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STATUTORY INSTRUMENTS

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**1988 No. 1894**

**ROAD TRAFFIC**

**The Motor Vehicles (Tests)  
(Amendment) (No. 3) Regulations 1988**

*Made* - - - - *1st November 1988*  
*Laid before Parliament* *8th November 1988*  
*Coming into force* - - *29th November 1988*

The Secretary of State for Transport, in exercise of the powers conferred by section 43(2) and (6) of the Road Traffic Act 1972(1) and now vested in him(2), and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of that Act, hereby makes the following Regulations:-

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1988 and shall come into force on 29th November 1988.
2. The Motor Vehicles (Tests) Regulations (1981)(3) shall be further amended in accordance with the following provisions of these Regulations.

**Amendments relating to classification of vehicles**

3. In regulation 5(3) —
  - (a) for sub-paragraph (a), there shall be substituted —

“(a) section 23(7) of the Transport Act 1985(4) a bus being used to provide a community bus service),”; and
  - (b) after paragraph (b) there shall be added —

“or
  - (c) section 21(2) of the Transport Act 1985 (a small bus used under a permit granted under section 19 of that Act).”.

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(1) 1972 c. 20.  
(2) S.I. 1979/571 and 1981/238  
(3) S.I. 1981/1694; relevant amending instruments are S.I. 1984/1126 and 1985/1923  
(4) 1985 c. 67.

#### **Amendments relating to inspection cards and reports**

4. In regulation 11(1)(a) for the words “inspection check lists” there shall be substituted “inspection reports, inspection cards”.

5. In regulation 15(1) for sub-paragraph (c) there shall be substituted the following sub-paragraphs —

- “(c) in the case of a vehicle not in Class VI, in the event that -
  - (i) either a notice of refusal of a test certificate is issued, or
  - (ii) a test certificate is issued but they consider that the applicant who submitted the vehicle for examination should be informed of a defect in the vehicle,  
issue an inspection report on a form approved by the Secretary of State marked “VT30M” in the case of a Class I or II vehicle, or on a form so approved marked “VT30” in the case of a Class III, IV or V vehicle; and
- (d) in the case of a Class VI vehicle issue an inspection card on a form approved by the Secretary of State marked “VTP30”.

6. In regulation 15(2) —

- (a) for the words “inspection check list” whenever they occur there shall be substituted “inspection report or card (if its issue is required by paragraph (1) (c) or (d))”; and
- (b) for the word “list” whenever it occurs (other than as part of the expression “inspection check list”) there shall be substituted “report or card”.

7. In regulation 15(4) for the words “inspection check list” there shall be substituted “inspection report or card”.

8. In regulation 18(5)(b) for the words “an inspection check list” there shall be substituted “an inspection report or card (if its issue would have been required by regulation 15(1)(c) or (d))”.

9. In regulation 18(6) —

- (a) for the words “inspection check lists” there shall be substituted “inspection reports or cards”; and
- (b) in paragraph (a) for the words “an inspection check list” there shall be substituted “an inspection report or card”.

10. In regulation 22(4) for the words “the inspection check list which accompanied the same” there shall be substituted “any inspection report or card which accompanied the same”.

11. In regulation 24(c) for the words “inspection check lists” there shall be substituted “inspection reports or cards”.

12. In regulation 25(1) for the words “an inspection check list” there shall be substituted “an inspection report or card”.

Signed by authority of the Secretary of State

1st November 1988

*Peter Bottomley*  
Parliamentary Under Secretary of State,  
Department of Transport

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## EXPLANATORY NOTE

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

1. These Regulations firstly replace article 6 of the Transport Act 1985 (Commencement No.6) Order 1986 (S.I. 1986/1794) and article 3 of the Transport Act 1985 (Commencement No.7) Order 1987 (S.I. 1987/1228) which purported to amend the Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”). As a result of the amendments buses being used to provide a community bus service and small buses constructed or adapted to carry more than 12 seated passengers used under a permit granted under section 19 of the Transport Act 1985 are included in Class V for the purposes of the 1981 Regulations.

2. Secondly, the 1981 Regulations are amended so that references to inspection check lists on forms marked VT30, VT30M or VTP30 are substituted by references to inspection card in the case of form VTP30 and to inspection report in the case of forms VT30 and VT30M. This is to accord with previous administrative practice.

3. Thirdly, the 1981 Regulations are amended so that inspection reports VT30 or VT30M only have to be issued —

- (a) if a notice of refusal of test certificate is issued, or
- (b) if a test certificate is issued but the examiner or inspector considers that the applicant who submitted the vehicle for examination should be informed of a defect in the vehicle.

4. There are amendments in these Regulations consequential to the amendments referred to in paragraphs 2 and 3 of this note.