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STATUTORY INSTRUMENTS

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**2019 No. 453**

**EXITING THE EUROPEAN UNION  
ROAD TRAFFIC**

**The Drivers' Hours and Tachographs  
(Amendment etc.) (EU Exit) Regulations 2019**

*Made - - - - 4th March 2019  
Coming into force in accordance with  
regulations 1(2) and (3)*

**THE DRIVERS' HOURS AND TACHOGRAPHS  
(AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019**

PART 1

Introduction

1. Citation, commencement and extent

PART 2

Amendments pursuant to the European Communities Act 1972

CHAPTER 1

Amendments of primary legislation

2. Transport Act 1968
3. (1) Section 96 is amended as follows.
4. In section 97— (a) in the heading, at the end...
5. After section 97 insert— Installation and use of recording equipment:...
6. In section 97AA(1), after "97" insert " or 97ZA".
7. In section 97B, for subsection (2) substitute—
8. In section 97C— (a) in subsection (1)(b), at the end...
9. In section 97D— (a) in subsection (1), after "Community Drivers'...
10. In section 97E— (a) in subsection (1), after "Community Drivers'...
11. In section 97F(1)(b), after "Community Drivers' Hours Regulation" insert "or..."

*Status: This is the original version (as it was originally made).*

12. In section 97G(2), after “Community Drivers’ Hours Regulation” insert “or...
13. In section 97H(3), after “Community Drivers’ Hours Regulation” insert “or...
14. (1) Section 98(2A) is amended as follows.
15. In section 99(11), after “97” insert “or 97ZA”.
16. (1) Section 99ZA is amended as follows.
17. (1) Section 99ZB is amended as follows.
18. In section 99ZE(2)(a), for “or section 97” substitute “, the...
19. In section 103(1), before the definition of “agriculture” insert— “AETR”...
20. Road Traffic Offenders Act 1988

## CHAPTER 2

### Amendments of secondary legislation

21. Motor Vehicles (Designation of Approval Marks) Regulations 1979
22. Passenger and Goods Vehicles (Recording Equipment) Regulations 1979
23. Motor Vehicles (Type Approval) Regulations 1980
24. Motor Vehicles (Tests) Regulations 1981
25. Fixed Penalty Order 2000
26. Road Transport (Working Time) Regulations 2005
27. Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card Fees) Regulations 2005
28. Community Drivers’ Hours and Recording Equipment Regulations 2007
29. Road Safety (Financial Penalty Deposit) Order 2009
30. Road Safety (Financial Penalty Deposit) (Appropriate Amount) Order 2009

## PART 3

### Amendments pursuant to the European Union (Withdrawal) Act 2018

## CHAPTER 1

### Amendments of primary legislation

31. Transport Act 1968
32. In section 95— (a) in subsection (1) omit the words...
33. In section 96 (as amended by regulation 3 of these...
34. In section 96A(1)(a), for “under Article 13” substitute “as required...
35. (1) Section 97 (as amended by regulation 4 of these...
36. In section 97ZB(5) (as inserted by regulation 5 of these...
37. In section 98 (as amended by regulation 14 of these...
38. In section 99ZA(7)(a) (as amended by regulation 16 of these...
39. In section 101— (a) in subsection (3) omit “under section...
40. (1) Section 103(1) (as amended by regulation 19 of these...
41. Road Traffic Offenders Act 1988
42. In section 54(8A)(d), for “another member State or a contracting...
43. In section 75(3C)(d), for “another member State or a contracting...
44. (1) Section 89 is amended as follows.
45. In section 90A(6)(c), for “, another member State or a...
46. In section 90F, in the definition of “contracting third country”...
47. Road Traffic (Foreign Vehicles) Act 1972

## CHAPTER 2

### Amendments of secondary legislation

48. Passenger and Goods Vehicles (Recording Equipment) Regulations 1979
49. Motor Vehicles (Type Approval) Regulations 1980
50. Road Transport (Working Time) Regulations 2005
51. Community Drivers' Hours and Recording Equipment Regulations 2007
52. (1) Regulation 2 is amended as follows.
53. (1) Regulation 4 is amended as follows.
54. Road Safety (Financial Penalty Deposit) Order 2009

## CHAPTER 3

### Amendments of retained direct EU legislation

55. Regulation (EC) No 561/2006 of the European Parliament and of the Council
56. In Article 1, omit "by Member States".
57. In Article 2— (a) in paragraph 2, for the words...
58. In Article 3(i), for the words from "which have a..."
59. In Article 4— (a) in point (e), for "Article 3(a)..."
60. In Article 5(2) omit the words from "However" to the...
61. (1) Article 6 is amended as follows.
62. Omit Article 8(6a).
63. (1) Article 10 is amended as follows.
64. For Article 11 substitute— Article11 Articles 6 to 9 are...
65. Omit Article 13.
66. In Article 14— (a) in paragraph 1, for "Member States..."
67. Omit Articles 15 to 19.
68. In Article 20— (a) in paragraph 1—
69. Omit Articles 21 to 25.
70. After Chapter 5 insert— CHAPTER5A SUPPLEMENTARY Article 25A Regulations under this Regulation may— (a) make consequential, supplementary, incidental,...
71. After Article 29, omit "This Regulation shall be binding in..."
72. Regulation (EU) No 165/2014 of the European Parliament and of the Council
73. In Article 1(1) for the words from "Regulation (EC)" to...
74. In Article 2(2)— (a) in point (f), for "authorities of..."
75. (1) Article 3 is amended as follows.
76. In Article 4(8)— (a) in the first sentence—
77. In Article 6(5)— (a) in the first sentence—
78. Omit Article 7.
79. (1) Article 9 is amended as follows.
80. In Article 11— (a) in the first sentence—
81. For Chapter 3 (type-approval) substitute— CHAPTERIII TYPE-APPROVAL Article 11A Requirement...
82. In Article 22— (a) in paragraph 1—
83. (1) Article 23 is amended as follows.
84. (1) Article 24 is amended as follows.
85. (1) Article 25 is amended as follows.
86. After Article 25 insert— Article 25A Recognition of EU approved...

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87. (1) Article 26 is amended as follows.
88. In Article 28— (a) in paragraph 1, for “competent authorities...
89. (1) Article 29 is amended as follows.
90. In Article 30— (a) for the heading substitute “Recognition of...
91. Omit Article 31.
92. Omit Article 32(5).
93. (1) Article 33 is amended as follows.
94. In Article 34— (a) in paragraph 3, in the second...
95. (1) Article 36 is amended as follows.
96. In Article 37(1) omit the third subparagraph.
97. (1) Article 38 is amended as follows.
98. (1) Article 39 is amended as follows.
99. Omit Articles 40 and 41.
100. After Chapter 7 insert— CHAPTER7A REGULATIONS UNDER THIS  
REGULATION Article...
101. Omit Articles 42 to 44.
102. Omit Article 46.
103. After Article 48, omit “This Regulation shall be binding in...
104. For Annexes I and II substitute— ANNEXI Requirements for  
construction,...
105. Commission Implementing Regulation (EU) No 2016/799
106. (1) Article 1 is amended as follows.
107. (1) Article 2 is amended as follows.
108. (1) Article 4 is amended as follows.
109. In Article 5— (a) In paragraph 1, for “without delay...
110. After Article 6, omit “This Regulation shall be binding in...
111. Council Regulation (EEC) No 3916/90
112. Commission Implementing Regulation (EU) No 2016/68
113. Annex XIII to the EEA agreement

#### PART 4

#### Saving

114. Saving  
Signature  
Explanatory Note