

2007 No. 855

ROAD TRAFFIC

**The Motor Vehicles (EC Type Approval) (Amendment)
Regulations 2007**

<i>Made</i> - - - -	<i>14th March 2007</i>
<i>Laid before Parliament</i>	<i>19th March 2007</i>
<i>Coming into force</i> - -	<i>26th April 2007</i>

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(a) 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(b).

Accordingly, in exercise of the powers conferred upon him by that section, he makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (EC Type Approval) (Amendment) Regulations 2007, and shall come into force on 26th April 2007.

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

Amendment of regulation 3 (interpretation)

2. In regulation 3(1) of the principal Regulations, for the definition of “the Framework Directive”, there is substituted—

““the Framework Directive” means Council Directive 70/156/EEC(d)—

(a) as last amended by Commission Directive 2006/28/EC(e), dated 6th March 2006, and

(b) construed as required by Article 10 of Directive 2005/55/EC of the European Parliament and of the Council, dated 28th September 2005(f).”

Amendment of Schedule 1 (separate Directives)

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

(a) 1972 c. 68.

(b) S.I. 1972/1811.

(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, 2004/2186, 2005/2454, 2006/142, 2006/1695, 2006/2409 and 2006/2816.

(d) OJ No. L42, 23.2.70, p.1.

(e) OJ No. L65, 7.3.2006, p.27.

(f) OJ No. L275, 20.10.2005, p.1.

(2) In item 3, in the third and fourth columns, there is added after the last entry—

“2006/20/EC*”	L48, 18.2.2006, p.16”
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(3) In item 36, in the third and fourth columns, there is added after the last entry—

“2006/119/EC*”	L330, 28.11.2006, p.12”
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(4) After item 58, the following item is inserted—

“59	2005/64/EC†		L310, 25.11.2005, p.10	Recyclability”
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Signed by authority of the Secretary of State for Transport

14th March 2007

S.J. Ladyman
Minister of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement, for the purposes of the EC type approval of light passenger vehicles, three EC Directives. Directive 2005/64/EC(a), dated 26th October 2005, imposes new requirements of reusability, recyclability and recoverability. Directive 2006/20/EC(b), dated 17th February 2006, amends the requirements for rear underrun protection devices. Finally, Directive 2006/119/EC(c), dated 27th November 2006, aligns the requirements concerning the heating systems of vehicles and their trailers with those applicable under regulation 122 of the type approval system established by the UN Economic Commission for Europe (UNECE).

To implement those Directives, these Regulations amend the Motor Vehicles (EC Type Approval) Regulations 1998 (“the principal Regulations”), which set out the procedure and technical requirements for the type approval of “light passenger vehicles”, within the meaning of Part II of the Road Traffic Act 1988(d). Generally speaking, these are passenger vehicles with fewer than 8 seats not including the driver’s seat, regardless of their maximum laden weight.

Regulation 2 consolidates the previous amendments of the definition of “the Framework Directive” in regulation 3(1) of the principal Regulations, and implements the amendments made to Directive 70/156/EEC (“the Framework Directive”) by Directive 2005/64/EC.

The table in Schedule 1 to the principal Regulations (“the Table”) lists separate Directives under the Framework Directive, which lay down technical requirements for vehicle components or features of construction. By inserting references to the three amending Directives referred to above at the appropriate places in the Table, *regulation 3* requires a type of light passenger vehicle to comply with the requirements of those Directives in order to receive EC type approval.

In line with the principal Regulations, the use of the symbol † denotes that the Directive specified is a Directive of the European Parliament and of the Council, and the use of the symbol * denotes that the Directive specified is a Commission Directive.

A full regulatory impact assessment of the effect that the implementation of Directive 2005/64/EC through this instrument will have on the costs of business or the voluntary sector 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), and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website (www.opsi.gov.uk). A Regulatory Impact Assessment has not been produced in respect of the implementation of the other two Directives, as it has no impact on the costs or savings of business, charities, the voluntary sector or the public sector.

This Explanatory Note incorporates the Transposition Note that would otherwise be required.

(a) OJ No. L310, 25.11.2005, p.10.

(b) OJ No. L48, 18.2.2006, p.16.

(c) OJ No. L330, 28.11.2006, p.12.

(d) 1988 c. 52; see section 85(1) of that Act, as amended by S.I. 1992/3107, regulation 16 and Schedule 2, paragraph 5. There are other amendments to that Act, not relevant to these Regulations.

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