
S T A T U T O R Y I N S T R U M E N T S

2018 No. 0000

ROAD TRAFFIC

ENVIRONMENTAL PROTECTION

**The Road Vehicles (Approval) and Passenger Car (Fuel
Consumption and CO2 Emissions Information) (Amendment)
Regulations 2018**

<i>Made</i>	- - - -	2018
<i>Laid before Parliament</i>		2018
<i>Coming into force</i>	- -	2018

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 (“the 1972 Act”)(a).

The Secretary of State for Transport is a Minister designated (b) for the purposes of section 2(2) of that Act for the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme and in relation to measures relating to the environment.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Secretary of State that it is expedient for references in these Regulations (and in consequential amendments made by these Regulations) to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(c) to be construed as references to a version of that Directive as it may be amended from time to time.

(a) 1972 c.68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c.51), 27(1), and by the European Union (Amendment) Act 2008 (c.7), section 3(3) and Part 1 of the schedule.

(b) S.I. 1972/1811 and S.I. 2008/301.

(c) OJ No. L263, 9.10.2007, p.1. The Directive was amended by [Commission Regulation (EC) No. 1060/2008 of 7 October 2008 replacing Annexes I, III, IV, VI, VII, XI, and XV (OJ No. L292, 31, 10, 2008, p.1)].

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PART 1

PRELIMINARY

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Road Vehicles (Approval) and Passenger Car (Fuel Consumption and CO₂) Emissions Information) (Amendment) Regulations 2018 and come into force as follows—

- (a) regulation 4 and 6 on 1st January 2019;
- (b) regulation 5 on 6th April 2020; and
- (c) the remaining Regulations on [1st September 2018].

(2) These Regulations extend to Northern Ireland.

Interpretation

2. In these Regulations—

“the 2001 Regulations” means the Passenger Car (Fuel Consumption and CO₂ Emissions Information) Regulations 2001(a);

“the 2009 Regulations” means the Road Vehicles (Approval) Regulations 2009(b); and

“Regulation (EU) 2016/1628” means Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate emission limits and type-approval for internal, combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013 and amending and repealing Directive 97/68/EC(c).

Amendment of the 2001 and 2009 Regulations

3. The 2001 Regulations are amended as specified in Part 2 of these Regulations and the 2009 Regulations are amended as specified in Parts 3 to [] of these Regulations.

PART 2

AMENDMENTS TO THE 2001 REGULATIONS

4. In regulation 3 (interpretation) of the 2001 Regulations, in the definition of “official fuel consumption” for the words “Regulation (EC) No. 715/2007 of the European Parliament and of the Council of 20th June 2007” substitute “Commission Regulation (EU) No. 2017/1151 of 1st June 2017”(d).

5. In regulation 3 (interpretation) of the 2001 Regulations, in the definition of “official specific emissions of CO₂” for the words “Regulation (EC) No. 715/2007 of the European Parliament and of the Council of 20th June 2007” substitute “Commission Regulation (EU) No. 2017/1151 of 1st June 2017”(e).

(a) S.I. 2001/3523 as amended by S.I. 2004/1661, S.I. 2011/1043 and S.I. 2013/65.

(b) S.I. 2009/717 as amended by S.I. 2011/1946.

(c) O.J. No. L252, 16.9.2016, p.53.

(d) O.J. No. L175, 7.7.2017, p.1.

(e) O.J. No. L175, 7.7.2017, p.1.

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6. In Schedule 2 (requirements for the fuel economy label) for Figure 1 substitute the following:

“Figure 1

Environmental Information		
A guide on fuel economy and CO2 emissions which contains data for all new passenger car models is available at any point of sale free of charge. In addition to the fuel efficiency of a car, driving behaviour as well as other non-technical factors play a role in determining a car’s fuel consumption and CO2 emissions. CO2 is the main greenhouse gas responsible for warming.		
Make/Model:	Engine Capacity (cc)	
Fuel type:	Transmission	
Fuel Consumption		
Drive Cycle	Litres/100km	Mpg:
Low		
Medium		
High		
Extra High		
Combined		
Carbon Dioxide emissions (g/km):		
Important note: some specifications of this make/model may have lower CO2 emissions than this.		
Check with your dealer		

Important note: some specifications of this make/model may have lower CO2 emissions than this.

