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## EXPLANATORY NOTE

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

These Regulations introduce a scheme for approving the design, construction, equipment and marking of motor cycles, mopeds, tricycles and quadricycles and provide for such vehicles to be examined for the purposes of obtaining a Minister's approval certificate ("certificate") under section 58 of the Road Traffic Act 1988 ("the Act").

The Regulations—

- (a) provide definitions of the vehicles referred to therein (*regulation 2 and Schedule 1*);
- (b) set out the types of vehicle to which they have application ("relevant vehicles") and those which are excluded therefrom (*regulation 3*);
- (c) prescribe the requirements to be met for approval (*regulation 4 and Schedule 2*);
- (d) provide the method of application for a certificate (*regulation 5*), an appeals procedure (*regulation 8*) and that the Secretary of State may refuse an application or an appeal without examination of a vehicle in specified circumstances (*regulation 9*);
- (e) make provision for the assignment of identification numbers to vehicles in specified circumstances (*regulation 6*) and for the determination of design weights (*regulation 7*);
- (f) prescribe the particulars to be included in certificates (*regulation 10*) and provide for the replacement of those lost or defaced (*regulation 11*) and for the service of notices (*regulation 12*);
- (g) provide for the application of the offence in section 63(1) of the Act (use of prescribed class of vehicle not appearing to comply with approval requirements) to relevant vehicles save where a vehicle is excepted or its use is exempted (*regulation 13*); and
- (h) provide that upon first application for a licence under the Vehicle Excise and Registration Act 1994 for a vehicle to which section 63(1) of the Act applies a licence shall not be granted unless there is a certificate in force under section 54 to 58 of the Act to the effect that the vehicle complies with the approval requirements (*regulation 14*).

These Regulations have been notified to the European Commission and other Member States in accordance with Directive [98/34/EC](#) of the European Parliament and of the Council (OJNo. L204, 21.7.98, p.37), as amended by Directive [98/48/EC](#) (OJ No. L217, 5.8.98, p.18).

A Regulatory Impact Assessment of these Regulations has been made and copies have been placed in the libraries of both Houses of Parliament.

Copies of the Directives referred to in these Regulations may be obtained from the Stationery Office and copies of the ECE Regulations mentioned may be obtained from the United Nations Economic Commission for Europe, Information Service, Palais des Nations, CH – 1211 Geneva 10, Switzerland (telephone number +41(0)22 917 44 44; fax: +41(0)22 917 05 05; e-mail: [info.ece@unece.org](mailto:info.ece@unece.org)).

Copies of the Regulatory Impact Assessment are available from the Vehicle Standards and Engineering Division, Department for Transport, 76 Marsham Street, London SW1P 4DR (telephone number 0207 944 2118; fax 0207 944 2069). Access to copies of the Assessment can also be obtained by visiting the Department's website at [www.dft.gov.uk](http://www.dft.gov.uk).