



STATUTORY INSTRUMENTS.

S.I. No. 450 of 2023



ROAD TRAFFIC (LICENSING OF TRAILERS AND SEMI-TRAILERS)
(AMENDMENT) REGULATIONS 2023

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I, JACK CHAMBERS, Minister of State at the Department of Transport, in exercise of the powers conferred on me by section 5 of the Road Traffic Act 1961 (No. 24 of 1961), section 10 of the Road Traffic Act 1968 (No. 25 of 1968), section 2 of the Road Traffic Act 2006 (No. 23 of 2006), as adapted by the Transport, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 351 of 2020), and the Transport (Delegation of Ministerial Functions) Order 2023 (S.I. No. 211 of 2023), and for the purpose of giving further effect to Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018¹, hereby make the following regulations:

1. These Regulations may be cited as the Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 2023.

2. The Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 1982 to 2012 and these Regulations may be cited together as the Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 1982 to 2023.

3. In these Regulations “Principal Regulations” means the Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 1982 (S.I. No. 35 of 1982).

4. Regulation 1 of the Principal Regulations is amended –

(1) in paragraph (2) –

(a) by the substitution of the following definition for the definition of “Approval Authority”:

“ ‘Approval Authority’ means The National Standards Authority of Ireland; ”,

(b) by the substitution of the following definition for the definition of “approved test centre”:

“ ‘approved test centre’ means a person appointed by the Approval Authority pursuant to Regulation 4(3)(b)(i) of the Type-Approval Regulations;”,

(c) by the deletion of the definition of “EC type-approval (small series)”,

(d) by the insertion of the following definition after the definition of “EEA Member State”:

¹ OJ No. L 151, 14.6.2018, p. 1

- “ ‘EU type-approval (small series)’ means type-approval granted pursuant to Article 41 of the Framework Regulation;”,
- (e) by the deletion of the definition of “Entry into Service Regulations”,
 - (f) by the deletion of the definition of “Framework Directive”,
 - (g) by the insertion of the following definition after the definition of “first licensing”:

“ ‘Framework Regulation’ means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC¹;”,
 - (h) by the substitution of the following definition for the definition of “individual approval”:

“ ‘individual approval’ means the individual vehicle approval granted pursuant to Article 45 of the Framework Regulation and (other than in Regulation 4A(3)) the alternative requirements referred to in Regulation 6 of the Type-Approval Regulations;”,
 - (i) by the deletion of the definition of “individual approval certificate”,
 - (j) by the substitution of the following definition for the definition of “mutually-recognised approval”:

“ ‘mutually-recognised approval’ has the meaning it has in the Type-Approval Regulations;”,
 - (k) by the substitution of the following definition for the definition of “mutually-recognised certificate of conformity”:

“ ‘mutually-recognised certificate of conformity’ means a certificate issued by the manufacturer of a vehicle, in accordance with Article 36 or 37 of the Framework Regulation, certifying that the vehicle conforms with the relevant mutually-recognised approval;”,
 - (l) by the substitution of the following definition for the definition of “national small series certificate of conformity”:

“ ‘national small series certificate of conformity’ means the document issued by the manufacturer of a vehicle, in accordance with Article 36 or 37 of the Framework Regulation, certifying that the vehicle conforms with the relevant national small series type-approval;”,
 - (m) by the substitution of the following definition for the definition of “national small series type-approval”:

¹ OJ No. L 151, 14.6.2018, p.1

“ ‘national small series type-approval’ means type-approval granted pursuant to Article 42 of the Framework Regulation and (other than in Regulation 4A(3)) the alternative requirements referred to in Regulation 6 of the Type-Approval Regulations;”

- (n) by the substitution of the following definition for the definition of “type-approval”:

“ ‘type-approval’ means the process of certification that a type of vehicle satisfies the relevant administrative and technical requirements imposed by, or pursuant to, the Framework Regulation or the alternative requirements referred to in Regulation 6 of the Type-Approval Regulations, as the case may be, including EU type-approval (within the meaning of Art 3(2) of the Framework Regulation), EU type-approval (small series) and national small series type-approval, and ‘type-approved’ shall be construed accordingly;”

- (o) by the substitution of the following definition for the definition of “Type-Approval Regulations”:

“ ‘Type-Approval Regulations’ means the European Union (Road Vehicles: Type-Approval and Market Surveillance) Regulations 2020 (S.I. No. 556 of 2020);”

- (p) by the substitution of the following definition for the definition of “vehicle type”:

“ ‘type of vehicle’ has the meaning it has in Article 3 (32) of the Framework Regulation.”

- (2) by the substitution of the following paragraph for paragraph (4):

“(4) Each of the terms ‘complete vehicle’, ‘completed vehicle’ and ‘special purpose vehicle’ has the meaning it has in Article 3 of the Framework Regulation and each of the categories ‘O₃’ and ‘O₄’ has the meaning it has in Article 4 of the Framework Regulation.”

- (3) by the deletion of paragraph (5)(d).

5. Regulation 4A(2) of the Principal Regulations is amended –

- (a) in subparagraph (a), by the substitution of the following clause for clause (i):

“(i) a valid certificate of conformity issued by the manufacturer of the vehicle, in accordance with Article 36 or 37 of the Framework Regulation, certifying that the vehicle conforms with the relevant EU type-approval (within the meaning of the Framework Regulation);”

- (b) by the substitution of the following subparagraph for subparagraph (b):

“(b) otherwise satisfies the relevant requirements of the Framework Regulation and the Type-Approval Regulations.”

6. Regulation 4A(4) of the Principal Regulations is amended –
- (a) by the substitution of “EU type-approval (small series)” for “EC type-approval (small series)” in the first place it occurs,
 - (b) by the substitution of the following subparagraph for subparagraph (a):
 - “(a) in the case of a vehicle that is the subject of an EU type-approval (small series), exceed the number of units shown in point 1 of Part A of Annex V of the Framework Regulation in respect of that type of vehicle, and”, and
 - (c) by the substitution of the following subparagraph for subparagraph (b):
 - “(b) in the case of a vehicle that is the subject of a national small series type-approval, exceed the maximum number of units shown in point 2 of Part A of Annex V of the Framework Regulation in respect of that type of vehicle.”.

7. Regulation 4A(5) is amended by the substitution of “a valid certificate of conformity issued in accordance with Article 36 or 37 of the Framework Regulation” for “an EC Certificate of Conformity”.

8. Regulation 5(2) of the Principal Regulations is amended by the substitution of the following subparagraph for subparagraph (i):

- “(i) a valid certificate of conformity issued by the manufacturer of the vehicle, in accordance with Article 36 or 37 of the Framework Regulation, certifying that the vehicle conforms with the relevant EU type-approval (within the meaning of the Framework Regulation),”.

GIVEN under my hand,
13 September, 2023.

JACK CHAMBERS,
Minister for State at the Department of Transport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations, 1982 (S.I. No. 35 of 1982). The 1982 Regulations provide for a system of annual licensing of trailers and semi-trailers in Ireland with a maximum permissible weight exceeding 3,500 kgs.

The 1982 Regulations, as amended by S.I. 399 of 2012, are now amended to update references to related legislation. These Regulations remove outdated references to type-approval requirements in the trailer licensing regime under Directive 2007/46/EC to instead refer to Regulation (EU) 2018/858.

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