Check with dealer.

PART 3

AMENDMENTS TO PART 1 OF THE 2009 REGULATIONS: PRELIMINARY

7. In regulation 3 (interpretation: general):

- (a) in the definition “Framework Directive” for “as amended by Commission Directive 2010/19/EU” substitute “as it may be amended from time to time”; and
- (b) in paragraph (b) of the definition of “regulatory act” for “the table in Part II” substitute “a table in Part I or Part II”.

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8. In Schedule 2 (interpretation of requirements in regulatory Acts)–

(1) in paragraph 1(a) for “1st September 2011” substitute “([INSERT DATE OF COMING INTO FORCE])”; and

(2) delete paragraphs 4, 5 and 6 and Table 2.

PART 4

AMENDMENTS TO PART 4 OF THE 2009 REGULATIONS: NATIONAL SMALL SERIES TYPE APPROVAL AND INDIVIDUAL APPROVAL

9.—(1) Regulation 25 (grant of national small series type approval) is amended as follows.

(2) After paragraph (2) insert—

“(2A) The approval authority may, when giving notice of its decision under paragraph (1)(c), notify the applicant manufacturer in writing that it has in making its decision waived the requirements of any of the following paragraphs of Annex II to the Framework Directive, namely, paragraphs 1.1.1.(c), 2.1.1(h), 3.1.1(d), 4.1.1(e), 5.1.1 (f) and 6.1.1(f).”

(3) For the definition of “maximum permitted number” substitute—

“maximum permitted number” means—

- (a) for any type of vehicle other than one specified in sub-paragraph (b), the number shown in column (2) of Table 1 below in relation to the vehicle category to which that type belongs: and
- (b) for a type of vehicle specified in column (1) of Table 2 below which exceeds 4 metres in height the number shown in column (2) of that Table 2 in relation to the vehicle category to which that type belongs ”.

(4) For the Table at the end, substitute the following Tables—

Table 1

Maximum permitted numbers

<i>(1) Vehicle category</i>	<i>(2) Maximum permitted number</i>
M1	100
M2 or M3	250
N1	250
N2 or N3	250
O1 or O2	500
O3 or O4	250

Table 2

Maximum permitted numbers

<i>(1) Vehicle Category</i>	<i>(2) Maximum permitted number</i>
M2 or M3	1,000
N2 or N3	1,200
O2 or O4	2,000”

10.—(1) In Schedule 4 (technical and administrative requirements for grant of national small series type approval), Section 1 of Part 2 (requirements for vehicles of category M1) is amended as follows.

(2) In item 1 of the table:

- (a) for the heading “2. Emissions”, substitute “2. Light Duty Emissions”;

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- (b) in the first column:
 - (i) in paragraph 3, for “Vehicles” substitute “Complete or Completed vehicles”.
 - (ii) after paragraph 3 insert —
“(4) Complete or Completed vehicles manufactured after 1st March 2019: the technical provisions of Annex XXI to Regulation (EU) 2017/1151 [(WLTP)]”.
- (c) in the third column:
 - (i) in paragraph 5 for “The requirements” substitute “In the case of a completed vehicle, the requirements”.
 - (ii) in paragraph 6 at the end insert “or aerodynamic performance”.
- (3) In item 3 of the table, in the first column at the end insert:
“Or
The technical provisions of EU Regulation 79/2009 or ECE Regulation 134 for hydrogen.”
- (4) Delete item 11 of the table.
- (5) In item 41 of the table:
 - (a) For the heading “**41 Diesel Emissions**” substitute the heading “**41. Heavy Duty Emissions**”.
 - (b) In the first column, after paragraph 2 insert—
“**3. Complete or Completed vehicles manufactured on or after [1st April 2018]: Regulation (EC) No. 595/2009 Annex I limit values**”.
 - (c) In the third column, in paragraph 3 for “For vehicles with a maximum mass equal to or exceeding 2500kg” substitute “In the case of completed vehicles”.
- (6) At the end of the table add the following item:

