EXPLANATORY MEMORANDUM TO THE ROAD VEHICLES (CONSTRUCTION AND USE) (AMENDMENT) REGULATIONS

2006 No. 1756

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Description

These Regulations amend Schedule 7B of the Road Vehicles (Construction and Use) Regulations 1986 to reflect publication of the 2006 "In Service Exhaust Emission Standards for Road Vehicles" booklet (the "emissions publication"). This document has been updated annually since 1993 and the Regulations apply to the 12th edition. It defines emissions limits for cars and light duty vehicles at MoT and roadside tests. This publication includes vehicles that have been newly introduced onto the UK market since the previous edition was published.

3. Matters of special interest to the Select Committee on Statutory Instruments

None

4. Legislative Background

4.1 These Regulations are made under powers conferred by sections 41(1), (2) and (5) of the Road Traffic Act 1988.

4.2 Regulation 61 and Schedule 7B of the Road Vehicles (Construction and Use) Regulations 1986 set emission requirements for road vehicles. Test requirements are laid down in Schedule 7B, which for petrol vehicles fitted with catalytic converters are those listed in the emissions publication. These are enforced at the annual MoT test and at random roadside tests.

4.3 A new edition of the emissions publication is published every August to include requirements for models which have come onto the market over the previous year. It also revises certain information on some existing models to reduce the risk of erroneous test failures.

5. Extent

5.1 This instrument applies to Great Britain.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The majority of road vehicles are subject to a metered emissions check at MoT tests to enforce maintenance and environmental standards. The emissions publication lists the requirements for models of petrol vehicle equipped with catalytic converters as provided by the manufacturer. Where details are not provided by the manufacturer default limits apply.

7.2 The MoT emissions testing regime has been in place since 1992 and is now well established. These Regulations introduce no new additional requirements, and therefore public interest is likely to be minimal. DfT has consulted 389 stakeholders including motor manufacturers, dealers and test centres, local authorities, professional and trade associations. Five replies were received. They either welcomed the proposals or confirmed receipt of our documents.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, Charities or voluntary bodies.

8.2 There is no impact on the public sector.

9. Contact

Dwight Lobban at the Department for Transport (tel: 020 7944 2097 or email: dwight.lobban@dft.gsi.gov.uk) can answer any queries regarding the instrument.