

**2006 No. 494**

**ROAD TRAFFIC AND VEHICLES**

**The Motor Vehicle Testing (Amendment) Regulations  
(Northern Ireland) 2006**

*Made* - - - - - *4th December 2006*

*Coming into operation* *16th January 2007*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 63(5), 72(1) and (2) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 16th January 2007.

(2) In these Regulations “the principal Regulations” means the Motor Vehicle Testing Regulations (Northern Ireland) 2003(b).

**Amendment to regulation 6 (exemptions)**

2. In regulation 6(1)(xvii)(b)(ii) of the principal Regulations, for the words “of less than 810 millimetres” substitute “of not more than 1100 millimetres”.

**Amendment to regulation 20 (production of test certificate on application for licence)**

3. For regulation 20(2) of the principal Regulations(c) substitute—

“(2) Where an application is made for a licence under the 1994 Act for a motor vehicle to which Article 63(2)(b) of the Order applies, the licence shall not be granted unless—

- (a) there is produced a current test certificate or effective certificate of temporary exemption; or
- (b) information held by the Department indicates that a current test certificate or effective certificate of temporary exemption currently exists in respect of the vehicle; or
- (c) the owner of the vehicle declares in writing the year in which the vehicle was manufactured, and a period of 4 years(d), or such other period specified by an order made by the Department under Article 63(9) of the Order, from the date of manufacture has not expired.

(3) In this regulation “information” means information held in any form.”.

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(a) S.I. 1995/2994 (N. I. 18); see Article 2(2) for the definition of “the Department” and “prescribed”

(b) S.R. 2003 No. 303; relevant amending Regulations are S.R. 2004 No. 321 and S.R. 2005 No. 409

(c) Regulation 20 was amended by S.R. 2004 No. 321

(d) The period of 5 years mentioned in Article 63(2) of S.I. 1995/2994 (N.I. 18), as originally enacted, is now a reference to 4 years by virtue of S.R. 1996 No. 12 (an Order made under Article 63(9))

**Revocation**

4. The Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2003<sup>(a)</sup> are revoked.

Sealed with the Official Seal of the Department of the Environment on 4th December 2006.

(L.S.)

*Maggie Smith*

A senior officer of the Department of the Environment

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<sup>(a)</sup> S.R. 2003 No. 518

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Motor Vehicle Testing Regulations (Northern Ireland) 2003 (“the 2003 Regulations”).

Regulation 2 amends regulation 6(1)(xvii)(b)(ii) of the 2003 Regulations (exemptions) so as to substitute the reference to vehicles with an inside track width of less than 810 millimetres with a reference to vehicles with an inside track width of not more than 1100 millimetres.

Regulation 3 amends regulation 20(2) of the 2003 Regulations in relation to the production of a test certificate or a certificate of temporary exemption when applying for a licence under the Vehicle Excise and Registration Act 1994. The amendment provides that a licence shall not be granted unless information held by the Department of the Environment indicates that there is a current test certificate or certificate of temporary exemption in existence in respect of the vehicle.

The Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2003 are revoked as a consequence of these Regulations (regulation 4).

A Regulatory Impact Assessment has been produced in respect of the amendment at regulation 3 and may be obtained from the Driver and Vehicle Licensing Northern Ireland website at [www.dvlni.gov.uk](http://www.dvlni.gov.uk).