1990 No. 84

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1990

Made	*6th March 1990*
Coming into operation . .	*16th April 1990*

The Department of the Environment, in exercise of the powers conferred on it by Articles 31A(1), 31D(1) and (2) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 16th April 1990.

Regulations amended

2. The Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(**b**) are further amended as follows—

(1) In regulation 4 (type approval requirements — application), after paragraph (10) add—

"(11) Schedule 1B shall have effect for the purpose of specifying, in relation to certain vehicles, dates which are to be read as if they appeared in columns (5) and (6) of item 4C, and column (5) of items 4D, 4E and 27 in Schedule 1.".

(2) In Schedule 1—

(*a*) for items 4B, 4C and 4D substitute the items numbered 4B, 4C, 4D and 4E in the Schedule;

(*b*) after item 26 add as item 27 the item so numbered in the Schedule; and

(*c*) in column 2 of items 5, 5A and 5B, for the words "Exhaust emissions" substitute the words "Smoke emissions".

(3) In Schedule 1A for the definition of "off-road vehicle" substitute " "off-road vehicle" has the meaning given by Annex 1 to Council Directive 70/156/EEC of 6th February 1970(**c**) as read with Council Directive 87/403/EEC of 25th June 1987(**d**).".

(4) After Schedule 1A insert the following Schedule—

(**a**) S.I. 1981/154 (N.I. 1); Arts. 31A and 31D were inserted by S.I. 1985/755 (N.I. 6) Art. 3
(**b**) S.R. 1985 No. 294; amended by S.Rs. 1987 No. 389 and 1988 No. 405
(**c**) O.J. L42, 23.2.70, p. 1
(**d**) O.J. L220, 8.8.87, p. 44

"SCHEDULE 1B (see regulation 4(11))

PART I

1. In this Schedule "engine capacity" and "off-road vehicle" have the same meaning as in Schedule 1A.

2. In relation to the vehicles described in column 2 of the Table in Part II the date determined in accordance with paragraphs 3 and 4 shall be the date specified for the purposes of column (5) in items 4C, 4D, 4E and 27 in Schedule 1.

3.—(1) In a case where paragraph 4 applies the date referred to in paragraph 2 shall be the date specified in column (3)(*b*) of the Table.

(2) In any other case, the date shall be the date specified in column (3)(*a*) of the Table.

4. This paragraph applies where—

(*a*) there is, and was on the date specified in column (3)(*a*) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or

(*b*) there was on that date, in force in respect of another vehicle, a Department's approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

5. In relation to the vehicles described in column 2 of the Table in Part II the date determined in accordance with paragraphs 6 and 7 shall be the date specified for the purposes of column (6) in items 4C, 4D and 4E in Schedule 1.

6.—(1) In a case where paragraph 7 applies the date referred to in paragraph 2 shall be the date specified in column (4)(*b*) of the Table.

(2) In any other case, the date shall be the date specified in column (4)(*a*) of the Table.

7. This paragraph applies where—

(*a*) there is, and was on the date specified in column (4)(*a*) of the Table against that item, in force a type approval certificate in respect of a type vehicle and the vehicle in question conforms with that type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in that certificate, or

(*b*) there was on that date, in force in respect of another vehicle, a Department's approval certificate and the vehicle in question conforms with the other vehicle as regards the relevant aspects of design, construction, equipment and marking.

PART II

TABLE (SEE PART I)

(1) *Item in Schedule 1*	(2) *Class of vehicle*	(3) *Application Date* (a)	(3) *Application Date* (b)	(4) *Cessation Date* (a)	(4) *Cessation Date* (b)
4C	1. Vehicles propelled by spark ignition engines, constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg., not being an off-road vehicle in either case, and which has an engine capacity of:—				
	(*a*) less than 1400 cc.,	2.12.85	2.12.85	30.9.90	30.9.91
	(*b*) not less than 1400 cc. and not more than 2000 cc.,			30.9.91	30.9.93
	(*c*) more than 2000 cc.			30.9.91	30.9.92
	2. Other vehicles propelled by spark ignition engines with a maximum gross weight of:—				
	(*a*) not more than 2000 kg.,	2.12.85	2.12.85	30.9.90	30.9.91
	(*b*) more than 2000 kg. and not more than 3500 kg.,			30.9.92	30.9.93
	(*c*) more than 3500 kg.	1.10.90	1.10.90	–	–

	3. Vehicles propelled by compression ignition, direct injection engines constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg., not being an off-road vehicle, and which has an engine capacity of not less than 1400 cc. and not more than 2000 cc.	1.10.90	1.10.90	30.9.94	30.9.96
	4. All other vehicles propelled by compression ignition engines.	1.10.90	1.10.90	30.9.92	30.9.93
4D	1. Vehicles propelled by spark ignition engines with a maximum gross weight of:—				
	(*a*) not more than 3500 kg.,	26.12.88	26.12.88	–	–
	(*b*) more than 3500 kg.	1.10.90	1.10.90	–	–
	2. Vehicles propelled by compression ignition engines.	1.10.90	1.10.90	–	–
4E	All vehicles.	1.10.90	1.10.90	–	–
27	1. Vehicles with indirect injection engines.	1.10.90	1.10.90	–	–
	2. Vehicles with direct injection engines.	1.10.94	1.10.96	–	–

Sealed with the Official Seal of the Department of the Environment on 6th March 1990.

(L.S.) *Trevor Pearson*
Assistant Secretary