
STATUTORY INSTRUMENTS

1996 No. 3017

ROAD TRAFFIC

**The Road Vehicles (Construction And Use)
(Amendment) (No. 6) Regulations 1996**

<i>Made</i>	- - - -	<i>2nd December 1996</i>
<i>Laid before Parliament</i>		<i>9th December 1996</i>
<i>Coming into force</i>	- -	<i>1st July 1997</i>

The Secretary of State, in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988(1) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Commencement and Citation

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 6) Regulations 1996 and shall come into force on 1st July 1997.

Preliminary

2. The Road Vehicles (Construction and Use) Regulations 1986(2) shall be further amended in accordance with the following provisions of these Regulations.

New regulation 3A

3. After regulation 3 there shall be inserted the following—

“Modification of Regulations in relation to vehicles for which a Minister’s approval certificate has been issued under the Motor Vehicles (Approval) Regulations 1996

3A. Schedule 2A shall have effect for the purpose of modifying these Regulations in relation to vehicles in respect of which a Minister’s approval certificate has been issued by virtue of the Motor Vehicles (Approval) Regulations 1996(3).”

(1) 1988 c. 52; section 41 was amended by paragraph 50 of Schedule 4 to the Road Traffic Act 1991 (c. 40) and by Schedule 8 to that Act.
(2) S.I. 1986/1078; relevant amending instruments are S.I. 1990/1131, 1992/3285, 1995/2210.
(3) S.I. 1996/3013.

Amendments to regulation 61 (emissions)

4.—(1) Regulation 61 shall be amended as follows.

(2) In paragraph (10), after the word “description” there shall be inserted the words “and is first used before 1st July 1997”.

(3) In paragraph (10B)(c), after the word “description” there shall be inserted the words “and is first used before 1st July 1997”.

Amendments to regulation 66 (plates for goods vehicle and buses)

5. In regulation 66(1)(a), the word “or” immediately after sub-paragraph (iv) shall be omitted and after that sub-paragraph there shall be inserted the following—

“or

(vi) a vehicle which is exempt from section 63(1) of the Road Traffic Act 1988 by virtue of regulation 14(6) of the Motor Vehicles (Approval) Regulations 1996.”

New Schedule 2A (vehicles for which a Minister’s certificate has been issued under the Motor Vehicles (Approval) Regulations 1996)

6. After Schedule 2, there shall be inserted the Schedule set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Transport

Department of Transport
2nd December 1996

John Bowis
Parliamentary Under Secretary of State,

THE SCHEDULE

Regulation 6

“SCHEDULE 2A

Regulation 3A

VEHICLES FOR WHICH A MINISTER'S APPROVAL CERTIFICATE HAS BEEN
ISSUED UNDER THE MOTOR VEHICLES (APPROVAL) REGULATIONS 1996

PART I

INTERPRETATION

General Interpretation

1.—(1) In this Schedule—

“the Approval Regulations” means the Motor Vehicles (Approval) Regulations 1996;

“approval certificate” means a Minister’s approval certificate in the form prescribed by the Approval Regulations;

“approval date”, in relation to a vehicle in respect of which an approval certificate has been issued, is the date that the certificate was issued;

“goods vehicle approval certificate” means an approval certificate which appears to have been issued on the basis that the vehicle is a vehicle to which Part III of the Approval Regulations applies;

“passenger vehicle approval certificate” means an approval certificate which appears to have been issued on the basis that the vehicle is a vehicle to which Part II of the Approval Regulations applies.

Interpretation of references to a vehicle complying with the approval requirements and to a vehicle exempt from the approval requirements

2.—(1) Subject to paragraph 3, references in this Schedule to a vehicle complying with or being exempt from the approval requirements shall be construed in accordance with the following provisions of this paragraph.

(2) Subject to sub-paragraphs (4) and (5), a vehicle in respect of which a goods vehicle approval certificate has been issued shall be regarded as complying with or exempt from the approval requirements in relation to a specified subject matter if and only if it for the time being satisfies at least one of the conditions in regulation 6(5) of the Approval Regulations in relation to that subject matter.

(3) Subject to sub-paragraphs (4) and (5), a vehicle in respect of which a passenger vehicle approval certificate has been issued shall be regarded as complying with or exempt from the approval requirements in relation to a specified subject matter if and only if it for the time being satisfies at least one of the conditions in regulation 4(5) of the Approval Regulations in relation to that subject matter.

(4) A vehicle in respect of which an approval certificate has been issued shall be regarded as neither complying with nor being exempt from the approval requirements in relation to any subject matter if—

(a) the certificate is a goods vehicle approval certificate and the vehicle is not for the time being a vehicle to which Part III of the Approval Regulations applies; or

(b) the certificate is a passenger vehicle approval certificate and the vehicle is not for the time being a vehicle to which Part II of the Approval Regulations applies.

