods Vehicles)  
(Great Britain) (Amendment) (No. 2) Regulations 2003**

<i>Made - - - - -</i>	<i>17th July 2003</i>
<i>Laid before Parliament</i>	<i>18th July 2003</i>
<i>Coming into force - -</i>	<i>10th August 2003</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54 and 61 of the Road Traffic Act 1988(a) and of all other powers enabling him in that behalf, and after consultation in accordance with section 195(2) of that Act, 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) (No. 2) Regulations 2003 and shall come into force on 10th August 2003.

**Amendment of the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982**

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

(a) in regulation 2 (general interpretation)—

(i) in paragraph (1)—

(aa) before the definition of “the Construction and Use Regulations” there shall be inserted—

““Directive 70/156/EEC” means Council Directive 70/156/EEC of 6th February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers(c);

“Directive 70/157/EEC” means Council Directive 70/157/EEC of 6th February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles(d);

“Directive 70/220/EEC” means Council Directive 70/220/EEC of 20th March 1970 on the approximation of the laws of the Member States on measures to be taken against air pollution by emissions from motor vehicles(e);

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(a) 1988 c. 52.

(b) S.I. 1982/1271; relevant amending instruments are S.I. 1984/697, 1987/1508, 1988/1523, 1991/1970, 1992/1342, 1992/3084, 1996/2331 and 1996/3014.

(c) OJ No. L 42, 23.2.70, p. 1, as last amended by Commission Directive 2001/116/EC (OJ No. L 18, 21.1.2002, p. 1).

(d) OJ No. L 42, 23.2.70, p. 16, as last amended by Commission Directive 1999/101/EC (OJ No. L 334, 28.12.1999, p. 41).

(e) OJ No. L 76, 6.4.70, p. 1, as last amended by Commission Directive 2002/80/EC (OJ No. L 291, 28.10.2002 p. 20).

- “Directive 88/77/EEC” means Council Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants for diesel engines for use in vehicles(a);”;
- (bb) in the definition of “emissions or noise item” for ““exhaust emissions” or “noise and silencers”” there shall be substituted ““emissions”, “on-board diagnostic system”, “diesel emissions” or “sound level””;
- (cc) in the definition of “Framework Directive vehicle” for “Council Directive 70/156/EEC” and the remainder of the definition there shall be substituted “Directive 70/156/EEC”;
- (dd) after the definition of “recovery vehicle” there shall be inserted—  
 ““relevant speed” has the meaning given in regulation 36B(15) of the Construction and Use Regulations;  
 “road sweeper” means a vehicle constructed or adapted for the purpose of road cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies and which—  
 (i) is incapable by reason of its construction of a speed of more than 20 miles per hour on the level under its own power; and  
 (ii) has an inside track width of less than 810 millimetres;”;
- (ii) after paragraph (2) there shall be inserted—  
 “(2A) Any reference in these Regulations to a Community instrument is a reference to that instrument as amended on the date the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 2003 are made.”; and
- (iii) after paragraph (5) there shall be inserted—  
 “(6) In Part I of Schedule 1 to these Regulations—  
 (a) a reference to a vehicle of category N, N1, N2 or N3 (whether of a specified class or otherwise) is a reference to a vehicle of category N, N1, N2 or N3 as appropriate, within the meaning of Annex II to Directive 70/156/EEC; and  
 (b) a reference to a vehicle of class I, II or III of any category referred to in sub-paragraph (a) is a reference to a vehicle of class I, II or III, as appropriate, of that category within the meaning of the said Annex II.”;
- (b) in regulation 3 (application of regulations)—  
 (i) in paragraph (1)(a)(i) for “three” there shall be substituted “four”;
- (ii) in paragraph (2) “or” after sub-paragraph (t) shall be omitted and after sub-paragraph (u) there shall be inserted—  
 “; or  
 (v) a road sweeper.”;
- (c) in regulation 4 (application of type approval requirements)—  
 (i) in paragraph (1) for sub-paragraph (b)(i) there shall be substituted—  
 “(b)(i) on and after the date these Regulations are amended by the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 2003 or any later date specified in column (6) of Part I of Schedule 1, and”;
- (ii) in paragraph (5) there shall be omitted “; and for the purposes” and the remainder of the paragraph;
- (iii) paragraphs (8A), (9) and (12) and the second paragraph (13) shall be omitted; and
- (iv) in paragraph (14) for “schedules 1B and” there shall be substituted “schedule”;
- (d) the content of the Schedule to these Regulations shall be substituted for Schedule 1;
- (e) Schedules 1A and 1B shall be omitted; and
- (f) in Schedule 1C, in Part I, in paragraph 1(1) “(other than item 2L)” shall be omitted.