“ 69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01”		

- 11.**—(1) In Schedule 4, Section 2 of Part 2 is amended as follows.
 - (2) In paragraph 4 (testing of restraint system anchorages), re-letter the sub-paragraphs (c) to (i) as sub-paragraphs (a) to (g) respectively.
 - (3) In paragraph 5 (forces applied to a wheelchair), re-letter the sub-paragraphs (j) and (k) as (a) and (b) respectively.
 - (4) In paragraph 7 (anchorage system performance), re-letter the sub-paragraphs (l) and (m) as (a) and (b) respectively.
- 12.**—(1) In Schedule 4, Section 1 of Part 3 (requirements for vehicles of category N1) is amended as follows.
 - (2) In item 2 of the table, for the heading “2. Emissions” substitute the heading “2. Light Duty Emissions”.
 - (3) In the first column of item 2 of the table, at the end add the following paragraph:
“**4. Complete or Completed vehicles manufactured after 1 March 2020: the technical provisions of Annex XXI in Regulation 2017/1151 [(WLTP)].**”
 - (4) In the third column of item 2 of the table, in paragraph 4, for “special purpose vehicle” substitute “completed vehicle” and at the end add “or aerodynamic performance”.
 - (5) In the first column of item 3 of the table, insert at the end

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“Or

The technical provisions of EU Regulation 79/2009 or ECE Regulation 134 for hydrogen.”

(6) Delete item 11 (diesel smoke).

(7) In item 41 (diesel emissions):

(a) in the title, after for “ Diesel Emissions” substitute “Heavy Duty Emissions”; and

(b) in the first column, after paragraph 2 add the following paragraph:

“3. Complete or completed vehicles manufactured on or after [1st April 2018]; Regulation No. 595/2009 Annex I limit values.”

(8) At the end of the table add the following item:

“ 69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01”		

13.—(1) In Schedule 4, Part 4 (requirements for vehicles of categories M2, M3, N2, N3, and O) is amended as follows.

(2) In item 2 (emissions):

(a) in the heading, for “**Emissions**” substitute “**Light Duty Emissions**”;

(b) in the first column, in paragraph 3, for “Vehicles” substitute “Complete or Completed vehicles”;

(c) in the third column:

(i) delete paragraph 2.

(ii) in paragraph 7, at the end add “or aerodynamic performance”.

(3) In item 3 (fuel tanks / rear protective devices), at the end of paragraph 2 in the first column of the table insert:

“Or

The technical provisions of EU Regulation 79/2009 or ECE Regulation 134 for hydrogen.”

(4) For item 8 (indirect vision) substitute:

“ 8. Indirect Vision		
Component: Directive 2003/97/EC. Vehicle: 1. The technical provisions of: Directive 2003/97/EC Annex III. 2. N2 and N3 vehicles manufactured after 1 April 2016: the technical provisions of paragraph 15 of UNECE R46.04.		1. Does not apply to O category vehicles. 2. Field of view requirements do not apply to optional mirrors. 3. In the case of a Completed vehicle, the requirements according to the category of the base or incomplete vehicle based on maximum mass apply. 4. In the case of an armoured vehicle, exemption from one or more of the provisions in column 1 is permitted where it can be demonstrated to the

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		<p>satisfaction of the approval authority that the special purpose of the vehicle makes it impossible to fully comply.</p> <p>5. The vehicle requirements in col 1 paragraph 2 do not apply to vehicles where any part of the mirror is below 2.4m above the ground.</p> <p>6. The requirements in col 1 paragraph 2 do not apply to vehicles where the incomplete vehicle is of a type that is type approved to Directive 2003/97.</p> <p>7. ”.</p>

(5) Delete item 11 (diesel smoke).

(6) In item 41 (diesel emissions):

(a) in the heading, for “**Diesel Emissions**” substitute “**Heavy Duty Emissions**”;

(b) in the first column, at the end insert—

“(6) Complete or Completed vehicles manufacture on or after [1st September 2018]: Regulation (EC) No. 595/2009 Annex 1 limit values.”.

