STATUTORY RULES OF NORTHERN IRELAND

1999 No. 234

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*17th May 1999*
Coming into operation	*28th June 1999*

The Department of the Environment, in exercise of the powers conferred on it by Articles 31A(1), 31D(1), 31E(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 28th June 1999.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Type Approval) Regulations (Northern ireland) 1985(**2**).

Amendments to regulation 2 (general interpretation)

2. In regulation 2(1)(**3**) of the principal Regulations, after the definition of "ECE Regulation" there shall be inserted the following definitions—

> ""emissions or noise item" means an item in Part I of Schedule 1 in respect of which the subject matter specified in column (2) of that Part is "exhaust emissions" or "noise and silencers";
>
> "Framework Directive vehicle" means a vehicle to which these Regulations apply and is a "vehicle" within the meaning of Council Directive 70/156/EEC(**4**) as amended by Council Directive 87/403/EEC(**5**), Council Directive 92/53/EEC(**6**) and Commission Directive 93/81(**7**);".

(**1**) S.I. 1981/154 (N.I. 1); see Article 2(2) for the definition of "Department"; Articles 31A, 31D and 31E were inserted by S.I. 1985/755 (N.I. 6), Article 3 and amended by S.R. 1993 No. 246, regulations 4, 5 and 6 respectively
(**2**) S.R. 1985 No. 294; relevant amending Regulations are S.R. 1987 No. 389, S.R. 1988 No. 405, S.R. 1990 No. 84, S.R. 1992 Nos. 86 and 508, S.R. 1995 No. 38 and S.R. 1996 No. 156
(**3**) Regulation 2 was amended by S.R. 1992 No. 86, regulation 2(1) and (2)
(**4**) O.J. No. L42, 23.2.70, p. 1
(**5**) O.J. No. L220, 8.8.87, p. 44
(**6**) O.J. No. L225, 10.8.92, p. 1
(**7**) O.J. No. L264, 23.10.93, p. 49

Amendments to regulation 4 (type approval requirements — application)

3.—(1) Regulation 4 of the principal Regulations shall be amended in accordance with paragraphs (2) to (6).

(2) For paragraph (1A)(**8**), there shall be substituted the following paragraph—

"(1A) Subject to paragraph (3B), in relation to a particular vehicle—

(a) a type approval requirement applicable to the vehicle at the date of manufacture shall continue to apply to it until it is registered; and

(b) a type approval requirement which is applicable to vehicles as from a date after that vehicle was manufactured shall not apply to the vehicle unless the subject matter of the requirement is the same as that of a requirement applicable to it on the date it was manufactured.".

(3) For paragraph (3A)(**9**) there shall be substituted the following paragraph—

"(3A) The provisions of paragraph (3) do not apply in respect of any emissions or noise item.".

(4) After paragraph (3A) there shall be inserted the following paragraph—

"(3B) No emissions or noise item shall apply to a Framework Directive vehicle on or after the date specified in column (6) of the item.".

(5) At the end of paragraph (4) there shall be added the words "; and for the purposes of this paragraph, items 2A and 2B shall be regarded as items having the same subject matter".

(6) For paragraph (11)(**10**) there shall be substituted the following paragraph—

"(11) Schedules 1B and 1C (which treat certain emissions or noise items as if in certain circumstances specified dates were substituted for the entries in columns (5) and (6)) shall have effect.".

Amendments to Schedule 1

4.—(1) Part I of Schedule 1(**11**) to the principal Regulations shall be amended in accordance with paragraphs (2) to (5).

(2) After item 2A there shall be inserted item 2B set out in Schedule 1.

(3) For item 4H(**12**) there shall be substituted item 4H set out in Schedule 1.

(4) After item 4L(**13**) there shall be inserted items 4M and 4N set out in Schedule 1.

(5) In item 14G(**14**), in column (6), there shall be inserted the words "28.6.99 (but see regulation 4(11) and Schedule 1C)".

(6) After item 14H(**15**) there shall be inserted item 14I set out in Schedule 1.

(**8**) Paragraph (1A) was inserted by S.R. 1992 No. 508, regulation 2(2)(b) and substituted by S.R. 1996 No. 156, regulation 2(1)
(**9**) Paragraph (3A) was inserted by S.R. 1992 No. 508, regulation 2(2)(d) and substituted by S.R. 1996 No. 156, regulation 2(4)
(**10**) Paragraph (11) was inserted by S.R. 1990 No. 84, regulation 2(1) and substituted by S.R. 1996 No. 156, regulation 2(5)
(**11**) Part I was inserted by S.R. 1995 No. 38, regulation 6(1)
(**12**) Item 4H was inserted by S.R. 1992 No. 508, regulation 2(3)(c) and Schedule 1 and substituted by S.R. 1995 No. 38, regulation 6(2)(b) and Schedule 1
(**13**) Item 4L was inserted by S.R. 1996 No. 156, regulation 3(2) and Schedule 1
(**14**) Item 14G was inserted by S.R. 1995 No. 38, regulation 6(2)(h) and Schedule 1
(**15**) Item 14H was inserted by S.R. 1996 No. 156, regulation 3(5) and Schedule 2

Amendments to Schedule 1B

5.—(1) Schedule 1B(**16**) to the principal Regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In Part I, for paragraphs 1(**17**) and 1A(**17**), there shall be substituted the following paragraphs —

"**1.** This Schedule has effect subject to Schedule 1C.

