
STATUTORY INSTRUMENTS

2003 No. 1690

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) (No. 2) Regulations 2003**

<i>Made</i>	- - - -	<i>4th July 2003</i>
<i>Laid before Parliament</i>		<i>7th July 2003</i>
<i>Coming into force</i>	- -	<i>1st August 2003</i>

The Secretary of State for Transport, 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:—

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 2003 and shall come into force on 1st August 2003.

Preliminary

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

Amendments to regulation 40 (gas propulsion systems and gas-fired appliances)

3.—(1) Regulation 40 shall be amended as follows.

(2) In paragraph (2)—

(a) for the words “A vehicle which is” there shall be substituted “Subject to paragraph (2A), a vehicle which is”; and

(b) after “Schedule 5” there shall be inserted “or with ECE Regulation 67 or 67.01”.

(3) After paragraph (2) of regulation 40, there shall be inserted the following paragraph—

(1) 1988 c. 52; section 41 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 50 and Schedule 8.
(2) S.I. 1986/1078; relevant amending instruments are S.I. 1995/2210, 1996/2085, 1997/1544, 1998/1563, 1999/1521, 1999/1959, 2000/1434, 2001/1825 and 2002/1474.

“(2A) A vehicle which first used gas as a fuel for its propulsion on or after 13th November 1999 shall comply with the provisions of Schedule 5 or ECE Regulation 67.01”.

Amendment to Schedule 2 (ECE Regulations)

4. In Table II after item 22, there shall be inserted the following items—

“22A	67	67	27.04.90	Vehicles using liquefied petroleum gas	—	—	—
22B	67.01	67	13.11.99	Vehicles using liquefied petroleum gas	—	—	—”

Amendment to Schedule 5 (gas systems)

5.—(1) Schedule 5 shall be amended as follows.

(2) In paragraph 1, after the definition of “double-check valve” the following definition shall be inserted—

““electrically operated valve” means a device which is electrically operated and opens when the ignition is switched on and closes when the ignition is switched off or the power is otherwise cut off;”.

(3) For paragraph 4(4), there shall be substituted—

“(4) Flexible hose may be used in a high pressure pipeline either if—

- (a) (i) it is reinforced either by stainless steel wire braid or by textile braid,
- (ii) its length does not exceed 500mm, and
- (iii) save in the case of a pipeline attached to a gas container for the purpose of filling that container the flexibility which it provides is necessary for the construction or operation of the gas system of which it forms a part, or
- (b) its length exceeds 500mm and it complies with Annex 8 of ECE Regulation 67.01 and is approved and marked in accordance with that Regulation.

(4A) In the case of a motor vehicle which first used gas as a fuel for its propulsion on or after 1st January 2004 a flexible hose of any length used in a high pressure pipe line shall comply with the requirements of Annex 8 of ECE Regulation 67.01 shall be approved and marked in accordance with that Regulation and shall be no longer than is reasonably necessary.”.

(4) For paragraph 8(2) there shall be substituted—

“(2) Where a fixed gas container supplies no gas system other than a gas propulsion system—

- (a) an electrically operated valve may be fitted in place of the valve or cock referred to in sub-paragraph (1) above; and
- (b) either—
 - (i) it shall be fitted as near as practicable to the gas container; or

- (ii) if fitted in addition to the valve or cock referred to in sub-paragraph (1) above it shall either be incorporated into that valve or cock or be fitted immediately downstream from it; and
- (c) it shall if fitted inside the vehicle be so arranged as to prevent as far as is practicable the possibility of gas entering the engine, passenger or living compartments due to leaks, and the space containing the valve shall be so ventilated and drained as to prevent the accumulation of gas in that space.”.

Amendment to Schedule 7B (emissions from certain motor vehicles)

6. In Schedule 7B, in paragraph 7, for sub-paragraph (b) there shall be substituted the following sub-paragraph—

- “(b) “the emissions publication” is the publication entitled “In-Service Exhaust Emission Standards for Road Vehicles—Ninth Edition” (ISBN 0-9526457-8-5) published by the Department for Transport.”.

Signed by authority of the Secretary of State

4th July 2003

David Jamieson
Parliamentary Under-Secretary of State,
Department for Transport

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Construction and Use) Regulations 1986 (“the 1986 Regulations”) in the following ways—

- (a) the insertion at the end of regulation 40(2) (gas propulsion systems and gas-fired appliances) of some new alternative standards (ECE Regulation 67 or 67.01) (*regulation 3(2)*);
- (b) a new regulation 40(2A) to provide that a vehicle which first used gas as a fuel for its propulsion on or after 13th November 1999 shall comply with the provisions of Schedule 5 (gas systems) or ECE Regulation 67.01 (*regulation 3(3)*);
- (c) amendments to Table II (ECE Regulations) in Schedule 2 by the insertion of new items 22A and 22B (which include references to ECE Regulation 67 and 67.01) (*regulation 4*);
- (d) a new paragraph 4(4)(pipelines) in Schedule 5 (gas systems) to permit flexible hose exceeding 500mm in length to be used in a high pressure pipeline if it complies with Annex 8 of ECE Regulation 67.01 and is so approved and marked in accordance with that Regulation (*regulation 5(3)*);
- (e) a new paragraph 4(4A) in Schedule 5 which imposes a requirement that in the case of a motor vehicle which first used gas as a fuel for its propulsion on or after 1st January 2004 a flexible hose of any length used in a high pressure pipe line shall comply with the requirements of Annex 8 of ECE Regulation 67.01 and be so approved and marked in accordance with that Regulation. Such a hose shall be no longer than is reasonably necessary (*regulation 5(3)*);
- (f) “electrically operated valve” is now defined in paragraph 1 of Schedule 5 (*regulation 5(2)*). There is a new paragraph 8(2) (valves and cocks) of Schedule 5 (gas systems). The changes relate to the operation of an electrically operated valve where a fixed gas container supplies no gas system other than a gas propulsion system if there is compliance with specified technical requirements (*regulation 5(4)*);
- (g) *regulation 6* amends the definition of “the emissions publication” in Schedule 7B to the 1986 Regulations so as to refer to the most recent (ie the ninth) edition of the publication entitled “In-Service Exhaust Emission Standards for Road Vehicles”. The publication specifies, with respect to vehicles with spark ignition engines, the maximum permitted carbon monoxide content of exhaust emissions at idling speed and the limits for the ratio of air to petrol vapour entering the combustion chamber, in relation to each of the vehicle models named in the publication.

Copies of the emissions publication can be obtained from the Vehicle and Operator Services Agency, Berkeley House, Croydon Street, Bristol BS5 0DA (telephone number 0117-954-3277).

In relation to the amendments specified in Regulations 3, 4 and 5, a Regulatory Impact Assessment has been prepared and copies can be obtained from the Department for Transport, Zone 2/01, Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone number 020-7944 2065). A copy has been placed in the Library of each House of Parliament.

Copies of the ECE Regulations which are relevant to these Regulations can be obtained from the Stationery Office.

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