

2007 No. 2544

ROAD TRAFFIC

**The Road Vehicles (Construction and Use) (Amendment) (No.2)
Regulations 2007**

<i>Made</i>	- - - -	<i>1st September 2007</i>
<i>Laid before Parliament</i>		<i>6th September 2007</i>
<i>Coming into force</i>	- -	<i>1st October 2007</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 41(1), (2) and (5) of the Road Traffic Act 1988(a).

In accordance with section 195(2) of that Act she has consulted with such representative organisations as she thinks fit.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No.2) Regulations 2007 and shall come into force on 1st October 2007.

Amendment of regulations

2. In Schedule 7XA (end of series exemptions) to the Road Vehicles (Construction and Use) Regulations 1986(b), in Part II, in paragraph 2(2)—

- (a) in paragraph (a) after “by virtue of” there shall be inserted “either item 2J of Schedule 1 or”;
- (b) after “which” in the first place where it occurs there shall be inserted “, other than item 2J of Schedule 1,”.

Signed by authority of the Secretary of State

1st September 2007

Rosie Winterton
Minister of State
Department for Transport

(a) 1988 c. 52.

(b) S.I. 1986/1078; relevant amending instruments are S.I. 1996/2329, 2000/3197, 2006/2565, 2007/361.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 7XA to the Road Vehicles (Construction and Use) Regulations 1986 (“the principal Regulations”) to extend the application of that schedule.

Schedule 7XA concerns type approval end of series vehicles. Such vehicles are exempted from having to comply with requirements as to design, construction and equipment and as to the limit values for emissions (“emissions requirements”) as set out in Community Directives including those specified in the Table in regulation 61A of the principal Regulations and in particular Directive 2005/55/EC of the European Parliament and of the Council of 28th September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ No. L275, 20.10.2005, p.1) as amended by Directives 2005/78/EC (OJ No. L313, 29.11.2005, p.1) and 2006/51/EC (OJ No. L152, 7.6.06, p11). An exempted vehicle is required to meet such equivalent provision (if any) that would have applied to the vehicle immediately before the coming into force of the requirement from which there is exemption.

Regulation 2 provides that a vehicle may be a type approval end of series vehicle under Schedule 7XA if, by virtue of item 2J of Schedule 1 to the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 (S.I. 1982/1271), the emissions requirements that a vehicle of its type is required to meet for the purposes of type approval on or after 1st October 2007 (being the date on which certain emissions requirements of Directive 2005/55/EC, as amended, have effect) are the same as those which a vehicle of that type was required to meet before that date. Under the principal Regulations a vehicle exempted from the emissions requirements must comply with the requirements of Directive 2005/55/EC as amended save for those which apply from 1st October 2007.

A full impact assessment has not been prepared for these Regulations as they have no impact on the costs of business or the voluntary sector.

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