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STATUTORY INSTRUMENTS

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**2005 No. 3170**

**The Road Vehicles (Construction and Use)  
(Amendment)(No. 5) Regulations 2005**

**Amendment of regulation 36B**

4.—(1) Regulation 36B shall be amended as follows.

(2) For paragraph (1B), there shall be substituted—

“(1B) Subject to paragraphs (1C) and (14), this regulation also applies to every motor vehicle, not being a motor vehicle to which paragraph (1) applies, which—

- (a) is a goods vehicle;
- (b) has a maximum gross weight exceeding 3,500 kg but not exceeding 12,000 kg;
- (c) was first used on or after 1st October 2001 and before 1st January 2005;
- (d) complies with the limit values in respect of Euro III emission standards set out in Council Directive [88/77/EEC](#), as amended by amendments up to and including those effected by Commission Directive [2001/27/EC](#); and
- (e) has, or if a speed limiter were not fitted to it would have, a relevant speed exceeding 90km/h;

and a reference in this regulation to a paragraph (1B) vehicle is a reference to a vehicle to which this regulation applies by virtue of this paragraph.”.

(3) In paragraph (15), in the appropriate alphabetical position, the following definition shall be added—

““Euro III emission standards” means the emission limits given in rows A of the tables in section 6.2.1 of Annex 1 to Directive [1999/96/EC](#) of the European Parliament and of the Council (amending Council Directive [88/77/EEC](#));”.