

SCHEDULES

SCHEDULE 2

Section 10.

TYPE APPROVAL OF VEHICLES AND VEHICLE PARTS

PART I

AMENDMENTS OF PART III OF ROAD TRAFFIC ACT 1960

- 1 (1) In section 129, in subsection (1) after the words " certifying officer " there shall be inserted the words " that a certificate under section 47 of the Road Traffic Act 1972 has been issued in respect of the vehicle or " and for the words " such a certificate " there shall be substituted the words " a certificate of fitness ".
- (2) In the proviso to subsection (3) of that section after the words " comply with " there shall be inserted the words " the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972 or, as the case may be, with " and after the word "until" there shall be inserted the words " they are satisfied that the vehicle again conforms with those type approval requirements or, as the case may be, until ".
- (3) In subsection (4) of that section for the words from " unless " to the end of the subsection there shall be substituted the words " continue in force until revoked or until it ceases to be in force by virtue of any other provision of this Part of this Act ".
- (4) In subsection (5) of that section after the words "comply with " there shall be inserted the words " the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972, or, as the case may be, with ".
- (5) After subsection (5) of that section there shall be inserted the following subsection:—
 - “(6) If a certificate of fitness is revoked by a certifying officer under subsection (5) of this section on the ground that the vehicle in respect of which the certificate was in force does not comply with the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972, then, notwithstanding anything in subsection (1) of this section, a new certificate of fitness shall not be issued in respect of that vehicle by a certifying officer unless he is satisfied that the vehicle does comply with those requirements”.
- 2 Section 130 shall cease to have effect.
- 3 In section 131(1), paragraph (b) shall be omitted.
- 4 In section 133(4) for the word "if" there shall be substituted the words " remove the suspension if—
 - (a) a certificate under section 47 of the Road Traffic Act 1972 has been issued in respect of the vehicle and he is satisfied that the vehicle conforms with the relevant type approval requirements, as defined in that section, or
 - (b) no such certificate has been issued but ",

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and the words "remove the suspension", in the last place where they occur, shall be omitted.

5 After section 133 there shall be inserted the following section:—

“133A Certificate of freedom from defects.

If, at the request of the holder of a public service vehicle licence, the vehicle to which the licence relates is inspected by a certifying officer or public service vehicle examiner and, on that inspection, it appears to him that the condition of the vehicle is such that there is no cause for him to exercise any of his powers under section 133 of this Act he shall furnish to the holder of the licence a certificate to that effect.”

PART II

AMENDMENTS OF ROAD TRAFFIC ACT 1972

6 In section 40(4) for the words "manufacturer's certificate" there shall be substituted the words " certificate of conformity ".

7 In the provisions of Part II subsequent to section 49A, for the words " manufacturer's certificate " and " manufacturers' certificates ", in each place where they occur, there shall be substituted respectively the words " certificate of conformity " and " certificates of conformity ".

8 (1) In subsection (1) of section 50, in paragraph (a) after the words " goods vehicle examiner " there shall be inserted the words " or a public service vehicle examiner " and in paragraph (h) after the word " vehicles " there shall be inserted the words " or vehicle parts ".

(2) In subsection (3) of that section the word " goods" shall be omitted.

(3) In subsection (4) of that section the word " goods " shall be omitted from the expression " goods vehicles ", in each place where it occurs, and in paragraph (a) for the word " 49 " there shall be substituted the word " 49A ".

(4) In subsection (6) of that section, after the words " Act and ", in the first place where they occur, there shall be inserted the words " ' public service vehicle examiner' means a person appointed as such an examiner under section 128(2) of the Road Traffic Act 1960 and, except in the case of vehicles of such class as may be prescribed " and the word " goods ", in the second and third places where it occurs, shall be omitted.

9 (1) In section 51, in subsection (1) the word " goods ", in both places where it occurs, shall be omitted, after the word " vehicles ", in each place where it occurs, there shall be inserted the words " or vehicle parts ", after the words " of that class " there shall be inserted the words " or a vehicle to which is fitted a vehicle part of that class " and after the word " vehicle ", in the last place where it occurs, there shall be inserted the words " or vehicle part ".

(2) In subsection (3) of that section the word " goods " shall be omitted.

(3) In subsection (5) of that section, in paragraph (a) the word "goods" shall be omitted and in paragraph (c), after the word " vehicle ", in both places where it occurs, there shall be inserted the words " or vehicle part ".

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- 10 In section 52(2) for the word " or ", in the first place where it occurs, there shall be substituted the words " of this Act applies or for a vehicle of any class to which section " .
- 11 (1) In section 62, in subsection (1) for the words "a goods vehicle " there shall be substituted the words " or exposes for sale a vehicle or vehicle part " and after the word " vehicle", in the second place where it occurs, there shall be inserted the words " or vehicle part " .
- (2) In subsection (2) of that section for the words "or offer" there shall be substituted the words " offer or exposure for sale ", after the word "vehicle" there shall be inserted the words " or vehicle part ", in paragraph (a) for the words " or offered " there shall be substituted the words " offered or exposed for sale ", in paragraph (b) after the words " Great Britain " there shall be inserted the words " or, in the case of a vehicle part, that it would not be fitted to a vehicle used on a road in Great Britain " and after the words " so used " there shall be inserted the words " or fitted ", and in paragraph (c) the words " 46(5) or " shall be omitted and at the end there shall be added the words " or, in the case of a goods vehicle, under section 46(5) of this Act " .
- 12 In section 64, in each of subsections (2) and (4), the word " goods " shall be omitted.
- 13 At the end of section 82 there shall be added the following definition:—
“ vehicle part ' means any article which is a motor vehicle part, within the meaning of section 63 of this Act, and any other article which is made or adapted for use as part of, or as part of the equipment of, a vehicle which is intended or adapted to be used on roads but which is not a motor vehicle within the meaning of that section”.
- 14 In section 169, in subsections (2)(b) and (3), for the words " manufacturer's certificate" there shall be substituted the words " certificate of conformity " .
- 15 In section 170(2) for the words " 49 or 51 " there shall be substituted the words " 49, 49A or 51 " .
- 16 In section 171 for the words "manufacturer's certificate" there shall be substituted the words " certificate of conformity " .
- 17 In section 173, in subsection (2)(b) for the words "manufacturers' certificates" there shall be substituted the words " certificates of conformity " and in subsection (3) for the words " manufacturer's certificate " there shall be substituted the words " certificate of conformity " .
- 18 In section 188(4) the word "goods", in both places where it occurs, shall be omitted and in paragraph (a) after the words " certifying officers " there shall be inserted the words " or public service vehicle examiners " .