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STATUTORY INSTRUMENTS

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**1991 No. 253**

**The Motor Vehicles (Tests)  
(Amendment) (No. 1) Regulations 1991**

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 and shall come into force—

- (a) for the purposes of regulation 13, on 1st April 1991, and
- (b) for all other purposes, on 18th March 1991.

**Introduction**

2. The Motor Vehicles (Tests) Regulations 1981(1) are hereby further amended in accordance with these Regulations.

**Amendments to Regulation 3**

3. In regulation 3—

(a) in paragraph (1)—

- (i) for the definition of “the Construction and Use Regulations” there shall be substituted ““the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986”(2);
- (ii) for the definition of “the Lighting Regulations” there shall be substituted “the Lighting Regulations” means “the Road Vehicles Lighting Regulations 1989”(3);
- (iii) in the sub-paragraph which begins with the expression “agricultural motor vehicle”, there shall be inserted, before the expression “pedestrian controlled vehicle”, the expression “Ministry plate;” and
- (iv) before the expression “designated council” and the meaning assigned to it, there shall be inserted the following—

““design gross weight” means—

- (a) in the case of a vehicle equipped with a Ministry plate, the weight shown thereon as the design weight, or, if no weight is so shown thereon, the weight shown thereon as the weight not to be exceeded in Great Britain;
- (b) in the case of a vehicle which is not equipped with a Ministry plate, but which is equipped with a plate in accordance with regulation 66 of the Construction and Use Regulations, the maximum gross weight shown on the plate in respect of item 7 of Part I of Schedule 8 to those Regulations; and

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(1) S.I. 1981/1694; relevant amending instruments are S.I. 1982/783 and 1477, 1983/1147 and 1434, 1984/401, 727, 815 and 1126, 1985/145, 834 and 1923, 1986/372 and 904, 1987/1144, 1988/339 and 989, 1989/321 and 920 and 1990/449, 628 and 1186.  
(2) S.I. 1986/1078.  
(3) S.I. 1989/1796.

- (c) in any other case, the weight which the vehicle is designed or adapted not to exceed when in normal use and travelling on a road laden;” and
- (b) in paragraph (5) for the words “Regulation 3(2)” there shall be substituted the words “Regulation 3(3)”.

#### **Amendments to regulation 4**

**4.** In regulation 4—

- (a) paragraph (1) shall be omitted;
- (b) for paragraph (2) there shall be substituted—

“(2) The prescribed statutory requirements for the purposes of section 45(1) of the Road Traffic Act 1988 are—

- (a) in relation to any vehicle in Class I to V, the requirements specified in paragraph 1 of Schedule 2,
- (b) in relation to any vehicle in Class VI, the requirements specified in paragraph 2 of Schedule 2, and
- (c) in relation to any vehicle in Class VII, the requirements specified in paragraph 3 of Schedule 2,

and in these Regulations those requirements are referred to as “the prescribed statutory requirements”.”; and

- (c) paragraph 4 shall be omitted.

#### **Amendment of regulation 5**

**5.** In paragraph (1) of regulation 5,

- (a) in the item relating to Class IV, for the words “Classes 111, V or VI” there shall be substituted “Classes 111, V, VI or VII”; and
- (b) after the item relating to Class VI there shall be inserted the following—

“Class VII: Goods vehicles of which the design gross weight is more than 3000 kilograms but does not exceed 3500 kilograms”.

#### **Amendment of regulation 6**

**6.—(1)** In regulation 6(1)—

- (a) for sub-paragraph (v) there shall be substituted the following—

“(v) a goods vehicle, the design gross weight of which exceeds 3500 kilograms;”;
- (b) for sub-paragraph (xvii) there shall be substituted the following—

“(xvii) an electrically propelled goods vehicle the design gross weight of which does not exceed 3500 kilograms;”;
- (c) the word “and” immediately following sub-paragraph (xvii) shall be omitted and after sub-paragraph (xx) there shall be added the following sub-paragraphs—
  - “(xxi) a motor vehicle constructed and not merely adapted for the purpose of street cleansing or the collection or disposal of refuse or the collection or disposal of the contents of gullies and which is either—
  - (a) a three wheeled vehicle, or
  - (b) a vehicle which—

- (i) is incapable by reason of its construction of exceeding a speed of 20 miles per hour on the level under its own power, or
  - (ii) has an inside track width of less than 810 millimetres;
  - (xxii) a goods vehicle, the design gross weight of which does not exceed 3500 kilograms and in respect of which a goods vehicle test certificate was issued between 1st February 1990 and 17th March 1991, while that certificate is valid; and
  - (xxiii) before 1st August 1991, a goods vehicle the design gross weight of which does not exceed 3500 kilograms and which is of a class specified in Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1988.”(4).
- (2) In regulation 6(3)—
- (a) for the words “Provided that” there shall be substituted the following—
    - “Provided that—
    - (a) in relation to a vehicle in any of Classes I to VI,” and
  - (b) at the end there shall be added—
    - “and
    - (b) in relation to a vehicle in Class VII this Regulation does not apply in any of the following islands, namely, the Isle of Wight, the Islands of Lewis, Mainland (Orkney), Mainland (Shetland) and Skye.”

