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STATUTORY INSTRUMENTS

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**1991 No. 253**

**ROAD TRAFFIC**

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

<i>Made</i>	- - - -	<i>13th February 1991</i>
<i>Laid before Parliament</i>		<i>21st February 1991</i>
<i>Coming into force</i>		
<i>For the purposes of regulation 13</i>		<i>1st April 1991</i>
<i>For all other purposes</i>		<i>18th March 1991</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 45, 46 and 47(5) of the Road Traffic Act 1988(1) and by the Department of Transport (Fees) Order 1988(2), and of all other enabling powers, after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

**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(3) are hereby further amended in accordance with these Regulations.

**Amendments to Regulation 3**

3. In regulation 3—

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(1) 1988 c. 52. For the meaning of “prescribed” in section 47(5) see sections 85 and 192(1).  
(2) S.I.1988/643, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant reference in S.I. 1988/643 is Item 1 of Table III of Schedule 1.  
(3) 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.

- (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”(4);
  - (ii) for the definition of “the Lighting Regulations” there shall be substituted “the Lighting Regulations” means “the Road Vehicles Lighting Regulations 1989”(5);
  - (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
      - (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,

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(4) S.I. 1986/1078.

(5) S.I. 1989/1796.

- (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.”(6).

#### **(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.”

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(6) S.I. 1988/1478; relevant amending instrument is S.I. 1990/448.

### **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)—
    - (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
- |    |             |                           |
|----|-------------|---------------------------|
| “9 | 36A and 70A | Speed limiter and plate”; |
|    |             | and                       |
- (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

## THE SCHEDULE

Regulation 11.

“SCHEDULE 2  
(see regulation 4)

## THE PRESCRIBED STATUTORY REQUIREMENTS FOR VEHICLES IN CLASSES I TO V

(a) The requirements contained in the following provisions of the Construction and Use Regulations:—

Item No	Regulations	Affecting
1	15, 16, 17 and 18	Braking
2	29	Steering
3	24, 26, 27 and 100(1) (insofar as it relates to condition of the road wheels to the extent that such condition is likely to lead to a rapid deflation of the tyres of such wheels).	Tyres
4	46, 47 and 48	Seat Belts and Anchorages
5	34	Windscreen Cleaning
6	54 and 100(1) (insofar as it relates to the condition of the pipings, attachment brackets and mounting of the exhaust system)	Exhaust
7	37	Audible Warning Instrument
8	22 and 100(1) (insofar as it relates to the condition of the vehicle structure, the body, the chassis, frame and any subframe or any mounting or connection or part of the suspension, to the extent that such condition may prejudice the steering, braking or seat belt mountings of the vehicle).	Structure and Suspension

(b) The requirements contained in the following provisions of the Lighting Regulations:—

Item No	Regulations	Affecting
10	18 and 23	Front Position Lamp
11	18 and 23	Dipped Beam Headlamp
12	18 and 23	Main Beam Headlamp
13	18 and 23	Rear Position Lamp
14	18 and 23	Rear Retro Reflector
15	18 and 23	Stop Lamp

Item No	Regulations	Affecting
16	18 and 23	Direction Indicator

THE PRESCRIBED  
STATUTORY  
REQUIREMENTS FOR  
VEHICLES IN CLASS VI

- (a) The requirements specified in items 1 to 8 and 10 to 16 in paragraph 1 above
- (b) The requirements contained in the following provisions of the Construction and Use Regulations:—

Item No	Regulations	Affecting
17	25	Tyre Load Capacity
18	30	Field of Vision
19	33	Mirrors
20	35 and 36	Speedometer
21	60	Radio Interference Suppression
22	62	Closets, etc
23	100 (insofar as it relates to the question whether the particulars opposite are fitted or, as the case may be, maintained so that no danger is likely to be caused)	Spare wheel carrier, means of coupling trailers, chassis, wiring, engine mounting, fuel tanks and pipes, transmission, battery, shock absorbers, bumpers, mirrors, wings and wheel arches, cab, cab steps or ring, doors, seats, driving controls and window glass.
24	109	Television sets

- (c) For those vehicles certified in accordance with the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981,(7) the requirements contained in the following provisions of those Regulations:—

Item No	Regulations	Affecting
25	8	Guard Rail
26	13	Fuel Tanks and Carburettors
27	14	Exhaust Pipe
28	15	Luggage Racks
29	16	Artificial Lighting

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(7) S.I. 1981/257; relevant amending instruments are S.I. 1982/20 and 1058, 1986/1812 and 1989/2359.

