STATUTORY INSTRUMENTS

# 1978 No. 1235

## ROAD TRAFFIC

# The Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations 1978

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| *Made* - - - - | 18*th August* 1978 |
| *Laid before Parliament* | 21*st August* 1978 |
| *Coming into Operation* | 1*st October* 1978 |

The Secretary of State for Transport, in exercise of his powers under section 40(1) and (3) of the Road Traffic Act 1972**(a)** and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

**1.** These Regulations shall come into operation on 1st October 1978, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations 1978.

**2.** The Motor Vehicles (Construction and Use) Regulations 1978**(b)**, as amended **(c)**, shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

**3.** In Regulation 42 (Certain vehicles to be equipped with plates, etc.)—

(*a*) in paragraph (1), for the words "Paragraph (2) of this Regulation applies" there shall be substituted the words "Paragraphs (2) and (2A) of this Regulation apply";

(*b*) for paragraph (2) there shall be substituted the following paragraph:—

"(2) Every motor vehicle and trailer to which this paragraph applies and which is first used before 1st October 1981 shall be equipped with either—

(*a*) a plate which is securely affixed to the vehicle in a conspicuous and readily accessible position, and which contains in the case of a heavy motor car, motor car, locomotive or motor tractor the particulars required by Part I of Schedule 2 and in the case of a trailer the particulars required by Part II of that Schedule, the said particulars being completed in accordance with Part III of that Schedule and the plate otherwise complying with the provisions contained in that Part, or

(*b*) a plate which is securely affixed to the vehicle in a conspicuous and readily accessible position, and which complies with the requirements specified in the Annex to Council Directive

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**(a)** 1972 c. 20. **(b)** S.I. 1978/1017.
**(c)** There are no relevant amending instruments.

76/114/EEC of 18th December 1975**(a)** (which relates to statutory plates and inscriptions for motor vehicles and their trailers), as read with the following paragraphs of this Regulation and which contains—

(i) in lieu of the requirements specified in paragraphs 2.1.4 and 2.1.6 of the said Annex the particulars specified in paragraph (3) of this Regulation,

(ii) in lieu of the requirements specified in paragraph 2.1.5 of the said Annex the particulars specified in paragraph (4) of this Regulation, and

(iii) in accordance with the provisions of the second part of paragraph 2.1.8 of the said Annex the particulars specified in paragraph (5) of this Regulation, or

(*c*) a plate which is securely affixed to the vehicle in a conspicuous and readily accessible position, and which complies with the requirements specified in the Annex to Council Directive 76/114/EEC of 18th December 1975 as amended by Commission Directive 78/507/EEC of 19th May 1978**(b)**, as read with the following paragraphs of this Regulation and which contains—

(i) in lieu of the requirements specified in paragraphs 2.1.4 and 2.1.6 of the said Annex as so amended the particulars specified in paragraph (3) of this Regulation,

(ii) in lieu of the requirements specified in paragraph 2.1.5 of the said Annex as so amended the particulars specified in paragraph (4) of this Regulation, and

(iii) in accordance with the provisions of the second part of paragraph 2.1.8 of the said Annex as so amended the particulars specified in paragraph (5) of this Regulation.";

(*c*) after paragraph (2) there shall be inserted the following new paragraph:—

"(2A) Every motor vehicle and trailer to which this paragraph applies and which is first used on or after 1st October 1981 shall be equipped with either—

(*a*) a plate which complies with the requirements specified in paragraph (2)(*a*) of this Regulation, or

(*b*) a plate which complies with the requirements specified in paragraph (2)(*c*) of this Regulation.";

(*d*) in paragraph (3) for the words "paragraph (2)(*b*)(i) of this Regulation" there shall be substituted the words "paragraphs (2)(*b*)(i) and (2)(*c*)(i) of this Regulation";

(*e*) in paragraph (4) for the words "paragraph (2)(*b*)(ii) of this Regulation" there shall be substituted the words "paragraphs (2)(*b*)(ii) and (2)(*c*)(ii) of this Regulation"; and

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**(a)** O.J. L24, 30.1.76, p. 1.

**(b)** O.J. L155, 13.6.78, p. 31.

(*f*) in paragraph (5) for the words "paragraph (2)(*b*)(iii) of this Regulation" there shall be substituted the words "paragraphs (2)(*b*)(iii) and (2)(*c*)(iii) of this Regulation".

*Peter R. Baldwin,*
Permanent Secretary, for
Secretary of State for Transport.

18th August 1978.

## EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978. These amendments are made following Commission Directive 78/507/EEC of 19th May 1978. They provide that manufacturers' plates with which certain vehicles are required to be equipped shall—

(*a*) in the case of a vehicle first used before 1st October 1981 be either—
  (i) of a type which complies with certain requirements which are not specified in a Council or Commission Directive,
  (ii) of a type which complies with the requirements specified in Council Directive 76/114 of 18th December 1975 in its original form (with certain adaptations), or
  (iii) of a type which complies with the requirements specified in Council Directive 76/114 as amended by Commission Directive 78/507 of 19th May 1978 (with certain adaptations), and

(*b*) in the case of a vehicle first used on or after 1st October 1981 be either of the type mentioned in sub-paragraph (*a*)(i) above, or of the type mentioned in sub-paragraph (*a*)(iii) above.

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