

2004 No. 2539

ROAD TRAFFIC

**The Motor Cycles Etc. (EC Type Approval) (Amendment)
(No.2) Regulations 2004**

Made - - - - - *23rd September 2004*
Laid before Parliament *4th October 2004*
Coming into force - - - *31st December 2004*

The Secretary of State for Transport, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation of the type, description, construction or equipment of vehicles and of components of vehicles, and in particular any vehicle type approval scheme, in exercise of the powers conferred by that section, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Cycles Etc. (EC Type Approval) (Amendment) (No. 2) Regulations 2004 and shall come into force on 31st December 2004.

Amendment to Schedule 1 (Separate Directives)

2. In item 9 (Masses and dimensions of two or three-wheel motor vehicles) of the Table in Schedule 1 to the Motor Cycles Etc. (EC Type Approval) Regulations 1999(c) there shall be added in the third and fourth columns after the entry for the Principal Directive—

2004/86/EC*	L236, 7.7.2004, p.12
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Signed by authority of the Secretary of State

23rd September 2004

David Jamieson
Parliamentary Under Secretary of State
Department for Transport

(a) S.I. 1972/1811, to which there are amendments not relevant to these Regulations.
(b) 1972 c. 68.
(c) S.I. 1999/2920, amended by S.I. 2001/368, 2001/1547, 2003/1099 and 2004/1948.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Cycles Etc. (EC Type Approval) Regulations 1999 (“the 1999 Regulations”).

Council Directive 93/93/EEC on the masses and dimensions of two or three-wheel motor vehicles (OJ No. L311, 14.12.1993, p.76) is a “separate Directive” listed in Schedule 1 to the 1999 Regulations which means that it contains standards which must be met before a vehicle subject to type approval requirements can be approved. Directive 93/93/EEC has been amended by Commission Directive 2004/86/EC to clarify and supplement the meaning of “unladen mass”. *Regulation 2* inserts a reference to Directive 2004/86/EC at the appropriate place in the Table to Schedule 1 to the 1999 Regulations, thereby implementing the amendments to Directive 93/93/EEC for the purposes of EC type approval procedures.

In line with the 1999 Regulations, Directive 2004/86/EC is marked with a * to denote it is a Commission Directive.

This Explanatory Note incorporates the Transposition Note that would otherwise have been provided separately.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

Copies of the EC Directive referred to in these Regulations can be obtained from the Stationery Office.

£3.00

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