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Item No	Regulations	Affecting
30	17	Electrical Equipment
31	18	Body
32	20	Steps, Platforms and Stairs
33	21	Number, Position and Size of Entrances and Exits
34	22	Width of Exits and Entrances
35	23	Doors
36	24	Marking, Positioning and Operation of Emergency Exits
37	25	Access to Exits
38	28	Seats
39	29	Passenger Protection
40	30	Ventilation
41	31	Driver's Accommodation
42	32	Windscreens
43	33	Passengers' Communication with Driver
44	34	General Construction
45	35	Fire Extinguishing Apparatus
46	36	First Aid Equipment
47	38	Obstruction of Driver
48	39	Body Maintenance
49	44	Carriage of Inflammable or Dangerous Substances

(d) For minibuses of a type mentioned in regulation 41 of the Construction and Use Regulations, the following requirements specified in Schedules 6 and 7 to those Regulations:—

Item No	(Schedule 6)	Affecting
50	1	Exhaust Pipes
51	2	Doors
52	3	Emergency Doors
53	4	Power-operated Doors
54	5	Locks, Handles and Hinges of Doors
55	6	View of Doors
56	7	Access to Doors

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Item No	(Schedule 6)	Affecting
57	8	Grab Handles and Hand Rails
58	9	Seats
59	10	Electrical Equipment and Wiring
60	11	Fuel Tanks
61	12	Lighting of Steps
62	13	General Construction and Maintenance

Item No	(Schedule 7)	Affecting
63	I	Fire Extinguishing Apparatus
64	II	First Aid Equipment

(e) The requirements contained in the following provisions of the Lighting Regulations:—

Item No	Regulations	Affecting
65	18 and 23	End Outline Marker Lamp
66	18 and 23	Rear Fog Lamp
67	18 and 23	Hazard Warning Signal Device

(f) The requirements of the Community Recording Equipment Regulation (as defined in section 85 of the 1988 Act) insofar as they relate to the installation of recording equipment and the seals to be affixed to such equipment.

THE PRESCRIBED  
STATUTORY  
REQUIREMENTS FOR  
VEHICLES IN CLASS VII

3. The requirements specified in items 1 to 8 and 10 to 16 in paragraph 1 above and in item 17 of paragraph 2 above.”

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**EXPLANATORY NOTE**

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

These Regulations amend the Motor Vehicles (Tests) Regulations 1981 in several respects. The principal changes are—

1. These Regulations bring within the MOT testing regime, as a new Class VII, goods vehicles which have a design gross weight (as defined in regulation 3 of these Regulations) of more than 3000 kilograms but not exceeding 3500 kilograms. Such vehicles were formerly subject to the goods vehicle plating and testing system if they had an unladen weight exceeding 1525 kilograms. Exemptions from testing are granted for certain limited types of vehicles which would otherwise be brought within the testing regime. Transitional provision is made in respect of goods vehicles which are covered on the operative date by a valid goods vehicle test certificate, and in respect of vehicles which were previously excluded from the goods vehicle plating and testing requirements.

2. Schedules 2 and 3 of the 1981 Regulations, which set out the prescribed statutory requirements and the manner and conditions of carrying out tests are replaced by a single new Schedule 2 which sets out the prescribed statutory requirements for the classes of vehicles under the Regulations. The manner and conditions of carrying out tests will be the subject of instructions and guidance given administratively to authorised MOT examiners.

3. With effect from 1st April 1991 speed limiters become testable items on those coaches which are required to be fitted with them.

4. Requirements of the 1981 Regulations relating to inspection reports and cards are removed.

5. The fee of £18 is prescribed for the examination of a Class VII vehicle and the fee of £9 is set for the issue of a duplicate test certificate in respect of a Class VII vehicle.