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(a) OJ No. L 36, 9.2.88, p. 33, as last amended by Commission Directive 2001/27/EC (OJ No. L 107, 18.4.2001, p. 10).

### **Saving provision**

3.—(1) The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 shall continue to apply in relation to a relevant vehicle or a relevant part as if these Regulations had not been made.

(2) For the purposes of this regulation—

- (a) “relevant vehicle” means a vehicle in relation to which a certificate was issued under section 47 of the Road Traffic Act 1972<sup>(a)</sup> or under section 55 or 58 of the Road Traffic Act 1988 before the date on which these Regulations come into force;
- (b) “relevant part” means a vehicle part in relation to which a certificate was issued under section 47 of the Road Traffic Act 1972 or under section 55 or 58 of the Road Traffic Act 1988 before the date on which these Regulations come into force.

Signed by the authority of the Secretary of State for Transport

*David Jamieson*  
Parliamentary Under-Secretary of State  
Department for Transport

17th July 2003

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<sup>(a)</sup> 1972 c. 20.

## “SCHEDULE 1

Regulations 2, 2A and 4

## PART I

## TYPE APPROVAL REQUIREMENTS

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2	Emissions	<p>Directive 70/220/EEC</p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	<p>The requirements in the Annexes with respect to the design, construction, equipment or marking relating to category N vehicles save for—</p> <p>(a) compliance with the limit values set out in row B of the table in section 5.3.1.4 of Annex 1; and</p> <p>(b) the requirements in Annex XI.</p>	Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.		31.12.2004

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2A	Emissions	Directive 70/220/EEC  or the EEC Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.	The requirements with respect to the design, construction, equipment or marking relating to category N vehicles save for those in Annex XI.	1. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M. of this item 2. Vehicles of category N1 class I of a type in respect of which a type approval certificate or Minister's approval certificate has, pursuant to an application under these Regulations, been issued before 1st January 2005. 3. Vehicles of category N1 class II or III.	1.1.2005	31.12.2005

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2B	Emissions	Directive 70/220/EEC  or the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.	The requirements with respect to the design, construction, equipment or marking relating to category N vehicles save for those in Annex XI.	1. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M. 2. Vehicles of category N1 class II or III of a type in respect of which a type approval certificate or Minister's approval certificate has, pursuant to an application under these Regulations, been issued before 1st January 2006.	1.1.2006	31.12.2006

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2C	Emissions	<p>Directive 70/220/EEC</p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	The requirements with respect to the design, construction, equipment or marking relating to category N vehicles save for those in Annex XI.	Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.	1.1.2007	

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2D	On-board diagnostic system	Directive 70/220/EEC	Annex XI	<p>1. Vehicles of category N1, class II or III fuelled by gas or propelled by compression ignition engines, category N2 or N3.</p> <p>2. Vehicles of category N1 class I propelled by compression ignition engines.</p> <p>3. Vehicles of category N1 class I, other than of a new type, fuelled by gas.</p> <p>4. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.</p>		31.12.2003
2E	On-board diagnostic system	Directive 70/220/EEC	Annex XI	<p>1. Vehicles of category N1, class II or III fuelled by gas or propelled by compression ignition engines, category N2 or N3.</p> <p>2. Vehicles of category N1 class I propelled by compression ignition engines.</p> <p>3. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.</p>	1.1.2004	31.12.2004



(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2F	On-board diagnostic system	Directive 70/220/EEC	Annex XI	<p>1. Vehicles of category N2 or N3.</p> <p>2. Vehicles of category N1 class II or III fuelled by gas or propelled by compression ignition engines.</p> <p>3. Vehicles of category N1, class I other than those of a new type, propelled by compression ignition engines.</p> <p>4. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.</p>	1.1.2005	31.12.2005
2G	On-board diagnostic system	Directive 70/220/EEC	Annex XI	<p>1. Vehicles of category N2 or N3.</p> <p>2. Vehicles of category N1, class II or III, other than those of a new type, fuelled by gas or propelled by compression ignition engines.</p> <p>3. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.</p>	1.1.2006	31.12.2006

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2H	On-board diagnostic system	Directive 70/220/EEC	Annex XI	1. Vehicles of category N2 or N3. 2. Vehicles which comply with the requirements in item 2I, 2J, 2K, 2L or 2M.	1.1.2007	
2I	Diesel emissions	Directive 88/77/EEC  or the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.	For vehicles propelled by compression ignition engines, the limit values specified in row A of the Tables (Table 1 where the ESC test and ELR test is used and Table 2 where the ETC test is used) in section 6.2.1 of Annex I to Directive 88/77/EEC.  For vehicles propelled by gas engines, the limit values specified in row A of Table 2 in section 6.2.1 of Annex I to Directive 88/77/EEC.	Vehicles which comply with the requirements in item 2, 2A, 2B or 2C.		30.9.2006