(c) in the third column:

(i) delete paragraph 2; and

(ii) for paragraph 6 substitute “6. Does not apply to—

(a) mobile cranes which have an engine meeting the technical requirements of Regulation (EU) 2016/1628; or

(b) vehicles designed to tow combinations exceeding 200 tonnes which have an engine meeting the technical requirements of Regulation (EU) 2016/1628”.

(d) After item 52 (buses and coaches) insert the following items;

<p>“ 55. AEBS</p> <p>The technical provisions of Regulation (EU) 347/2012 or UNECE Regulation 131.</p>		<p>1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1 November 2017.</p> <p>2. A Completed vehicle which was manufactured before 1 November 2017.</p> <p>3. A Completed vehicle where the Complete or Incomplete vehicle upon which it is based either has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and was manufactured before 1 November 2020.</p>
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		4. A Completed vehicle which has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and was manufactured before 1 November 2020. 5. The vehicle classes listed in Article 1 of EU Regulation 347/2012. 6. Completed vehicles based on a Complete or Incomplete vehicle of category N1 or M1. 7. Vehicles built by a manufacturer which made fewer than 1,000 chasis or unitized bodied in the previous calendar year
69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01”.		

14.—(1) Schedule 5 (technical and administrative requirements for grant of individual approval) is amended as follows.

(2) In Part 1 (general provisions), in paragraph 7(2) for “does not exceed 300” substitute “does not exceed 500”.

(3) In Part 2 (requirements for Part 2 vehicles)—

(a) in item 2 (emissions), for the heading “**2. Emissions**” substitute “**2. Light Duty Emissions**”;

(b) in the first column of item 2:

“(i) for paragraph 2(a) substitute “(a) if the vehicle was first registered prior to August 1986 and has the original engine of the same capacity and type, 4.5%;

(ii) delete paragraph 2(b);

(iii) in paragraph 2(c), delete the words from “and is neither” to “on or after 1st August 1994,”;

(iv) in paragraph 3 delete “or 2(b)”;

(v) in paragraph 2(d), delete the words from “and is” to “1st September 2002,”.

(vi) in paragraph 4, delete words from “must not exceed 0.3%” in paragraph (a) to “exhaust emissions from the engine” in paragraph (b)”.

(c) in the third column of item 2:

“(i) for paragraph 3 substitute “3. Paragraphs 2, 3 and 4 do not apply to vehicles propelled by a spark ignition engine.”

(ii) delete paragraphs 4 to 6;

(iii) in paragraph 9 insert at the beginning “In the case of a completed vehicle,”.

(d) in item 3 (fuel tanks), in the first column at the end insert:

“Or

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The technical provisions of EU Regulation 79/2009 or ECE Regulation 134 for hydrogen.”

- (e) in the first column of item 11 (diesel smoke), for paragraphs 1 and 2 substitute “When the engine is subject to the **free-acceleration** test, the **co-efficient of absorption** of the exhaust emissions from the engine immediately after leaving the exhaust must not exceed 0.7 per metres or the plate value (if any), whichever is lower.”
- (f) in the second column of item 11, at the end insert: “**plate value**” means the **co-efficient of absorption** specified either on the vehicle’s plate provided under item 18 of this table, or on any other plate provided for this purpose.”;
- (g) in item 41, for the heading “**41. Diesel Emissions**” substitute the heading “**41. Heavy Duty Emissions**”;
- (h) in the first column of item 41, at the end insert “5. Complete or completed vehicles manufactured on or after [1st April 2016]: Regulation (EC) No. 595/2009 Annex I limit values”;
- (i) after item 60 (frontal protection systems (“bull bars”) (if fitted)), insert the following item:

“ 69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01.		For a vehicle with batteries with maximum voltage 48V – only compliance with the essential technical requirements of UNECE Regulation 100.00 is required”.

