

2010 No. 892

ROAD TRAFFIC

**The Passenger and Goods Vehicles (Community Recording
Equipment Regulation) Regulations 2010**

<i>Made</i>	- - - -	<i>21st March 2010</i>
<i>Laid before Parliament</i>		<i>24th March 2010</i>
<i>Coming into force</i>	- -	<i>23rd April 2010</i>

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(a) in relation to the regulation of the type, description, construction or equipment of vehicles(b) and the regulation and supervision of working conditions of persons engaged in road transport(c).

The Secretary of State, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, makes the following Regulations.

Citation, commencement and revocation

1. These Regulations may be cited as the Passenger and Goods Vehicles (Community Recording Equipment Regulation) Regulations 2010 and shall come into force on 23rd April 2010.
2. The Passenger and Goods Vehicles (Community Recording Equipment Regulation) Regulations 2006(d) are revoked.

Amendment of the definition of the Community Recording Equipment Regulation

- 3.—(1) In each of the provisions specified in paragraph (2), for the definition of “the Community Recording Equipment Regulation” substitute—

(a) 1972 c.68; section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(1)(a) and the European Union (Amendment) Act 2008 (c.7), section 3(3), Schedule, Part 1.
(b) S.I. 1972/1811, to which there are amendments not relevant to these Regulations.
(c) S.I. 1975/1707.
(d) S.I. 2006/3276.

“the Community Recording Equipment Regulation” means Council Regulation (EEC) No. 3821/85 on recording equipment in road transport(a) as read with the Community Drivers’ Hours and Recording Equipment Regulations 2007(b)”.

(2) The provisions referred to in paragraph (1) are—

- (a) section 97(7) of the Transport Act 1968(c);
- (b) regulation 1(3) of the Passenger and Goods Vehicles (Recording Equipment) Regulations 1979(d);
- (c) regulation 3(3) of the Passenger and Goods Vehicles (Recording Equipment) (Amendment) Regulations 1984(e);
- (d) section 85(1) of the Road Traffic Act 1988(f);
- (e) regulation 2(1) of the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card Fees) Regulations 2005(g); and
- (f) regulation 2 of the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card) Regulations 2006(h).

Signed by authority of the Secretary of State for Transport

Paul Clark
Parliamentary Under Secretary of State
Department for Transport

21st March 2010

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- (a) OJ No L370, 31.12.85, p8; Council Regulation (EEC) No 3821/85 was amended by Commission Regulation (EEC) No 3314/90 (OJ No L318, 17.11.90, p20), Council Regulation (EEC) No 3572/90 (OJ No L353, 17.12.90, p12), Commission Regulation (EEC) No 3688/92 (OJ No L374, 22.12.92, p12), Commission Regulation (EC) No 2479/95 (OJ No L256, 26.10.95, p8), Commission Regulation (EC) No 1056/97 (OJ No L154, 12.06.97, p21), Council Regulation (EC) No 2135/98 (OJ No L274, 09.10.98, p1), Commission Regulation (EC) No 1360/2002 (OJ No L207, 05.08.02, p1), Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ No L284, 31.10.03, p1), Commission Regulation (EC) No 432/2004 (OJ No L71, 10.03.04, p3), Regulation (EC) No 561/2006 of the European Parliament and of the Council (OJ No L102, 11.04.06, p1), Council Regulation (EC) No 1791/2006 (OJ No L363, 20.12.06, p1), Commission Regulation (EC) No 68/2009 (OJ No L21, 24.01.09, p3), Regulation (EC) No 219/2009 of the European Parliament and of the Council (OJ No L87, 31.03.09, p109) and Commission Regulation (EU) No 1266/2009 (OJ No L 339, 22.12.09, p3); and extended by the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C241, 29.08.94, p21) adapted by Council Decision 95/1/EC (OJ No L1, 01.01.95, p1), and by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (OJ No L236, 23.09.03, p33).
 - (b) S.I. 2007/1819.
 - (c) 1968 c.73; section 97 was substituted by S.I. 1979/1746 and amended by S.I. 1984/144, 1986/1457, 1989/2121, 2005/1904, 2006/1117, 2006/3276 and 2008/198.
 - (d) S.I. 1979/1746; the definition of “the Community Recording Equipment Regulation” was substituted by S.I. 2006/3276.
 - (e) S.I. 1984/144; the definition of “the Community Recording Equipment Regulation” was substituted by S.I. 2006/3276.
 - (f) 1988 c.52; the definition of “the Community Recording Equipment Regulation” was substituted by S.I. 2006/3276.
 - (g) S.I. 2005/1140; the definition of “the Community Recording Equipment Regulation” was substituted by S.I. 2006/3276.
 - (h) S.I. 2006/1937; the definition of “the Community Recording Equipment Regulation” was substituted by S.I. 2006/3276.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the definition of “the Community Recording Equipment Regulation” in the Transport Act 1968, the Passenger and Goods Vehicles (Recording Equipment) Regulations 1979, the Passenger and Goods Vehicles (Recording Equipment) (Amendment) Regulations 1984, the Road Traffic Act 1988, the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card Fees) Regulations 2005 and the Passenger and Goods Vehicles (Recording Equipment)(Tachograph Card) Regulations 2006. The Passenger and Goods Vehicles (Community Recording Equipment Regulation) Regulations 2006 are revoked.

The amendments substitute a new definition relating to Council Regulation (EEC) No 3821/85 so that the definition takes account of changes made to that Regulation as at the date of making these Regulations.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Freight and Logistics Division, Department for Transport, Zone 2/12, Great Minster House, 76 Marsham Street, London, SW1P 4DR and is annexed to the Explanatory Memorandum which is available alongside the instrument on the Office of Public Sector Information website at <http://www.opsi.gov.uk>.

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STATUTORY INSTRUMENTS

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£4.00