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2J	Diesel emissions	<p>Directive 88/77/EEC</p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	<p>For vehicles propelled by compression ignition engines, the limit values specified in row B1 of the Tables (Table 1 where the ESC test and ELR test is used and Table 2 where the ETC test is used) in section 6.2.1 of Annex I to Directive 88/77/EEC.</p> <p>For vehicles propelled by gas engines, the limit values specified in row B1 of Table 2 in section 6.2.1 of Annex I to Directive 88/77/EEC.</p>	Vehicles which comply with the requirements in item 2, 2A, 2B or 2C.	1.10.2006	30.9.2009

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
2K	Diesel emissions	<p>Directive 88/77/EEC</p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	<p>For vehicles propelled by compression ignition engines, the limit values specified in row B2 of the Tables (Table 1 where the ESC test and ELR test is used and Table 2 where the ETC test is used) in section 6.2.1 of Annex I to Directive 88/77/EEC.</p> <p>For vehicles propelled by gas engines, the limit values specified in row B2 of Table 2 in section 6.2.1 of Annex I to Directive 88/77/EEC.</p>	Vehicles which comply with the requirements in item 2, 2A, 2B or 2C.	1.10.2009	

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
3	Diesel smoke	Council Directive 72/306/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles <sup>(a)</sup> or the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.	The requirements in the Annexes with respect to the design, construction, equipment or marking of vehicles.	Vehicles not propelled by compression ignition engines.		
3A	Smoke emissions	British Standards Specification BS AU141(a) (Performance of diesel engines for road vehicles) of 1971  and the Construction and Use Regulations.	Design, construction and equipment requirements in Clause 3 in conjunction with the measurement requirements of Clause 6 and certification requirements of Clause 10.  Design, construction and equipment requirements in regulation 61(3).	Vehicles not propelled by compression ignition engines.		

(a) OJ No. L 190, 20.8.72, p. 1 (OJ/SE 1972(III), p. 889).

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
4	Sound level	Directive 70/157/EEC  or the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.	Design, construction, equipment and marking requirements in Annex I in relation to vehicles and in Annex II in relation parts.	Public works vehicles.		

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
4A	Sound level	<p>Directive 70/157/EEC and</p> <p>Part II of this Schedule</p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	<p>Design, construction and equipment requirements in Annex I, paragraphs 5.2 to 5.3 save for paragraph 5.2.2.1.</p> <p>The requirements set out in paragraph 1.</p>	Vehicles other than public works vehicles.		

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
5	Radio suppression	<p>Council Directive 72/245/EEC of 20th June 1972 relating to the radio interference (electromagnetic compatibility) of vehicles<sup>(a)</sup></p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	<p>Design, construction and equipment requirements in Annex I, paragraph 6 as read with the exceptions in paragraph 8.</p> <p>Marking requirements in Annex I, paragraph 5.</p>	Vehicles not propelled by spark ignition engines.		

(a) OJ No. L 152, 7.7.72, p. 15 (OJ/SE 1972(II), p. 637) as last amended by Directive 95/54/EC (OJ No. L 266, 8.11.95, p. 1).



(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
6	Braking	<p>Council Directive 71/320/EEC of 26th July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers<sup>(a)</sup></p> <p>or</p> <p>the ECE Regulation set out in the second column of the table in Part II of Annex IV to Directive 70/156/EEC (together with the series of amendments, supplement or corrigendum thereto, if any) in relation to the subject in the first column of that table which corresponds with the subject matter of this item.</p>	<p>Design, construction, equipment and marking requirements prescribed for category N vehicles in Annexes I to VI (as read with Annex VII) and Annexes X and XII.</p>	<p>1. Slow vehicles. 2. Public works vehicles.</p>		
9	Speed limiters	<p>The Construction and Use Regulations</p> <p>or</p> <p>Part II of this Schedule</p>	<p>The design, construction and equipment requirements in regulation 36B which apply to vehicles by virtue of paragraph (1) or (2) of that regulation.</p> <p>The requirement set out in paragraph 2.</p>	<p>Vehicles to which regulation 36B does not apply by virtue of paragraph (1), (2) or (14) thereof.</p>		

(a) OJ No. L 202, 6.9.71, p. 37 (SE 1971(III), p. 746) as last amended by Commission Directive 2002/78/EC (OJ No. L 267, 4.10.2002, p. 23).

