

**2005 No. 2454**

**ROAD TRAFFIC**

**The Motor Vehicles (EC Type Approval) (Amendment)  
Regulations 2005**

<i>Made</i> - - - -	<i>1st September 2005</i>
<i>Laid before Parliament</i>	<i>6th September 2005</i>
<i>Coming into force</i> - -	<i>19th October 2005</i>

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) for 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, commencement and interpretation**

1.—(1) These Regulations may be cited as the Motor Vehicles (EC Type Approval) (Amendment) Regulations 2005 and shall come into force on 19th October 2005.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (EC Type Approval) Regulations 1998(c).

**Amendment to regulation 3 (interpretation)**

2. In regulation 3(1) of the principal Regulations, in the definition of “the Framework Directive” for the words “Commission Directive 2004/78/EC” there shall be substituted “Commission Directive 2004/104/EC((d))”.

**Amendments to Schedule 1 (separate directives)**

3.—(1) The table in Schedule 1 to the principal Regulations shall be amended as follows.

(2) In item 8A (indirect vision devices), there shall be added in the third and fourth columns after the last entry—

2005/27/EC*	L81, 30.03.2005, p. 44
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(3) In item 10 (suppression (radio)), there shall be added in the third and fourth columns after the last entry—

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(a) S.I. 1972/1811.

(b) 1972 c. 68.

(c) S.I. 1998/2051; relevant amending instruments are S.I. 1999/778, 1999/2324, 2000/869, 2000/2730, 2001/2809, 2002/1835, 2002/2743, 2003/1019, 2003/2428, 2004/73, and 2004/2186.

(d) OJ No. L337, 13.11.2004, p. 13.

2004/104/EC*
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L337, 13.11.2004, p.13
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(4) In item 11 (diesel smoke), there shall be added in the third and fourth columns after the last entry—

2005/21/EC*
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L61, 8.3.2005, p. 25
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(5) In item 46 (tyres), there shall be added in the third and fourth columns after the last entry—

2005/11/EC*
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L46, 17.2.2005, p. 42
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Signed by authority of the Secretary of State

1st September 2005

*S J Ladyman*  
Minister of State  
Department for Transport

## EXPLANATORY NOTE

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

These Regulations amend the Motor Vehicles (EC Type Approval) Regulations 1998 (SI 1998/2051) (“the principal Regulations”).

*Regulation 2* amends the definition of “the Framework Directive” in regulation 3(1) of the principal Regulations so that it encompasses the further amendments made to Council Directive 70/156/EEC(**a**) by Directive 2004/104/EC.

The Table in Schedule 1 to the principal Regulations (“the Table”) lists separate Directives under the Framework Directive, which lay down technical standards for vehicle components or features of construction. EC Directive 2004/104/EC amends the Separate Directive relating to radio interference (electromagnetic compatibility), and Directive 70/156/EEC. Directives 2005/11/EC(**b**), 2005/21/EC(**c**) and 2005/27/EC(**d**) amend the Separate Directives on vehicles tyres, diesel smoke emissions and devices for indirect vision respectively. *Regulation 3* inserts references to these Directives at the appropriate place in the Table, thereby implementing them for the purpose of EC type approval procedures.

In line with the principal Regulations, the use of the symbol \* denotes that the Directive specified is a Commission Directive.

A regulatory impact assessment of the effect that the transposition of Directive 2004/104/EC will have on the costs of business is available from Gus Gander of the Vehicle Certification Agency of the Department for Transport, 1 Eastgate Office Centre, Eastgate Road, Bristol BS5 6XX (Tel: 01179 524119; e-mail [ggander@vca.gov.uk](mailto:ggander@vca.gov.uk)). Since the impacts of Directives 2005/11/EC, 2005/21/EC and 2005/27/EC will be negligible, it has not been considered necessary to conduct an RIA in respect of their implementation.

A Transposition Note has also been prepared, and is available from Gus Gander at the above addresses.

Copies of the Regulatory Impact Assessment and of the Transposition Note may also be accessed on the Office of Public Information website [www.opsi.gov.uk](http://www.opsi.gov.uk).

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(a) OJ No. L42, 23.02.1970, p.1.  
(b) OJ No. L46, 17.2.2005, p 42.  
(c) OJ No. L61, 8.3.2005, p. 25.  
(d) OJ No. L81, 30.03.2005, p.44.

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