STATUTORY INSTRUMENTS

1979 No. 1089

ROAD TRAFFIC

The Motor Vehicles (Type Approval) (Amendment) Regulations 1979

Made - - - -	30*th August* 1979
Laid before Parliament	7*th September* 1979
Coming into Operation	1*st October* 1979

The Minister of Transport, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) 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 exercise of the powers conferred on him by the said section 2(2) and of all other enabling powers, hereby makes the following Regulations:—

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations 1979 and shall come into operation on 1st October 1979.

2. The Motor Vehicles (Type Approval) Regulations 1973(c) shall be further amended so as to have effect in accordance with the provisions of these Regulations.

3. In Regulation 3 (Interpretation), in paragraph (1), for the definition of "component" there shall be substituted the following definition:—

> " "component", in relation to a vehicle, means a "motor vehicle part" as defined in section 63(4) of the Road Traffic Act 1972(d) and a "separate technical unit" as described in Council Directive 78/315/EEC of 21st December 1977(e);".

4. In Schedule 1, Part I (Form of information document in relation to a motor vehicle or to a component), after item 9.8 there shall be inserted the following new items:—

> "9.9 Heating systems for the passenger compartment
> 9.10 Wheel guards".

5. In Schedule 2, Part I (The Community Directives relating to the design, construction, equipment and marking of vehicles or vehicle components):—

(a) S.I. 1972/1811, as amended by S.I. 1979/571.
(b) 1972 c. 68.
(c) S.I. 1973/1199, as amended by S.I. 1974/763 and 1978/1832.
(d) 1972 c. 20.
(e) O.J. L81, 28.3.78, p.1.

(*a*) for item 3 there shall be substituted the following item:—

"3	70/221/EEC	20th March 1970	O.J. L76, 6.4.70, p.23 (S.E. 1970 (I) p.192).	Liquid fuel tanks and rear underrun protection for motor vehicles and their trailers.
	or			
	70/221/EEC as amended by 79/490/ EEC	18th April 1979	O.J. L128, 26.5.79, p.22	"

(*b*) for item 9 there shall be substituted the following item:—

"9	71/320/EEC	26th July 1971	O.J. L202, 6.9.71, p.37 (S.E. 1971 (III) p.746).	The braking devices of certain categories of motor vehicles and their trailers.
	or			
	71/320/EEC as amended by 74/132/EEC	11th February 1974	O.J. L74, 19.3.74, p.7	
	or			
	71/320/EEC as amended by 74/132/EEC and by 75/524/EEC	25th July 1975	O.J. L236, 8.9.75, p.3.	
	or			
	71/320/EEC as amended by 74/132/EEC and by 75/524/EEC and by 74/489/EEC	18th April 1979	O.J. L128, 26.5.79, p.12.	"

(*c*) for item 16 there shall be substituted the following item:—

"16	74/483/EEC	17th September 1974	O.J. L266, 2.10.74, p.4.	The external projections of motor vehicles.
	or			
	74/483/EEC as amended by 79/488/EEC	18th April 1979	O.J. L128, 26.5.79, p.1.	"

(*d*) after item 37 there shall be added the following new item:—

"38	78/932/EEC	16th October 1978	O.J. L325, 20.11.78, p.1.	Head restraints of seats of motor vehicles. "

6. For Schedule 2, Part II there shall be substituted the following Part II:—

"

PART II

The Council Regulations on the harmonization of certain social legislation relating to road transport

Community Reference No.	Date of Regulation	Official Journal Reference	Subject Matter
(EEC) No. 1463/70 (as corrected on 27th April 1973)	20th July 1970	O.J. L164, 27.7.1970, p.1 (S.E. 1970 (II), p. 482).	Recording equipment in road transport.
as amended by 1787/73	25th June 1973	O.J. L181, 4.7.1973, p.1.	
and			
as amended by 2828/77	12th December 1977	O.J. L334, 24.12.1977, p.5.	"

Kenneth Clarke,
Parliamentary Secretary
on behalf of the Minister of Transport.

30th August 1979.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations amend the Motor Vehicles (Type Approval) Regulations 1973 (which provide for the type approval of certain motor vehicles and trailers and their components which conform to (i) the requirements of the Community Directives with respect to design, construction, equipment and marking of vehicles and their components, which are specified in Part I of Schedule 2 to those Regulations and (ii) the Council Regulations on the harmonization of certain social legislation relating to road transport which are specified in Part II of that Schedule).

2. The amendments contained in these Regulations—

(1) amend the definition of "component" so as to include a separate technical unit (as described in Council Directive 78/315/EEC);

(2) in consequence of the provisions of Council Directive 78/547/EEC add items relating to heating systems for the passenger compartment and wheel guards in the form of information document by which an application for type approval is required to be accompanied;

(3) in consequence of the provisions of Commission Directives 79/490/EEC, 79/489/EEC and 79/488/EEC amend, respectively, the items relating to liquid fuel tanks and rear underrun protection, braking devices, and external projections;

(4) in consequence of the provisions of Council Directive 78/932/EEC add an item relating to head restraints of seats of motor vehicles to the items which may be type approved in accordance with the Regulations; and

(5) provide (by means of a new Part II to Schedule 2) for type approvals of recording equipment in road transport in accordance with Council Regulation (EEC) No. 1463/70 as amended by Council Regulations (EEC) No. 1787/73 and (EEC) No. 2828/77.

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