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
9A	Speed limiters	Council Directive 92/24/EEC of 31st March 1992 relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles <sup>(a)</sup> .	Annex I, paragraphs 7 and 8.	1. Vehicles of category N1. 2. Vehicles of category N2 the maximum gross weight of which does not exceed 10,000 kilograms and having a maximum design speed of 25 kilometres per hour or less. 3. Vehicles of category N3 having a maximum design speed of 25 kilometres per hour or less.		
11	Front under-run protection	Directive 2000/40/EC of the European Parliament and of the Council of 26th June 2000 on the approximation of the laws of the Member States relating to the front underrun protection of motor vehicles and amending Council Directive 70/156/EEC <sup>(b)</sup> ("Directive 2000/40/EC")  or  ECE Regulation 93.	Save for vehicles of category N2 with a maximum mass not exceeding 7,500 kilogrammes, the design, construction and equipment requirements in Annex II, paragraph 3.  For vehicles of category N2 with a maximum mass not exceeding 7,500 kilogrammes, the ground clearance requirement of 400 millimetres as set out in Directive 2000/40/EC.  Paragraphs 6, 8 and 10 and Annex 5	1. Vehicles of category N1. 2. Vehicles of category N2 or N3 which are off road vehicles.		

(a) OJ No. L 129, 14.5.92, p. 54.

(b) OJ No. L 203, 18.8.2000, p. 9.

(1)	(2)	(3) <i>Particulars of instrument or other document containing requirements and of the nature of the requirement</i>		(4)	(5)	(6)
<i>Item No.</i>	<i>Subject matter</i>	<i>Description, reference number and date of instrument or other document</i>	<i>Nature of requirement and relevant place in instrument or other document</i>	<i>Vehicles exempted from requirement</i>	<i>Date of application</i>	<i>Date of cessation of application</i>
12	Tyres, in respect of their road noise emissions	Council Directive 92/23/EEC of 31st March 1992 relating to tyres for motor vehicles and their trailers and to their fitting <sup>(a)</sup> (“Directive 92/23/EEC”).	Design, construction, equipment and making requirements in Annex V.	Vehicles where all of the tyres fitted thereto fall within Article 1a(2) of Directive 92/23/EEC.	4.2.2004	

## PART II

### REQUIREMENTS REFERRED TO IN PART I

#### **Sound level (Item 4A in Part I of this Schedule)**

1. The sound levels when measured in accordance with the requirements specified in paragraphs 5.2 and 5.3 of Annex I to Directive 70/157 shall not exceed—

- (a) for vehicles with an engine power of less than 75 kilowatts, 84 decibels (A); and
- (b) for vehicles with an engine power of not less than 75 kilowatts, 86 decibels (A).

#### **Speed Limiters (Item 9 in Part I of this Schedule)**

2. The vehicle must have a maximum speed of less than 60 miles per hour.

#### **Interpretation**

3. In this Part of this Schedule, “maximum speed” has the meaning given in regulation 3(2) of the Construction and Use Regulations.”

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(a) OJ No. L 129, 24.5.92, p. 95, as last amended by Directive 2001/43/EC (OJ No. L 211, 4.8.2001, p. 25).

## EXPLANATORY NOTE

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

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

These Regulations—

- (a) replace Schedule 1 to the principal Regulations with a Schedule of type approval requirements which are applicable from the date the principal Regulations are amended by these Regulations and make amendments in consequence thereof (*regulations 2(a), (c), (d), (e) and (f)*);
- (b) exclude road sweepers and vehicles having less than four wheels from the application of the principal Regulations (*regulation 2(a)(i)(dd) and (b)*); and
- (c) provide, in relation to a vehicle or part in respect of which a type approval certificate or Minister’s approval certificate was issued before these Regulations come into force, that the principal Regulations shall continue to have effect as if these Regulations had not been made (*regulation 3*).

In substituting the Schedule of type approval requirements referred to in sub-paragraph (a) above these Regulations also transpose into UK law the provisions of Council Directive 92/23/EEC of 31st March 1992 relating to tyres for motor vehicles and their trailers and to their fitting (as amended by Directive 2001/43/EC) and Directive 2000/40/EC of 26th June 2000 on the approximation of the laws of the Member States relating to the front underrun protection of motor vehicles and amending Council Directive 70/156/EEC in so far as these Directives prohibit the granting of national type approval if their requirements are not met.

The transposition details set out in the above paragraph are provided in place of a separate Transposition Note.

Copies of the above Directives and of the others referred to in the Regulations may be obtained from the Stationery Office.

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