

2009 No. 3266

ROAD TRAFFIC

**The Motor Cycles Etc. and Tractors Etc. (EC Type Approval)
(Amendment) Regulations 2009**

<i>Made</i> - - - -	<i>9th December 2009</i>
<i>Laid before Parliament</i>	<i>11th December 2009</i>
<i>Coming into force</i> - -	<i>1st January 2010</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a).

He 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.

Citation and commencement

1. These Regulations may be cited as the Motor Cycles Etc. and Tractors Etc. (EC Type Approval) (Amendment) Regulations 2009 and come into force on 1st January 2010.

Amendment of the Motor Cycles Etc Regulations

2. In the Table in Schedule 1 (separate directives) to the Motor Cycles Etc. (EC Type Approval) Regulations 1999(c), omit items 2, 4, 5, 8 and 10 and at the end add the items set out in the Table below—

Table

<i>Item</i>	<i>Principal Directives</i>	<i>Official Journal Reference</i>	<i>Subject Matter and (where applicable) the Chapter of the Annex</i>
14	2009/62/EC†	L198, 30.7.2009, p. 20	Space for mounting the rear registration plate of two or three-wheel motor vehicles
15	2009/67/EC†	L222, 25.8.2009, p. 1	Installation of lighting and light-signalling devices on two or three-wheel motor vehicles
16	2009/78/EC†	L231, 3.9.2009, p. 8	Stands for two-wheel motor vehicles
17	2009/79/EC†	L201, 1.8.2009, p. 29	Passenger hand-holds on two-wheel motor vehicles
18	2009/80/EC†	L202, 4.8.2009, p. 16	Identification of controls, tell-tales and indicators for two or three-wheel motor vehicles

(a) 1972 c. 68.

(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. 2001/1547 and 2001/368.

Amendment of the Tractor etc Regulations

3.—(1) The Tractor etc (EC Type-Approval) Regulations 2005^(a) are amended as follows.

(2) In regulation 2(1), in the definition of “separate directive”, for “the Tractor etc (EC Type-Approval) (Amendment) Regulations 2008”, substitute “the Motor Cycles Etc. and Tractors Etc. (EC Type Approval) (Amendment) Regulations 2009^(b)”.

Signed by authority of the Secretary of State

9th December 2010

Paul Clark
Parliamentary Under Secretary of State
Department for Transport

(a) S.I. 2005/390; amended by S.I. 2008/1980; there are other amending instruments but none is relevant.

(b) S.I. 2009/3266.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Motor Cycles Etc. (EC Type Approval) Regulations 1999 in order to transpose the Directives referred to in the Table in that regulation.

Regulation 3 of these Regulations amends the Tractor etc (EC Type-Approval) Regulations 2005 in order to transpose the following Directives—

- (a) 2009/57/EC relating to the roll-over protection structures of wheeled agricultural or forestry tractors (OJ L261, 3.10.2009, p. 1);
- (b) 2009/58/EC on the coupling device and the reverse of wheeled agricultural or forestry tractors (OJ L198, 30.7.2009, p. 4);
- (c) 2009/59/EC on rear-view mirrors for wheeled agricultural or forestry tractors (OJ L198, 30.7.2009, p. 9);
- (d) 2009/60/EC on the maximum design speed of and load platforms for wheeled agricultural or forestry tractors (OJ L198, 30.7.2009, p. 15);
- (e) 2009/61/EC relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors (OJ L203, 5.8.2009, p. 19);
- (f) 2009/63/EC on certain parts and characteristics of wheeled agricultural or forestry tractors (OJ L214, 19.8.2009, p.23);
- (g) 2009/64/EC on the suppression of radio interference produced by agricultural and forestry tractors (electromagnetic compatibility) (OJ L216, 20.8.2009, p. 1);
- (h) 2009/66/EC on the steering equipment of wheeled agricultural or forestry tractors (OJ L201, 1.8.2009, p.11);
- (i) 2009/68/EC on the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors (OJ L203, 5.8.2009, p. 52);
- (j) 2009/75/EC on roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (OJ L261, 3.10.2009, p 40); and
- (k) 2009/76/EC relating to the driver-perceived noise level of wheeled agricultural or forestry tractors (OJ L201, 1.8.2009, p. 18).

All the Directives referred to above codify and repeal earlier Directives which have been substantially amended but make no changes of substance to the requirements for the type approval of the vehicles to which they relate. Copies of the Directives may be obtained from the Stationary Office (www.tso.co.uk) or the EUROPA website (<http://eur-lex.europa.eu/en/index.htm>).

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

This Explanatory Note incorporates the Transposition Note which would otherwise have been provided separately. An Explanatory Memorandum for these Regulations is available alongside the instrument on the OPSI website, www.opsi.gov.uk.

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STATUTORY INSTRUMENTS

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£4.00