(4) In Part 3 (requirements for Part 3 vehicles) —

- (a) for the heading “**2. Emissions**” substitute the heading “**2. Light Duty Emissions**”;
- (b) in column 1 of item 2, at the end insert “6. Complete or Completed vehicles manufactured after 1 September 2018 in the case of M1 vehicles and 1 September 2019 otherwise: the technical provisions of Annex XXI to Regulation (EC) 1151/2017 [(WLTP)].”;
- (c) in column 3 of item 2, for paragraph 4, substitute “4. In the case of a completed vehicle, the requirements according to the category and date on completion of the base or vehicle based on maximum mass may apply.”;
- (d) in item 41 (diesel emissions);
 - (i) in the heading for “**41. Diesel Emissions**” substitute the heading “**Heavy Duty Emissions**”;
 - (ii) in the first column, at the end add—
“(6) [Complete or Completed vehicles manufactured on or after 1st September 2018: Regulation (EC) No. 595/2009 Annex I limit values];
 - (iii) in the third column—
 - (iia) delete paragraph 2; and
 - (iib) for paragraph 6 substitute “6. Does not apply to—
 - (a) mobile cranes which have an engine meeting the technical requirements of Regulation (EU) 2026/1628; or
 - (b) vehicles designed to tow combinations exceeding 200 tonnes which have an engine meeting the technical requirements of Regulation (EU) 2016/1628”.
- (e) in column 3 of item 41, at the beginning of paragraph 2 insert “In the case of a completed vehicle”.
- (f) After item 54 (side impact) insert the additional item:

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“ 69. Electrical Safety.		
Vehicle: The technical provisions of UNECE Regulation 100.01”.		

(5) In Part 4 (requirements for other vehicles) —

- (a) for the heading “**2. Emissions**” substitute the heading “**2. Light Duty Emissions**”.
- (b) in item 2, for the entry in the first column substitute the following:
 - “1. Directive 70/220/EEC as amended by Directive by Directive 94/12/EC, Annex I, paragraph 5.
 - 2. Vehicles manufactured on or after 1st January 2001; Directive 70/220/EEC as amended by Directive 98/69/EC, Annex I.
 - 3. Vehicles manufactured on or after 1st January 2006; Directive 70/220/EEC as amended by Directive 98/69/ EC Annex I, paragraph 5 (Row B limits).
 - 4. Vehicles manufactured on or after 1st September 2012: Regulation (EC) 715/2007, Annex I, Table 1.
 - 5. Vehicles manufactured on or after 1st September 2016: Regulation (EC) 715/2007, Annex I, Table 2.”
- (c) in item 2, in the third column:
 - (i) delete paragraph 2;
 - (ii) in paragraph 6, for “motor caravan, ambulance, or hearse” substitute “completed vehicle”.
- (d) in item 3 (fuel tanks rear protective devices), at the end of column 1 insert :
 - “Or
 - The technical provisions of EU Regulation 79/2009 or ECE Regulation 134 for hydrogen”.
- (e) in item 8 (indirect vision):
 - (i) in the first column after “Vehicle” insert—
 - “1. the technical provisions of Directive 2003/97/EC Annex III.
 - 2. N2 and N3 vehicles manufactured after 1 April 2016: the technical provisions of paragraph 15 on UNECE R46.04.”
 - (ii) in paragraph 3 for the words ”motor caravan, ambulance or hearse” substitute “Completed vehicle”; and
 - (iii) after paragraph 4 insert the following paragraphs :
 - “(5) The vehicle requirements in col 1 paragraph 2 do not apply to vehicles where any part of the mirror is below 2.4m above the ground.
 - (6) The requirements in col 1 paragraph 2 do not apply to vehicles where the incomplete vehicle is of a type that is type approved to Directive 2003/97.”
- (f) delete item 11 (diesel smoke).
- (g) for the heading “**41. Diesel Emissions**” substitute the heading “**41. Heavy Duty Emissions**”.
- (h) in item 41, in the first column, for paragraphs 1 and 2 substitute:
 - “(1) Directive 88/77/EC as amended by Directive 91/542/EEC Row B limit values.
 - (2) Vehicles manufactured on or after 1st October 2001: Directive 88/77/EEC as amended by Directive 99/96/EC Row A limit values.

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(3) Vehicles manufactured on or after 1st October 2006; Directive 88/77/EEC as amended by Directive 99/96/EC Row B1 limit values.

