STATUTORY INSTRUMENTS

2017 No. 849

ROAD TRAFFIC

The Goods Vehicles (Plating and Testing) (Miscellaneous Amendments) Regulations 2017

Made - - - -	*11th September 2017*
Laid before Parliament	*14th September 2017*
Coming into force - -	*20th May 2018*

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 49, 51 and 63A of the Road Traffic Act 1988(**1**) and by section 2(2) of the European Communities Act 1972(**2**).

The Secretary of State is a Minister designated(**3**) for the purposes of section 2(2) of the European Communities Act 1972 in relation to the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme.

In accordance with section 195(2) of the Road Traffic Act 1988 the Secretary of State has consulted with such representative organisations as the Secretary of State thinks fit.

(**1**) 1988 c.52
; section 49 was amended by paragraph 54 of Schedule 4 to the Road Traffic Act 1991 (c.40)
and by S.I. 2016/248
; section 51 was amended by paragraph 1 of Schedule 8 to the Road Traffic Act 1991 and by paragraph 27 of Part 6 of Schedule 10 to the Deregulation Act 2015 (c.20)
; section 63A was inserted by section 108 of the Transport Act 1982 (c.49)
. See section 85 for the definition of "prescribed".

(**2**) 1972 c.68
; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51)
and by paragraph 1 of Schedule 1 to the European Union (Amendment) Act 2008 (c.7)
.

(**3**) S.I. 1972/1811
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Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Plating and Testing) (Miscellaneous Amendments) Regulations 2017 and come into force on 20th May 2018.

Amendment of the Road Traffic Act 1988

2. The Road Traffic Act 1988 is amended as follows.

3. In section 53—

(a) in subsection (1)—

(i) omit "goods" in each place where it occurs,

(ii) in paragraph (a) for "regulations under section 49 of this Act" substitute "relevant regulations",

(b) in subsection (2)—

(i) in paragraph (a) for "goods vehicle of" substitute "vehicle of",

(ii) also in paragraph (a) for "regulations under section 49 of this Act" substitute "relevant regulations",

(iii) in paragraph (b) for "goods vehicle of" substitute "vehicle of",

(iv) for "any goods vehicle" substitute "any vehicle",

(c) in subsection (3)—

(i) omit "goods" in both places where it occurs,

(ii) for "regulations under section 49 of this Act" substitute "relevant regulations",

(d) in subsection (4) for "regulations under section 49 of this Act" substitute "relevant regulations",

(e) after subsection (5) insert—

"(6) In this section "relevant regulations" means regulations made—

(a) under section 49 of this Act, or

(b) for the purposes of implementing Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers.".

4. In section 67—

(a) for subsection (3B) substitute—

"(3B) This subsection applies to—

(a) vehicles—

(i) in categories M2 and M3,

(ii) in categories O3 and O4,

as defined in Annex II to the road vehicles type approval Directive,

(b) vehicles in categories N2 and N3, as defined in article 2(1) of Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers, and

(c) vehicles in category T, as defined in Article 4(1) of the tractor type approval Regulation.",

(b) for subsection (9A) substitute—

"(9A) In subsection (3B)(c) "the tractor type approval Regulation" means Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles.".

Amendment of the Goods Vehicles (Plating and Testing) Regulations 1988

5. The Goods Vehicles (Plating and Testing) Regulations 1988(**4**) are amended as follows.

6. In regulation 3(1) in the definition of "appropriate day"—

(a) at the beginning insert—

"(aa) in relation to a category T tractor, the last day of the calendar month in which falls the fourth anniversary of the date on which it was registered;",

(b) in paragraph (a) after "motor vehicle" insert "(other than a category T tractor)".

7. For regulation 4 substitute—

"**Application**

4.—(1) Subject to paragraph (2), these Regulations apply to—

(a) goods vehicles being—

(i) heavy motor cars and motor cars constructed or adapted for the purpose of forming part of an articulated vehicle;

(ii) other heavy motor cars;

(iii) other motor cars, the design gross weight of which exceeds 3500 kilograms;

(iv) semi-trailers;

(v) converter dollies of any unladen weight manufactured on or after 1st January 1979; or

(vi) trailers, not being converter dollies or semi-trailers, the unladen weight of which exceeds 1020 kilograms;

(b) category N2, and category N3, vehicles which do not fall within paragraph (a);

(c) category O3, and category O4, vehicles which do not fall within paragraph (a);

(**4**) S.I. 1988/1478. Relevant amendments were made by S.I. 1990/448, 1991/252, 1993/2048, 1994/328, 1997/263, 1998/3113, 2004/1873, 2009/3220 and 2013/271.

(d) category T tractors which do not fall within paragraph (a).

(2) For the purposes of these Regulations, vehicles falling within paragraph (1)(b), (c) or (d) are treated as if they were goods vehicles, and any reference to a "goods vehicle" (other than in this paragraph and paragraph (1)), is to be construed accordingly.

(3) In these Regulations—

"category N2 vehicle" means a vehicle designed and constructed primarily for the carriage of goods and having a maximum weight exceeding 3.5 metric tons but not exceeding 12 metric tons;

"category N3 vehicle" means a vehicle designed and constructed primarily for the carriage of goods and having a maximum weight exceeding 12 metric tons;

"category O3 vehicle" means a trailer with a maximum weight exceeding 3.5 metric tons but not exceeding 10 metric tons;

"category O4 vehicle" means a trailer with a maximum weight exceeding 10 metric tons;

"category T tractor" means a vehicle in "category T" as defined in Article 4(1) of Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles(**5**).

(4) Nothing in these Regulations applies to any vehicles specified in paragraph (1) which fall within any of the classes of vehicle specified in Schedule 2.".

8. In regulation 9—

(a) in paragraph (1) after "paragraph (3)" insert "or paragraph (3A)",

(b) in paragraph (2) for "Every motor vehicle to which paragraph (3) does not apply and every trailer" substitute "Every motor vehicle and trailer to which neither of paragraphs (3) and (3A) applies",

(c) in paragraph (3) after "motor vehicle" insert " or trailer",

(d) after paragraph (3) insert—

"(3A) This paragraph applies to a motor vehicle or trailer for which a plating certificate is not required, in accordance with regulation 20(1A).".

9. In regulation 11—

(a) in paragraph (1) at the beginning insert "Subject to paragraph (1A),",

(b) after the Table in paragraph (1) insert—

"(1A) A goods vehicle test certificate issued in relation to a category T tractor in the circumstances described in column (2) of an item in the Table above shall be valid for the period described in column (3) of that item, with the modifications that—

(a) for "first anniversary" in items 1 and 2 there is substituted "second anniversary" and,

(b) for "in the following year" in item 3 there is substituted "two years later".".

10. In regulation 20—

(a) in paragraph (1) at the beginning insert "Subject to paragraph (1A),",

(b) after paragraph (1) insert—

(**5**) OJ L 60, 2.3.2013, p.1.