

**2007 No. 2656**

**ROAD TRAFFIC**

**The Motor Cycles Etc. (EC Type Approval) (Amendment)  
Regulations 2007**

<i>Made</i> - - - -	<i>8th September 2007</i>
<i>Laid before Parliament</i>	<i>11th September 2007</i>
<i>Coming into force</i> - -	<i>5th October 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of, as read with paragraph 1A of Schedule 2 to, the European Communities Act 1972(a).

She has been designated(b) for the purposes of section 2(2) 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.

These Regulations make provision for a purpose mentioned in section 2(2) and it appears to the Secretary of State that it is expedient for certain references to Community instruments to be construed as references to those instruments as amended from time to time.

**Citation and commencement**

1. These Regulations may be cited as the Motor Cycles Etc. (EC Type Approval) (Amendment) Regulations 2007 and shall come into force on 5th October 2007.

**Amendment of Regulations**

2.—(1) The Motor Cycles Etc. (EC Type Approval) Regulations 1999(c) shall be amended as follows.

(2) In regulation 3 (interpretation) in paragraph (1)—

(a) for the definition of “the Framework Directive” there shall be substituted—

““the Framework Directive” means Directive 2002/24/EC of the European Parliament and of the Council of 18<sup>th</sup> March 2002 relating to the type approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EC(d), as amended from time to time”; and

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(a) 1972 c.68; paragraph 1A of Schedule 2 was inserted by the Legislative and Regulatory Reform Act 2006 (c.51), section 28.  
(b) S.I. 1972/1811, to which there are amendments not relevant to these Regulations.  
(c) S.I. 1999/2920; relevant amending instruments are S.I. 2003/1099, 2004/1948, 2006/2935.  
(d) OJ No. L124, 9.5.2002, p.1, as last amended by Council Directive 2006/96/EC (OJ No. L363, 20.12.2006, p.81).

- (b) at the end of the definition of “separate Directive” there shall be added “as amended from time to time”.
- (3) In Schedule 1 (separate directives)—
- (a) for the heading “Amending Directives” there shall be substituted “Amending Directives adopted before 28th April 2005”;
- (b) in the column headed “Principal Directives”—
- (i) in relation to item 1 for the entry “93/14/EEC<sup>‡</sup>”(a);
- (ii) in relation to item 7 for the entry “93/34/EEC<sup>‡</sup>”(b);
- (iii) in relation to item 11 for the entry “95/1/EC<sup>†</sup>” there shall be substituted “95/1/EC<sup>†‡</sup>”(c);
- (iv) in relation to item 12 for the entry “97/24/EC<sup>†</sup>” there shall be substituted “97/24/EC<sup>†‡</sup>”(d);
- (c) in the column headed “Amending Directives” in relation to item 12 for the entry “2005/30/EC\*” there shall be substituted “2005/30/EC\*<sup>‡</sup>”(e); and
- (d) at the end there shall be added—
- “<sup>‡</sup> Note: for the purposes of section 20A of the Interpretation Act 1978(f), the Directives marked with a <sup>‡</sup> have been amended by one or more Directives adopted after 27th April 2005 and before 5th October 2007.”.

Signed by authority of the Secretary of State

*Tom Harris*  
Parliamentary Under Secretary of State  
Department for Transport

8th September 2007

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- (a) OJ No. L121, 15.5.93, p.1, the amending instrument as at the making of these Regulations is Commission Directive 2006/27/EC, OJ No. L66, 8.3.2006, p.7.
- (b) OJ No. L188, 29.7.93, p.38, the last amending instrument as at the making of these Regulations is Commission Directive 2006/27/EC.
- (c) OJ No. L52, 8.3.95, p.1, the last amending instrument as at the making of these Regulations is Commission Directive 2006/27/EC.
- (d) OJ No. L226, 18.8.97, p.1, the last amending instrument as at the making of these Regulations is Commission Directive 2006/72/EC, OJ No. L227, 19.8.2006, p.43.
- (e) OJ No. L106, 27.4.2005, p.17, the amending instrument as at the making of these Regulations is Commission Directive 2006/120/EC, OJ No. L330, 28.11.2006, p.16.
- (f) Section 20A was inserted by the Legislative and Regulatory Reform Act 2005, section 25.

## EXPLANATORY NOTE

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

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

The Regulations—

- (a) make provision for future amendments to the Framework Directive (Directive 2002/24/EC) and implement Council Directive 2006/96/EC of 20th November 2006 adapting certain Directives in the field of free movement of goods, by reason of the accession of Bulgaria and Romania to the extent that this Directive amends the Framework Directive (regulation 2(2)(a));
- (b) make provision for future amendments to the separate Directives (specified in Schedule 1 to the principal Regulations) (regulation 2(2)(b));
- (c) implement Commission Directive 2006/27/EC of 3rd March 2006 amending for the purposes of adapting to technical progress Council Directives 93/14/EEC on the braking of two- or three-wheel motor vehicles and 93/34/EEC on statutory markings for two- or three-wheel motor vehicles, Directives of the European Parliament and of the Council 95/1/EC on the maximum design speed, maximum torque and maximum net engine power of two- or three- wheel motor vehicles and 97/24/EC on certain components and characteristics of two- or three-wheel motor vehicles (OJ No. L 66, 8.3.2006, p.7) (regulation 2(3)(b)(i), (ii) and (iii));
- (d) implement Commission Directive 2006/72/EC of 18th August 2006 amending for the purposes of adapting to technical progress Directive 97/24/EC of the European Parliament and of the Council on certain components and characteristics of two or three-wheel motor vehicles (OJ No. L 227, 19.8.2006, p.43) (regulation 2(3)(b)(iv)); and
- (e) implement Commission Directive 2006/120/EC of 27th November 2006 correcting and amending Directive 2005/30/EC amending, for the purposes of their adaptation to technical progress, Directives 97/24/EC and 2002/24/EC of the European Parliament and of the Council, relating to the type approval of two or three-wheel motor vehicles (OJ No. L 330, 28.11.2006, p.16) in so far as Directive 2006/120/EC requires new replacement catalytic converters which meet the requirements of Directive 97/24/EC (as amended by Directive 2006/120/EC) not to be refused type approval (regulation 2(3)(c)).

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

Copies of the Directives referred to in these Regulations may be obtained from the Stationery Office.

A transposition note has been prepared for these Regulations illustrating how the main elements of Directives 2006/27/EC and 2006/72/EC, and the elements of Directives 2006/96/EC and 2006/120/EC specifically referred to above, have been transposed. The note is available on the Department for Transport website, [www.dft.gov.uk](http://www.dft.gov.uk). The note is also attached to the explanatory memorandum for these Regulations which is available on the OPSI website, [www.opsi.gov.uk](http://www.opsi.gov.uk).

The version of the transposition note appearing on the DfT website will be periodically updated to identify the Directives which are in future automatically transposed by virtue of the provisions of these Regulations.

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