(4) Vehicles manufactured on or after 1st October 2009; Directive 88/77/EEC as amended by Directive 99/96 EC Row B2 limit values.

(5) Complete or completed vehicles manufactured on or after [1st September 2018]; Regulation (EC) No. 595/2009 Annex I limit values.”

(i) In item 41, in the third column:

(i) in paragraph 5 for “a motor caravan, ambulance or hearse” substitute “a completed vehicle”; and

(ii) for paragraph 6 substitute “6. In the case of a mobile crane or a vehicle designed to tow combinations exceeding 200 tonnes, compliance with Regulation 2016/1628 can be accepted.”

(j) After item 57 insert the following items:

“ 65. AEBS		
The technical provisions of Regulation (EU) 347/2012 or UNECE Regulation 131.		1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1 November 2017. 2. A Complete vehicle which was manufactured before 1 November 2017. 3. A Completed vehicle where the Complete or Incomplete vehicle upon which it is based has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and was manufactured before 1 November 2020. 4. A Complete vehicle which has a gross weight of not more than 8 tonnes or has hydraulic brakes or is not equipped with pneumatic rear suspension; and which was manufactured before 1 November 2020. 5. The exemptions listed in Article 1 of EU Regulation 347/2012. 6. Completed vehicles based on a Complete or Incomplete vehicle of category N1 or M1. 7. Vehicles built by a manufacturer which made fewer than 1,000 chasis or

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		unitized bodies in the previous calendar year
66. LDWS		
The technical provisions of Regulation (EU) 351/2012 or UNECE Regulation 130.		1. A Completed vehicle where the Complete or Incomplete vehicle it is based upon was manufactured before 1 November 2017. 2. A Complete vehicle which was manufactured before 1 November 2017. 3. The exemptions listed in Article 1 of EU Regulation 351/2012. 4. Completed vehicles based on a Complete or Incomplete vehicle of category N1.
69. Electrical Safety		
Vehicle: The technical provisions of UNECE Regulation 100.01.		

PART 5

AMENDMENTS TO PART 5 OF THE 2009 REGULATIONS: VALIDITY OF APPROVALS AND END-OF SERIES VEHICLES

- 15.**—(1) Regulation 31 (end-of series vehicles for EC type approval) is amended as follows.
- (2) In paragraph (1)(a), for “has been granted by the approval authority” substitute “has been granted for a vehicle pursuant to Article 9 of the Framework Directive”.
- (3) In paragraph (7) —
- (a) for the definition of “EC type approval” substitute —
- ““EC type approval” means a type approval granted for a vehicle pursuant to Article 9 of the Framework Directive”;” and
- (b) after that [substituted] definition insert “EC type approval authority” means a competent authority appointed by a member state and notified to the Commission in accordance with article 43 of the Framework Directive.
- 16.**—(1) Regulation 32 (end of series for national small series type approval) is amended as follows.
- (2) In paragraph (5)(b)(i) for “EC” substitute “national”.
- (3) In paragraph (6)(c), at the beginning insert “subject to paragraph (7)”.
- (4) After paragraph (6), insert—
- “(7) (a)The approval authority may notify the holder of the approval [in writing] that the following condition shall apply to a vehicle in place of that specified in paragraph (6)(c).
- (b) The condition is that the number of vehicles of the type in question that have been put into service in the United Kingdom during the relevant period does not exceed such number as is specified in the notification.

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- (c) The number so specified shall not be greater than that determined in accordance with the second indent of section B of Annex XII to the Framework Directive.”

PART 6

AMENDMENTS TO PART 6 OF THE 2009 REGULATIONS: MISCELLANEOUS

- 17.**—(1) Regulation 38 (duplicate certificates) is amended as follows.
- (2) In the heading for “Duplicate certificates” substitute “Replacement certificates”.
- (3) In paragraphs (1) and (6) for “duplicate certificate” substitute “replacement certificate”.
- (4) In paragraphs (2) and (3) for “a duplicate” substitute “a replacement certificate”.
- (5) For paragraph (4) substitute “(4) A replacement certificate must be marked “Replacement”.”.
- (6) In paragraph (5) for “duplicate certificate” substitute “a replacement certificate” and for “the duplicate” substitute “the replacement”.
- (7) In paragraph (6) for “duplicate certificate” substitute “replacement certificate”.