1A. Where an entry in column (5) or (6) of an item in Part I of Schedule 1 comprises the words "See regulation 4(11) and Schedule 1B" these Regulations shall have effect as if for that entry there were substituted the date determined in accordance with the following provisions of this Schedule.".

(3) In Part II(**18**), in the Table, in the heading to column (1) after the words "Item in" there shall be inserted the words "Part I of".

(4) In that Table in column (2) in the entries relating to items 14E(**19**) and 14F(**19**) for the words "All vehicles" there shall in each case be substituted "All vehicles having 4 or more wheels".

(5) Parts III(**20**) and IV(**21**) shall be omitted.

New Schedule 1C

6. After Schedule 1B to the principal Regulations there shall be inserted Schedule 1C as set out in Schedule 2.

Sealed with the Official Seal of the Department of the Environment on

17th May 1999.

J. Ritchie
Assistant Secretary

(**16**) Schedule 1B was inserted by S.R. 1990 No. 84, regulation 2(4) and amended by S.R. 1992 No. 508, regulation 2(4) to (6) and Schedules 2 and 3; S.R. 1995 No. 38, regulation 8 and Schedule 3 and S.R. 1996 No. 156, regulation 4
(**17**) Paragraph 1 was renumbered as paragraph 1A and a new paragraph 1 inserted by S.R. 1992 No. 508, regulation 2(4)(a) and paragraph 1 was substituted by S.R. 1995 No. 38, regulation 8(1)(a)
(**17**) Paragraph 1 was renumbered as paragraph 1A and a new paragraph 1 inserted by S.R. 1992 No. 508, regulation 2(4)(a) and paragraph 1 was substituted by S.R. 1995 No. 38, regulation 8(1)(a)
(**18**) Part II was substituted by S.R. 1992 No. 508, regulation 2(5) and Schedule 2 and amended by S.R. 1995 No. 38, regulation 8(2) and S.R. 1996 No. 156, regulation 4(2)
(**19**) Items 14E and 14F were inserted by S.R. 1996 No. 156, regulation 4(2)
(**19**) Items 14E and 14F were inserted by S.R. 1996 No. 156, regulation 4(2)
(**20**) Part III was inserted by S.R. 1992 No. 508, regulation 2(6) and Schedule 3
(**21**) Part IV was inserted by S.R. 1995 No. 38, regulation 8(3) and Schedule 3

SCHEDULE 1

Regulation 4

(1) *Item No.*	(2) *Subject matter*	(3) *Particulars of instrument or other document containing requirements and of the nature of the requirement*			(4) *Vehicles exempted from requirements*	(5) *Date of application*	(6) *Date of cessation of application*
		(a) *Description, reference number and date of instrument*	(b) *Official Journal reference of Community Instrument*	(c) *Nature of requirement and place in instrument where stated*			
2B	Electro-magnetic compatability of vehicles	Commission Directive 95/54/EC of 31st October 1995.	L266, 8.11.95, p. 1.	Design and construction requirements in Annex I, paragraphs 6 and 8. Marking requirements in Annex I, paragraph 5.	Vehicles not propelled by spark ignition engines.	28.6.1999	
4H	Exhaust emissions	Council Directive 88/77/EEC of 3rd December 1987 as amended by Council Directive 91/542/EEC of 1st October 1991	L36, 9.2.88, p. 33, L295, 25.10.91, p. 1.	Design, construction and equipment requirements in Annex I, paragraph 6 (excluding line B in the Table in sub-paragraph 6.2.1).	1. Vehicles propelled by spark ignition engines. 2. Vehicles with less than 4 wheels if they are constructed not to exceed a speed of 30 mph on the level under their own power or if they have an unladen weight of	31.12.1992	28.6.1999 (but see regulation 4(11) and Schedule 1C)

(1) *Item No.*	(2) *Subject matter*	(3) *Particulars of instrument or other document containing requirements and of the nature of the requirement*			(4) *Vehicles exempted from requirements*	(5) *Date of application*	(6) *Date of cessation of application*
		(a) *Description, reference number and date of instrument*	(b) *Official Journal reference of Community Instrument*	(c) *Nature of requirement and place in instrument where stated*			
					less than 400kg. 3. Vehicles fuelled by liquid petroleum gas.		
		or					
		ECE Regulation 49 of 15th April 1982 as amended on 14th May 1990 and 30th December 1992.		Design, construction and equipment requirements in paragraphs 5 and 6 (excluding line B in the Table in sub-paragraph 5.2.1).		1.4.1995	28.6.1999 (but see regulation 4(11) and Schedule 1C)
4M	Exhaust emissions	Council Directive 88/77/EEC of 3rd December 1987 as amended by Council Directive 91/542/EEC of 1st	L36, 9.2.88, p. 33 and L295, 25.10.91, p. 1.	Design, construction and equipment requirements in Annex I, paragraph 6 (excluding line A in the Table in sub-paragraph 6.2.1).	1. Vehicles propelled by spark ignition engines. 2. Vehicles with less than 4 wheels if they are constructed not to exceed a speed of 30 mph on	31.12.1992	