

SCHEDULE 2

Regulation 3(1)

SCHEDULE 2 VEHICLES

Meaning of “Schedule 2 vehicle”

1. A Schedule 2 vehicle is a relevant vehicle which is—
 - (a) a left hand drive vehicle;
 - (b) a personally imported vehicle;
 - (c) an amateur built vehicle;
 - (d) a vehicle manufactured in very low volume;
 - (e) a vehicle manufactured using parts of a registered vehicle;
 - (f) a disabled person’s vehicle;
 - (g) a rebuilt vehicle;
 - (h) a motor caravan as defined in Annex II.A of the 1970 Directive;
 - (i) an ambulance as defined in Annex II.A of the 1970 Directive;
 - (j) a hearse as defined in Annex II.A of the 1970 Directive; or
 - (k) an armoured vehicle as defined in Annex II.A of the 1970 Directive.

Personally imported vehicles

- 2.—(1) A vehicle is a personally imported vehicle if—
 - (a) it has been imported by a person entering the United Kingdom;
 - (b) that person had, at the time the vehicle was imported, been normally resident in a country other than the United Kingdom for a continuous period of at least 12 months;
 - (c) that person intends to become normally resident in the United Kingdom;
 - (d) the vehicle has been in the possession of that person and used by him in the country where he has been normally resident for a period of at least 6 months before its importation; and
 - (e) the vehicle is intended for his personal or household use in the United Kingdom.
- (2) For the purposes of this paragraph a person shall be treated as being normally resident in the country where he usually lives—
 - (a) for a period of, or periods together amounting to, at least 185 days in a period of 12 months;
 - (b) because of his occupational ties; and
 - (c) because of his personal ties.
- (3) In the case of a person with no occupational ties, sub-paragraph (2) shall apply with the omission of paragraph (b), provided that his personal ties show close links with that country.
- (4) Where a person has his occupational ties in one country and his personal ties in another country, he will be treated, for the purposes of this paragraph, as being normally resident in that latter country provided that either—
 - (a) his stay in the former country is in order to carry out a task of a definite duration, or
 - (b) he returns regularly to the country where he has his personal ties.
- (5) Notwithstanding paragraph (4), a United Kingdom citizen whose personal ties are in the United Kingdom but whose occupational ties are in a country other than the United Kingdom shall be treated for the purpose of this paragraph as normally resident in the country of his occupational

ties, provided that he has lived there for a period of, or periods together amounting to, at least 185 days in a period of 12 months.

Amateur built vehicles

3.—(1) A vehicle is an amateur built vehicle if—

- (a) the vehicle was constructed or assembled for the personal use of a relevant individual; and
- (b) the construction or assembly or a substantial part of the construction or assembly was carried out by—
 - (i) the individual referred to in paragraph (a),
 - (ii) one or more relevant individuals acting on his behalf and under his direction, or
 - (iii) the individual referred to in paragraph (a) and one or more relevant individuals acting on his behalf and under his direction.

(2) For the purposes of this paragraph, a reference to a relevant individual, in relation to a motor vehicle, is a reference to an individual who did not, at any time during the period when the construction or assembly of the vehicle was being carried out, carry on a business in the course of which motor vehicles are normally constructed or assembled.

Vehicles manufactured in very low volume

4.—(1) A vehicle is a vehicle manufactured in very low volume if the condition specified in either paragraph (2) or paragraph (3) is complied with.

(2) The condition specified in this paragraph is that the total number of vehicles of the family of types to which the vehicle in question belongs which are manufactured in the world for any period of 12 months falling within the period of 36 months immediately preceding the month in which the vehicle was manufactured does not exceed 200.

(3) The condition specified in this paragraph is that the number of vehicles of the type variant to which the vehicle in question belongs which are manufactured in the world for any period of 12 months falling within the period of 36 months immediately preceding the month in which the vehicle was manufactured does not exceed 20.

(4) For the purposes of sub-paragraph (3), a type variant consists exclusively of vehicles which do not differ in at least the following essential respects—

- (a) the manufacturer;
- (b) essential aspects of construction and design, that is to say in:
 - (i) obvious and fundamental differences in the chassis, floor pan or other parts of the vehicle's structure, or
 - (ii) the power plant (whether internal combustion, electric or hybrid);
- (c) body style (by way of example, saloon, hatchback, coupe, cabriolet or estate);
- (d) the following further characteristics of the power plant:
 - (i) its working principle (whether positive ignition or compression ignition, and whether four stroke or two stroke),
 - (ii) the number and arrangement of its cylinders,
 - (iii) differences in maximum power of more than 30% (the highest is more than 1.3 times the lowest), or
 - (iv) engine capacity differences of more than 20% (the highest is more than 1.2 times the lowest);

- (e) number, position or interconnection of the powered axles; or
- (f) number or position of the steered axles.

Vehicles manufactured using parts of a registered vehicle

5. A vehicle is a vehicle manufactured using parts of a registered vehicle if—
- (a) it is constructed or assembled by a person carrying on a business in the course of which motor vehicles are normally constructed or assembled;
 - (b) it is equipped with an engine which has previously been used as the engine of another vehicle which had been registered under the Vehicle Excise and Registration Act 1994 or any earlier Act relating to the registration of mechanically propelled vehicles; and
 - (c) it is equipped with one or more of the following components taken from the same vehicle as the engine—
 - (i) chassis;
 - (ii) body;
 - (iii) suspension;
 - (iv) an axle;
 - (v) transmission; or
 - (vi) steering assembly.

Disabled person's vehicle

6.—(1) A vehicle is a disabled person's vehicle if it is adapted or specially constructed so as to enable a person who has a disability to travel in the vehicle, whether as the driver or a passenger, in safety and reasonable comfort.

(2) In sub-paragraph (1), "disability" has the meaning given by section 1 of the Disability Discrimination Act 1995⁽¹⁾.

Rebuilt vehicles

7. A vehicle is a rebuilt vehicle if it—
- (a) is a vehicle to which the Secretary of State is required by regulation 7 to assign a vehicle identification number;
 - (b) does not fall within either of the classes defined by paragraphs 3 or 5; and
 - (c) has been rebuilt using a replacement chassis, or an integral chassis body, which is of the same design and construction as that of the original vehicle and which—
 - (i) was supplied for the purpose without having been previously used, or
 - (ii) previously formed part of a registered vehicle.

⁽¹⁾ 1995 c. 50.