Signed by authority of the Secretary of State

Date

Name
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend both the Passenger Car (Fuel Consumption and CO₂ Emissions Information) Regulations 2001 (“the 2001 Regulations”) and the Road Vehicles (Approval) Regulations 2009 (“the 2009 Regulations”) in order to deal with amendments to the European Union legislation which they implement.

The amendments to the 2001 Regulations, which are dealt with in *Part 2* of these Regulations, reflect the change of the basis of the test to be used for measuring fuel economy from the New European Drive Cycle (NEDC) to the World Harmonised Test Procedure (WLTP) in accordance with Commission Regulation (EC) No. 1171/2017 of 1st June 2017. This in turn requires changes to the published material concerning the vehicles produced by motor car manufacturers.

Accordingly, *Regulation 4* of these Regulations amends the definition of “official fuel consumption” to refer to Commission Regulation (EC) No. 1171/2017 and *Regulation 5* substitutes the new format for the Fuel Economy Label prescribed by Schedule 1 to 2001 Regulations.

The amendments to the 2009 Regulations, which are set out in *Parts 3 to 6* of these Regulations, update the principal Regulations to incorporate a number of developments in the EU legislation into the provisions concerning National Small Series and Individual Approval and End of Series Vehicles, in particular amendments to Regulations (EU) 715/2007 (light duty emissions), 595/2009 (heavy duty emissions), 661/2009 (general safety regulation) and 79/2009 (hydrogen safety) and their implementing acts, into the provisions concerning [national small series type approval, individual approval and end-of-series vehicles.

Part 3 amends *Part 1* of the 2009 Regulations (preliminary). In particular, *regulation 6* amends the definition of the Framework Directive (Directive 2007/46/EC) to cover both future amendments to it and additional amendments already made and *regulation 8* updates the list of EU instruments specified in Schedule 2 (interpretation of “regulatory acts”).

Part 4 amends *Part 4* of 2009 Regulations (national small series type approval and individual approval). In particular:

regulation 9 amends regulation 25 (grant of national small series type approval) to permit the approval authority when making a decision over the grant of approval to waive specified requirements of the

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Framework Directive and to amend the maximum permitted number of vehicles that may be given small series approval in any year;

Regulations 10 to 13 amend Schedule 4 (technical and administrative requirements for grant of approval), *regulations 10 and 11* amending sections 1 and 2 of Part 2 (requirements for M1 category vehicles), *regulation 12* amending section 1 of Part 3 (requirements for N1 category vehicles) and *regulation 13* amending Part 4 (requirements for category M2, M3, N2, N3, and O vehicles; and *regulation 14* amends Schedule 5 (technical and administrative requirements for the grant of individual vehicle approval). The more significant changes introduced by these provisions concern the introduction of requirements for Euro VI vehicles (those tested to heavy duty rules) (regulations 9 to 13), a new (WLTP) test for measuring emissions from light duty vehicles (regulations 9, 11 and 13) requirements for the compulsory fitting of advanced emergency braking and lane departure warning systems (regulations 12 and 13) and new requirements for mirrors (regulations 12 and 13).

In Part 5, *regulations 15 and 16* amend Part 5 (validity of approvals and end-of-series vehicles) of the 2009 Regulations. *Regulation 15* extends the application of the regulation 31 of 2009 Regulations to enable the UK approval authority to issue end-of-series derogations covering sale in the UK of vehicles type approved by any EU approval authority, not just by the UK authority; and *regulation 16* extends the methodologies the Approval Authority may use to calculate the number of vehicles eligible for an end-of-series derogation to include a percentage rule.

In Part 6 (Miscellaneous) *regulation 17* reclassifies “duplicate certificates” as “replacement certificates”. The net costs imposed on business, the voluntary sector and the public sector by these Regulations have been assessed as being less than £5m in any year and therefore a full impact assessment has not been prepared, and a Review provision has not been included.]