
STATUTORY INSTRUMENTS

2019 No. 453

**The Drivers' Hours and Tachographs
(Amendment etc.) (EU Exit) Regulations 2019**

PART 2

Amendments pursuant to the European Communities Act 1972

CHAPTER 2

Amendments of secondary legislation

Motor Vehicles (Type Approval) Regulations 1980

- 23.**—(1) The Motor Vehicles (Type Approval) Regulations 1980^{M1} are amended as follows.
- (2) In regulation 3(1)—
- (a) in the definition of “component”—
 - (i) for “section 63(4) of the Road Traffic Act 1972” substitute “ section 80(4) of the Road Traffic Act 1988 ”;
 - (ii) for “Council Directive [78/315/EEC](#) of 21st December 1977” substitute “ Directive [2007/46/EC](#) of the European Parliament and of the Council of 5th September 2007^{M2} ”.
 - (b) in the definition of “road”, for “section 196(1) of the Road Traffic Act 1972” substitute “ section 192(1) of the Road Traffic Act 1988 ”;
 - (c) omit the definition of “the Community Directives”;
 - (d) in the definition of “the Community Regulations”—
 - (i) omit “Council”;
 - (ii) omit the words from “concerning” to the end;
 - (e) in the definition of “the relevant approval mark”, for “section 63 of the Road Traffic Act 1972” substitute “ section 80(1) of the Road Traffic Act 1988 ”;
 - (f) in the definition of “the type approval requirements” omit “Community Directives or”.
- (3) In regulation 6(1), after “such other documents” insert “ or things ”.
- (4) After regulation 12 insert—

“Recording equipment which breaches the type approval requirements or displays a general defect

12A.—(1) The Secretary of State must, by notice under Regulation 13, cancel a type-approval certificate relating to a relevant component of recording equipment if satisfied that the component—

- (a) is not in conformity with the type-approval requirements, or

- (b) displays a general defect during use which makes it unsuitable for the purpose for which it is intended.
- (2) For the purposes of this regulation, each of the following is a relevant component of recording equipment—
 - (a) the component referred to as a vehicle unit or control device;
 - (b) the component referred to as a motion sensor or distance and speed sensor;
 - (c) the component referred to as a model record sheet;
 - (d) the component referred to as a tachograph card or memory card.”.
- (5) In regulation 16(1) omit “Community Directives or the”.
- (6) For Schedule 2, Part 2 substitute—

“Part II

The Community Regulations

1. Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85^{M3} so far as it applies the Annex to the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (which contains requirements corresponding to those contained in Regulation (EU) No 165/2014). See Article 2(3) of Regulation (EC) No 561/2006.

2. Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and the Council on the harmonisation of certain social legislation relating to transport^{M4}.”

Commencement Information

II Reg. 23 in force at 26.3.2019, see reg. 1(2)

Marginal Citations

M1 S.I. 1980/1182, amended by S.I. 1982/7, 1986/1501, 1988/1103, 2011/1043.

M2 OJ No. L 263, 9.10.2007, p. 1; relevant amending instruments are OJ No. L 175, 7.7.2017, p. 1, OJ No. L 175, 7.7.2017, p. 708 and OJ No. L 349, 29.12.2017, p. 1.

M3 OJ No. L 102, 11.4.2006, p.1.

M4 OJ No. L 60, 28.2.2014, p.1.

Changes to legislation:

There are currently no known outstanding effects for the The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019, Section 23.