



STATUTORY INSTRUMENTS.

S.I. No. 554 of 2020

EUROPEAN UNION (NATIONAL CAR TEST - EU ROADWORTHINESS
CERTIFICATES) REGULATIONS 2020

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving further effect to Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (National Car Test - EU Roadworthiness Certificates) Regulations 2020.
2. The Road Traffic Act 1961 (No. 24 of 1961) is amended -
 - (a) in section 3(1) by -
 - (i) the insertion of the following definitions:

“‘detachable disc’ means that part of a test certificate, for the time being in force in respect of a vehicle, which may be detached from the certificate to be affixed to the vehicle;

‘EU roadworthiness certificate’ in relation to a vehicle means a roadworthiness certificate within the meaning of the Roadworthiness Directive issued by a Member State competent authority or a Member State testing centre which has not expired or otherwise been cancelled or revoked and, insofar as the frequency intervals for vehicle testing are concerned, is still valid by reference to the frequency intervals prescribed by regulations made under section 18 for tests of mechanically propelled vehicles;

‘Member State competent authority’ means an authority or public body in a Member State, other than the State, with responsibility for managing the system of roadworthiness testing in that Member State, including, where appropriate, the carrying out of roadworthiness tests for the purposes of the Roadworthiness Directive;

¹ OJ No. L 127, 29.4.2014, p. 51.

‘Member State testing centre’ means a public or private body or establishment in a Member State, other than the State, authorised to carry out roadworthiness tests in that Member State for the purposes of the Roadworthiness Directive;

‘Roadworthiness Directive’ means Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014¹;”, and

- (ii) the substitution of the following definition for the definition of “test certificate”:

““test certificate” means -

- (a) a certificate issued under section 18, or
- (b) an EU roadworthiness certificate;”,

- (b) in section 18 -

- (i) in subsection (7), by the substitution of “certificate referred to in paragraph (a) of the definition of ‘test certificate’ in section 3” for “test certificate”,
- (ii) in subsection (8), by the deletion of “(in this Act referred to as a test certificate)”, and
- (iii) in subsection (10) -
 - (I) in paragraphs (f) and (g), by the substitution of “certificates referred to in paragraph (a) of the definition of ‘test certificate’ in section 3” for “test certificates”,
 - (II) in paragraph (n), by the substitution of “the form of certificates referred to in paragraph (a) of the definition of ‘test certificate’ in section 3” for “the form”,
 - (III) in paragraph (o), by the substitution of “under paragraphs (b) and (c) of subsection (8);” for “under paragraphs (b) and (c) of subsection (8) of this section.”, and
 - (IV) by the insertion of the following paragraph after paragraph (o):

“(p) the verification of the validity of a test certificate where there is doubt as to the validity of the certificate.”,

and

- (c) in section 33 -
- (i) in subsection (3B)(b), by the substitution of “subject to subsection (3BB), where the vehicle” for “where the vehicle”, and
 - (ii) by the insertion of the following subsection after subsection (3B):

“(3BB) Where an EU roadworthiness certificate does not have a detachable disc, the proof of test issued by the Member State competent authority or the Member State testing centre concerned for the purposes of Article 10 of the Roadworthiness Directive shall be presented to the issuing authority for the purposes of subsection (3B).”.



GIVEN under my Official Seal,
27 November, 2020.

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 amend the Road Traffic Act 1961 to provide for the recognition of roadworthiness certificates issued by other Member States as required by Directive 2014/45/EU on periodic roadworthiness tests for motor vehicles and their trailers.

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