### **Amendment of Regulation 15**

7. In regulation 15—
- (a) in paragraph (1)—
    - (i) the word “and” shall be inserted after sub-paragraph (a);
    - (ii) the word “and” following sub-paragraph (b) shall be omitted; and
    - (iii) sub-paragraphs (c) and (d) shall be omitted;
  - (b) in paragraph (2) the words “and inspection report or card (if its issue is required by paragraph (1)(c) or (d))” and the words “and report or card”, wherever they occur, shall be omitted;
  - (c) in paragraph (3) in sub-paragraph (a)(iii) for the words “unladen weight” there shall be substituted the words “design gross weight”;
  - (d) in paragraph (4)—
    - (i) after the words “Every test certificate” there shall be inserted the word “and”;
    - (ii) the words “and inspection report or card” shall be omitted.

### **Amendments consequential upon regulation 7 above**

- 8.—(1) In regulation 18 (appeal on refusal of a test certificate)—
- (a) in paragraph (5), sub-paragraph (b) and the word “and” which precedes it shall be omitted; and
  - (b) in paragraph (6)—

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(4) [S.I. 1988/1478](#); relevant amending instrument is [S.I. 1990/448](#).

- (i) after the words “Test certificates” there shall be inserted the word “and”;
- (ii) the words “and inspection reports or cards” shall be omitted; and
- (iii) in sub-paragraph (a)—
  - (aa) for the words “notices of the refusal” there shall be substituted “or a notice of the refusal”; and
  - (bb) the words “and an inspection report or card” shall be omitted.

(2) In regulation 22 (records to be kept and returns to be furnished by examiners and designated councils), in paragraph (4) the words “together with a copy of any inspection report or card which accompanied the same” shall be omitted.

- (3) In regulation 24, in paragraph (c)—
  - (a) after the words “copies of test certificates” there shall be inserted the word “and”; and
  - (b) the words “and inspection reports and cards” shall be omitted.
- (4) In regulation 25, in paragraph (1)—
  - (a) after the words “for use as a test certificate” there shall be inserted the word “or”; and
  - (b) the words “or an Inspection report or card” shall be omitted.

#### **Amendment of regulation 20**

- 9. In regulation 20—
  - (a) in paragraph (1), after sub-paragraph (b), there shall be inserted—

“(ba) in the case of a vehicle in Class VII, £18;”;
  - (b) for sub-paragraph (c) of paragraph (7) there shall be substituted the following—
    - “(c) the re-examination relates only to one or more of the requirements specified in the following items in paragraph 2 of Schedule 2—
      - (i) sub-paragraph (a) (Insofar as it relates to windscreen cleaning, audible warning instruments, speed limiter and plate, lamps, rear retro reflectors and direction indicators;
      - (ii) items 18; 19; 20; 23 (Insofar as it relates to the spare wheel carrier and bumpers); 26, 35, 36 and 52 (insofar as they relate to markings); 45; 46; 48 and 62 (insofar as they relate to cleanliness); 63; 64; 65; 66; and 67; and
      - (iii) sub-paragraph (f).”

#### **Amendment of regulation 23**

- 10. In regulation 23(2), after sub-paragraph (a) there shall be inserted—

“(aa) £9 in the case of a Class VII vehicle”;

#### **Amendment of Schedules 2 and 3**

11. For Schedule 2 there shall be substituted the Schedule set out in the Schedule to these Regulations.

- 12. Schedule 3 shall be omitted.

#### **Amendment of Schedule 2 (as substituted by regulation 11 above)**

- 13. In Schedule 2, as substituted by regulation 11 above,—

- (a) in paragraph 1 after item 8 there shall be inserted the following item

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“9	36A and 70A	Speed limiter and plate”;
		and

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- (b) in paragraph 2 for the words “items 1 to 8 and 10 to 16” there shall be inserted the words “items 1 to 16”.

Signed by authority of the Secretary of State for Transport

13th February 1991

*Christopher Chope*  
Parliamentary Under Secretary of State,  
Department of Transport