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STATUTORY INSTRUMENTS

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**2019 No. 1379**

**The Passenger and Goods Vehicles (Tachographs)  
(Amendment etc.) Regulations 2019**

**PART 2**

Amendment of primary legislation

**Transport Act 1968**

**3.** The Transport Act 1968 (as amended by regulations 4, 14 and 16 of the Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019<sup>(1)</sup>) is amended as follows.

**4.—**(1) Section 97<sup>(2)</sup> is amended as follows.

(2) In subsection (1)(a)—

- (a) in sub-paragraph (i), after “Regulation” insert “(including the relevant technical specifications)”;
- (b) in sub-paragraph (ii), for “that Regulation (including the relevant Annexes to it)” substitute “the EU Tachographs Regulation (including the relevant technical specifications)”;
- (c) in sub-paragraph (iii), for “that Regulation” substitute “the EU Tachographs Regulation”.

(3) In subsection (7)—

(a) before the definition of “the EU Tachographs Regulation” insert—

““Commission Implementing Regulation (EU) 2016/799” means Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components<sup>(3)</sup>, as amended from time to time;

“Council Regulation (EEC) No 3821/85” means Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport<sup>(4)</sup>”;

(b) for the definition of “the relevant Annexes” substitute—

““the relevant technical specifications” means Annex II of Commission Implementing Regulation (EU) 2016/799, and—

- (a) in the case of a vehicle put into service for the first time before 1st May 2006—
  - (i) Annex I of the EU Tachographs Regulation,

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(1) [S.I. 2019/453](#).

(2) Section 97 was amended by [S.I. 1979/1746](#), [1984/144](#), [1986/1457](#), [1989/2121](#), [2005/1904](#), [2006/1117](#), [2008/198](#), [2016/248](#), [2019/453](#).

(3) OJ No. L 139, 26.5.2016, p. 1.

(4) OJ L 370, 31.12.1985, p. 8.

- (ii) Annex IB of [Council Regulation \(EEC\) No 3821/85](#) for as long as preserved and applied by Article 46 of the EU Tachographs Regulation, or
    - (iii) Annex 1C to Commission Implementing Regulation (EU) 2016/799;
  - (b) in the case of a vehicle put into service for the first time on or after 1 May 2006 but before the date on which the Passenger and Goods Vehicles (Tachographs) (Amendment etc.) Regulations 2019<sup>(5)</sup> come into force—
    - (i) Annex IB of [Council Regulation \(EEC\) No 3821/85](#) for as long as preserved and applied by Article 46 of the EU Tachographs Regulation; or
    - (ii) Annex 1C to Commission Implementing Regulation (EU) 2016/799; and
  - (c) in the case of a vehicle put into service for the first time on or after the date on which the Passenger and Goods Vehicles (Tachographs) (Amendment etc.) Regulations 2019 come into force, Annex 1C to Commission Implementing Regulation (EU) 2016/799.”
- 5. In section 98(2A)<sup>(6)</sup>, in paragraph (a), for “Annexes” substitute “technical specifications”.
- 6. For section 99ZA(7)(a)<sup>(7)</sup>, substitute—
  - “(a) in relation to a vehicle to which section 97 applies—
    - (i) where the vehicle was put into service for the first time before the date on which the Passenger and Goods Vehicles (Tachographs) (Amendment etc.) Regulations 2019 come into force—
      - (aa) Annex IB of [Council Regulation \(EEC\) No 3821/85](#) for as long as preserved and applied by Article 46 of the EU Tachographs Regulation, or
      - (bb) Annex 1C to Commission Implementing Regulation (EU) 2016/799; and
    - (ii) where the vehicle was put into service for the first time on or after the date on which the Passenger and Goods Vehicles (Tachographs) (Amendment etc.) Regulations 2019 come into force, Annex 1C to Commission Implementing Regulation (EU) 2016/799;”.

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<sup>(5)</sup> [S.I. 2019/1379](#).

<sup>(6)</sup> Section 98(2A) was amended by [S.I. 2019/453](#).

<sup>(7)</sup> Section 99ZA was amended by [S.I. 2019/453](#).