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(5) For the purposes of this paragraph, the Approval Regulations shall have effect with the omission of regulations 4(8) and 6(7).

PART II

MODIFICATION OF THE REGULATIONS

Part exemption from regulation 32 (glazing)

3. Regulation 32(2), (7) and (10) shall not apply to a vehicle in respect of which a passenger vehicle approval certificate has been issued, if it complies with or is exempt from the approval requirements relating to glazing.

Exemption from regulation 33 (mirrors)

4. Regulation 33 shall not apply to a vehicle in respect of which a passenger vehicle approval certificate has been issued, if it complies with or is exempt from the approval requirements relating to rear view mirrors.

Exemption from regulation 35 (speedometers)

5. Regulation 35 shall not apply to a vehicle in respect of which a passenger approval certificate has been issued, if it complies with or is exempt from the approval requirements relating to speedometers.

Exemption from regulation 39(2)(c)(i) (fuel tanks to be made of metal)

6. Regulation 39(2)(c)(i) shall not apply to a vehicle in respect of which either a passenger vehicle approval certificate or a goods vehicle approval certificate has been issued, if it complies with the approval requirements relating to general vehicle construction.

Exemption from regulation 46 (seat belt anchorages)

7. Regulation 46 shall not apply to a vehicle in respect of which a passenger vehicle approval certificate has been issued, if it complies with or is exempt from the approval requirements relating to anchorage points.

Part exemption from regulation 47 (seat belts)

8. Regulation 47, so far as it relates to seat belts for adults, shall not apply to a vehicle in respect of which a passenger vehicle approval certificate has been issued, if it complies with or is exempt from the approval requirements relating to seat belts (including the requirements relating to the installation of seat belts).

Modifications to regulation 61 (emissions)

9.—(1) Regulation 61 shall have effect with the following modifications in relation to a vehicle in respect of which there has been issued an approval certificate containing the letter “A” pursuant to regulation 12(2)(c) of the Approval Regulations.

(2) For the purposes of paragraphs (3A), (7), (8) and (9), the date of first use of the vehicle shall be regarded as being 1st January immediately preceding the date of manufacture of the engine by which it is propelled.

However, the date on which the vehicle is first used shall not, by virtue of this paragraph, be regarded in any circumstances as being later than the date on which it would otherwise have been regarded as being first used had this paragraph been omitted.

(3) Paragraphs 10(A) and 10(AA) shall not apply to the vehicle if it complies with or is exempt from the approval requirements relating to exhaust emissions.

Modification to regulation 67 (vehicle identification numbers)

10. Regulation 67 shall not apply to a vehicle in respect of which an approval certificate has been issued if—

- (a) the vehicle is equipped with a plate which is in a conspicuous and readily accessible position, is affixed to a vehicle part which is not normally subject to replacement and shows clearly and indelibly the identification number shown on the certificate and the name of the manufacturer; and
- (b) that number is marked on the chassis, frame or other similar structure, on the offside of the vehicle, in a clearly visible and accessible position, and by a method such as hammering or stamping, in such a way that it cannot be obliterated or deteriorate.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Construction and Use) Regulations 1986 (“the 1986 Regulations”) consequentially upon the making of the Motor Vehicles (Approval) Regulations 1996 (“the Approval Regulations”).

Regulations 3 and 6 of these Regulations and the Schedule insert into the 1986 Regulations a new Schedule 2A which modifies those Regulations in relation to vehicles which are the subject of a Minister’s approval certificate issued under the Approval Regulations. If they comply with the relevant requirements of the Approval Regulations, such vehicles are exempt from the requirements of regulations 32 (glazing—part exemption), 33 (mirrors), 35 (speedometers), 39 (fuel tanks—part exemption), 46 (seat belt anchorages) and 47 (seat belts—part exemption) of the 1986 Regulations. Regulation 67 (vehicle identification numbers) of the 1986 Regulations is amended so as to exempt such vehicles if they comply with specified alternative requirements.

Regulation 61 (emissions) of the 1986 Regulations is amended, by regulation 4 and paragraph 7 of the new Schedule 2A, so that amateur-built vehicles which are the subject of a Minister’s approval certificate under the Approval Regulations are exempt from the requirements of paragraphs (10A) and (10AA) (engine idling), if they comply with the exhaust emission requirements of the Approval Regulations. Regulation 66 (plates for goods vehicles and buses) is amended so that it does not apply to a vehicle which is exempt from section 63 of the Road Traffic Act 1988 by virtue of regulation 14(6) of the Approval Regulations (vehicles being submitted to or taken away from an examination).

These Regulations have been notified to the European Commission pursuant to Directive [83/189/EEC](#) of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1983 L109, p.9) as amended by Council Directive [88/182/](#)

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[EEC](#) of 22nd March 1988 (OJ 1988 L81, p.75) and European Parliament and Council Directive [94/10/EEC](#) of 23rd March 1994 (OJ 1994 L100, p.30).