

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 (“the 1982 Regulations”).

The Regulations—

- (a) amend definitions in consequence of the implementation of Directives [2005/55/EC](#) and [2006/40/EC](#) and the repeal of Council Directive [70/156/EEC](#) of 6th February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers (OJ No. L42, 23.2.70, p.1 (SE 1970 (I), p.96)) (*regulation 3(2)*) and make other consequential amendments (*regulations 3(4)(a), 4, 6(3)(a), (10), (11)(b) and (12) and 9*);
- (b) implement the Directives which amend Directives [70/157/EEC](#) (OJ No. L42, 23.2.70, p.16 (SE 1970 (I), p.111)), [70/220/EEC](#) (OJ No. L76, 6.4.70, p.1 (SE 1970 (I), p.171)), [72/306/EEC](#) (OJ No. L190, 20.8.72, p.1 (SE 1972 (III), p.889)) and [92/24/EEC](#) (OJ No. L129, 14.5.92, p.154) and which amend and apply Directive [2005/55/EC](#). (*Regulation 3(3)*) substitutes new paragraph (2A) into regulation 2 of the 1982 Regulations so that references to EC instruments include those amendments referred to in the following paragraph at sub-paragraphs (f) to (i) for the period from 17th July 2003 to the date of making of these Regulations and only in so far as the provisions affect goods vehicle type approval. *Regulation 3(3)* also inserts new paragraph (2B) which provides that paragraph (2A) shall have no application to item 5 in Schedule 1 to the 1982 Regulations. This will have the effect that the reference to Council Directive [72/245/EEC](#) in item 5 is to be construed as only being amended by Directive [89/491/EEC](#));
- (c) clarify the meaning of vehicle classes (*regulation 3(4)(b)*);
- (d) prescribe, in terms of the Schedule 1 requirements, the type approval requirements as being those which are applicable (to vehicles or parts thereof) on or after the date the Regulations come into force or any later date specified (*regulation 5(2)*);
- (e) omit redundant provisions (*regulation 5(3)*);
- (f) amend Schedule 1 (type approval requirements) to omit requirements the date of cessation of application of which has passed, implement the Directives referred to in the following paragraph at sub-paragraphs (a) to (e), provide for a lesser standard to apply in respect of radio suppression requirements, omit construction and use requirements pertaining to speed limiters and make consequential changes (*regulation 6(2), (3)(b) and (c), (4) to (9), (11)(a) and (13) to (16) and 7*);
- (g) make consequential amendments to the form of information document for goods vehicles (*regulation 8(2)*); and
- (h) provide for savings in relation to vehicles or parts approved before the date the Regulations come into force (*regulation 10*).

The Directives implemented by these Regulations, and hence in so far they relate to the national type approval of goods vehicles, are—

- (a) Council Directive [70/221/EEC](#) of 20th March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear underrun protection of motor vehicles and their trailers (OJ No. L76, 6.4.70, p.23) as amended by Directives [79/490/](#)

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- EEC (OJ No. L128, 26.5.79 p.22), [81/333/EEC](#) (OJ No. L131, 18.5.81 p.4), [97/19/EC](#) (OJ No. L125, 16.5.97 p.1), [2000/8/EC](#) (OJ No. L106, 3.5.2000, p.7) and [2006/20/EC](#) (OJ No. L48, 18.2.2006, p.16);
- (b) Council Directive [80/1268/EEC](#) of 16th December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles (OJ No. L375, 31.12.80, p.36) as amended by Directives [89/491/EEC](#) (OJ No. L238, 15.8.89, p.43), [93/116/EC](#) (OJ No. L329, 30.12.93, p.39), [1999/100/EC](#) (OJ No. L334, 28.12.99, p.36) and [2004/3/EC](#) (OJ No. L49, 19.2.2004, p.36);
 - (c) Directive [2005/55/EC](#) of the European Parliament and of the Council of 28th September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ No. L275, 20.10.2005, p.1), as amended and implemented by Directive [2005/78/EC](#) (OJ No. L313, 29.11.2005, p.1), as amended and applied by Directive [2006/51/EC](#) (OJ No. L152, 7.6.2006, p.11) and as amended by [2008/74/EC](#) (OJ No. L192, 19.7.2008, p.51);
 - (d) Directive [2006/40/EC](#) of the European Parliament and of the Council of 17th May 2006 relating to emissions from air-conditioning systems in motor vehicles and amending Council Directive [70/156/EEC](#) (OJ No. L161, 14.6.2006, p.12);
 - (e) Commission Directive [2005/78/EC](#) of 14th November 2005 implementing Directive [2005/55/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles and amending Annexes I, II, III, IV and VI thereto (OJ No. L313, 29.11.2005, p.1), as amended by Directives [2006/51/EC](#), [2006/81/EC](#) and [2008/74/EC](#), to the extent that Annex VI thereto applies for the purpose of the type approval of vehicles with compression ignition engines and of such engines;
 - (f) Commission Directive [2007/34/EC](#) of 14th June 2007 amending, for the purposes of its adaptation to technical progress, Council Directive [70/157/EEC](#) concerning the permissible sound level and the exhaust system of motor vehicles (OJ No. L155, 15.6.2007, p.49);
 - (g) Commission Directive [2003/76/EC](#) of 11th August 2003 amending Council Directive [70/220/EEC](#) relating to measures to be taken against air pollution by emissions from motor vehicles (OJ No. L206, 15.8.2003, p.29);
 - (h) Commission Directive [2005/21/EC](#) of 7th March 2005 adapting to technical progress Council Directive [72/306/EEC](#) on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ No. L61, 8.3.2005, p.25); and
 - (i) Directive [2004/11/EC](#) of the European Parliament and of the Council of 11th February 2004 amending Council Directive [92/24/EEC](#) relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles (OJ No. L44, 14.2.2004, p.19).

An impact assessment has not been prepared for this instrument as the impact on the costs of business, charities, or the voluntary sector have already been assessed in the impact assessments covering the instruments implementing the above separate Directives. Copies of these impact assessments can be obtained from the Vehicle Certification Agency of the Department of Transport, 1 Eastgate Office, Bristol BS5 6XX (tel: 01179 524119) or may be accessed via the Department's website at www.dft.gov.uk.

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The Explanatory Memorandum for these Regulations is available alongside the instrument on the OPSI website (www.opsi.gov.uk).

This Explanatory Note incorporates the Transposition Note that would otherwise have been provided separately. Copies of the Directives referred to in these Regulations may be obtained from the Stationery Office (www.tso.co.uk) or the EUROPA website (<http://eur-lex.europa.eu/en/index.htm>).

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Changes and effects yet to be applied to :

- [Regulations revoked by S.I. 2020/818 Sch. 6 para. 43](#)