
STATUTORY INSTRUMENTS

1997 No. 1679

ROAD TRAFFIC

**The Motor Vehicles (Tests)
(Amendment) (No.2) Regulations 1997**

<i>Made</i>	- - - -	<i>10th July 1997</i>
<i>Laid before Parliament</i>		<i>11th July 1997</i>
<i>Coming into force</i>	- -	<i>1st August 1997</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 45 and 46 of the Road Traffic Act 1988(1) and the Department of Transport (Fees) Order 1988(2), and of all other powers enabling him in that behalf, and 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. 2) Regulations 1997 and shall come into force on 1st August 1997.

Preliminary

2. The Motor Vehicles (Tests) Regulations 1981(3) shall be further amended in accordance with the following provisions of these Regulations.

Amendments to regulation 15 (results of examinations)

3.—(1) Regulation 15 shall be amended as follows.

(2) In paragraph (4)(c), after the words “by that examiner” there shall be inserted the words “or by a person authorised in that behalf by the Secretary of State”.

(3) After paragraph (4), there shall be inserted the following paragraph—

“(5) For the purposes of paragraph (4)(c) only, any test certificate or notice of the refusal of a test certificate which has been issued in accordance with the provisions of this

(1) 1988 c. 52; sections 45 and 46 were amended by paragraphs 52 and 53 of Schedule 4 to the Road Traffic Act 1991 (c. 40). Section 45 was also amended by paragraph 159 of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39).
(2) S.I. 1988/643, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant amending instruments are S.I. 1995/1684 and S.I. 1996/1961 and the relevant entry in Table III of Schedule 3 is item 1.
(3) S.I. 1981/1694; relevant amending instruments are 1984/1126, 1988/989 and 1894, 1991/253, 1992/1609, 1993/3011, 1995/2438 and 1996/1751.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

regulation or regulation 16 and which bears a facsimile, by whatever process reproduced, of the signature of the examiner or other authorised person shall be deemed to have been duly signed.”

Amendments to regulation 16 (refusal of a test certificate where braking test cannot be carried out)

4.—(1) Regulation 16 shall be amended as follows.

(2) In paragraph (2), sub-paragraph (b) and the word “and” immediately preceding it shall be omitted.

Amendments relating to fees

5. In each provision specified in column (1) of the Table below for the amount specified in relation to that provision in column (2) of that Table there shall be substituted the amount so specified in column (3) of that Table.

TABLE

(1) Regulation	(2) Existing Amount	(3) Substituted Amount
20(1)(a)	£11.90	£12.33
20(1)(aa)	£20.00	£20.64
20(1)(b)	£23.40	£24.12
20(1)(c)	£28.66	£29.42
20(1)(d)	£35.12	£36.15
20(1)(f)	£30.68	£31.60
25(2)	£36.00	£49.00

Signed by authority of the Secretary of State for Transport

Helene Hayman
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

10th July 1997

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”). Those Regulations make provision for certain motor vehicles to be examined by persons authorised by the Secretary of State and for test certificates to be issued for vehicles that are found to meet certain requirements.

Regulation 15 of the 1981 Regulations is amended by regulation 3 in relation to examinations carried out by an examiner appointed under section 66A of the Road Traffic Act 1988. Any test certificate or notice of the refusal of a test certificate, issued in accordance with regulation 15 or 16 of the 1981 Regulations, which formerly had to be signed by that examiner, can as an alternative be signed by a person authorised to do so by the Secretary of State. Any such certificate or notice is deemed to be duly signed if it bears a facsimile of the signature of the examiner or other duly authorised person.

Regulation 4 amends regulation 16 of the 1981 Regulations so as to remove an obsolete cross-reference.

Regulation 20 of the 1981 Regulations prescribes the fees payable for examinations of vehicles pursuant to applications made under regulation 12 of those Regulations.

By regulation 5, the fees payable for test examinations (the fees were last fixed on 1st August 1996) are increased as follows—

- (a) motor bicycles not having a side car attached, from £11.90 to £12.33;
- (b) motor bicycles with a side car attached, from £20.00 to £20.64;
- (c) vehicles in Class III (“light motor vehicles” other than motor bicycles), from £23.40 to £24.12;
- (d) vehicles in Class IV (“motor cars” and “heavy motor cars” not being vehicles within Class III, V, VI or VII), from £28.66 to £29.42;
- (e) vehicles in Class V (“large passenger-carrying vehicles”, particular public service vehicles and “play buses”), from £35.12 to £36.15; and
- (f) vehicles in Class VII (goods vehicles with a design gross weight of more than 3,000 but not more than 3,500 kgs), from £30.68 to £31.60.

Regulation 5 also increases the fee payable for the supply of 100 forms of test certificate from £36.00 to £49.00.

In the case of the vehicles mentioned above, the fee payable on an appeal against a notice of the refusal of a test certificate, is the same amount as the fee payable under regulation 20(1) of the 1981 Regulations, while the fee for a duplicate test certificate is half this amount. These fees will be increased accordingly.

A compliance cost assessment has been prepared and copies can be obtained from the Department of Transport, Zone 2/05, Great Minster House, 76 Marsham Street, London SW1P 4DR (Telephone 0171-271 4653). A copy has been placed in the library of each House of Parliament.