
STATUTORY INSTRUMENTS

1996 No. 2064

**The Road Vehicles (Construction and Use)
(Amendment) (No. 3) Regulations 1996**

- 3.—(1) Regulation 36B shall be amended as follows.
- (2) Paragraphs (3), (4) and (5) (being spent provisions) shall be omitted.
- (3) For paragraph (9), there shall be substituted the following paragraph —
- “**(9)** Subject to paragraph (11A), the requirements of this paragraph are that a speed limiter fitted to a paragraph (2) vehicle must be set at a speed not exceeding 85 km/h and the stabilised speed of the vehicle must not exceed 90 km/h.”
- (4) After paragraph (11) there shall be inserted the following paragraph —
- “(11A) Where —
- (a) a speed limiter fitted to a paragraph (2) vehicle is set at a particular speed above 85 km/h (approximately 52.8 mph); and
- (b) the processes used in the construction of the vehicle, the speed limiter and its other equipment were such as to ensure that, with the speed limiter set at that particular speed, the vehicle would have a stabilised speed of not more than 90 km/h (approximately 55.9 mph),
- the speed limiter of the vehicle shall, for the purposes of paragraph (9) and regulation 70A, be deemed to have been set at a speed of 85 km/h.”
- (5) After paragraph (12), there shall be inserted the following paragraph —
- “(12A) Until 1st September 1997, paragraph (11A) shall have effect with the omission of the words “and regulation 70A”.”
- (6) In paragraph (15) —
- (a) the words ““set speed”,” shall be omitted;
- (b) the word “and” immediately before the definition of “relevant speed” shall be omitted and after that definition there shall be inserted —
- ““set speed”, in relation to a paragraph (1) vehicle, has the same meaning as in regulation 36A; and
- subject to paragraph (11A), “set” in relation to a speed limiter fitted to a paragraph (2) vehicle, has the same meaning as in Community Directive 92/6;(1) and references to the speed at which a speed limiter is set shall be construed accordingly.”

(1) “Community Directive” is defined in regulation 3(2) of, and Table I of Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986. Table I of Schedule 2 is amended by regulation 5 of these Regulations.