



STATUTORY INSTRUMENTS.

**S.I. No. 242 of 2023**

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ROAD TRAFFIC (NATIONAL CAR TEST) (AMENDMENT) (NO. 2)  
REGULATIONS 2023

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by sections 18(9), (10) and (11) of the Road Traffic Act 1961 (No. 24 of 1961) (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 for the purpose of giving full effect to Article 10 of Commission Implementing Regulation (EU) 2021/392 of 4 March 2021<sup>1</sup>, hereby make the following regulations:

1. These Regulations may be cited as the Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2023.

2. The Road Traffic (National Car Test) Regulations 2017 (S.I. No. 415 of 2017) are amended -

(a) in Regulation 2(1), by inserting the following definitions:

“Commission Implementing Regulation” means Commission Implementing Regulation (EU) 2021/392 of 4 March 2021<sup>1</sup>;

‘real-world data’ shall be construed in accordance with Article 2 (c) of the Commission Implementing Regulation;

‘VIN’ means the unique alphanumeric code assigned to a vehicle by the manufacturer in order to ensure proper identification of the vehicle;”,

(b) by inserting after Regulation 7 the following:

*“Collecting of real-world data and VINS*

7A When carrying out a test on a vehicle to which Article 10 of the Commission Implementing Regulation applies, a tester shall collect real-world data and VINS in accordance with that Article.”, and

(c) in Part 2 of Schedule 3 (inserted by the Road Traffic (National Car Test) (Amendment) Regulations 2023 (S. I. No. 4 of 2023)), by inserting after the matter at “7.11 Odometer” the following:

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<sup>1</sup> OJ No. L77, 5.3.2021, p. 8

“

<b>8.2.1.2 Gaseous emissions</b>	(a) Advisory Pass applies where an error code is detected that is not a reason for failure.
<b>8.2.2.2 Opacity</b>	(a) Advisory Pass applies where an error code is detected that is not a reason for failure.

”



GIVEN under my Official Seal,  
16 May, 2023.

EAMON RYAN,  
Minister for Transport.

## EXPLANATORY NOTE

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

These Regulations -

- provide for the collection of real-world data from new passenger cars at the National Car Test that are first registered from 1 January 2021 and that are equipped with on-board fuel and/or energy consumption monitoring devices required by Commission Implementing Regulation (EU) 2021/392, and
- amend Part of 2 of Schedule 3 to S.I. 415 of 2017 to provide for the classification of certain emission diagnostic trouble codes as ‘pass advisory’.

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