

2006 No. 2680

ROAD TRAFFIC

**The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations
2006**

<i>Made</i> - - - -	<i>7th October 2006</i>
<i>Laid before Parliament</i>	<i>11th October 2006</i>
<i>Coming into force</i> - -	<i>7th November 2006</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 45 and 46 of the Road Traffic Act 1988(a) and by virtue of the Department of Transport (Fees) Order 1988(b).

In accordance with section 195(2) of that Act he has consulted with such representative organisations as he thinks fit.

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2006 and shall come into force on 7th November 2006.

Preliminary

2. The Motor Vehicles (Tests) Regulations 1981(c) shall be amended as follows.

Amendments to regulation 20 (fees for examinations)

3.—(1) Regulation 20 shall be amended as follows.

(2) In the provisions specified in column (1) of the following Table for the amounts specified in column (2) there shall be substituted the amounts specified in column (3).

(a) 1988 c.52; section 45 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 52 and by the Road Traffic (Vehicle Testing) Act 1999 (c. 12), section 1; section 46 was substituted by the Road Traffic (Vehicle Testing) Act 1999, section 2.

(b) S.I. 1988/643, which was made under the Finance (No. 2) Act 1987 (c. 51), section 102. The relevant amending instrument is S.I. 2003/1094 and the relevant entry in S.I. 1988/643 is Schedule 1, Table III, item 1.

(c) S.I. 1981/1694; relevant amending instruments are 1982/783; 1983/1147; 1984/401 and 1126; 1985/834; 1986/372 and 904; 1988/339 and 989; 1989/920 and 1694; 1990/628 and 1186; 1991/253, 455, 1525 and 2229; 1992/566, 1609 and 3160; 1993/3011; 1994/2136; 1995/2438; 1996/1751; 1997/81; 1998/1672; 1999/2199; 2000/1432 and 2322; 2001/1648 and 3330; 2002/488 and 1698; 2003/1113, 1698 and 1815; 2004/1632 and 1879; 2005/1832 and 2341; 2006/1998.

TABLE

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing Amount (£)</i>	<i>(3)</i> <i>Substituted Amount (£)</i>
20(1)(a)	23.80	27.15
20(1)(aa)	30.40	34.65
20(1)(b)	30.40	34.65
20(1)(c)(i)	46.15	52.60
20(1)(c)(ii)	44.15	50.35
20(1)(ca)	51.55	58.75
20(1)(d)(i)	65.00	74.10
20(1)(d)(ii)	47.95	54.65
20(1)(da)(i)	100.40	114.45
20(1)(da)(ii)	64.85	73.95
20(1)(f)	47.20	53.80

Amendment to regulation 25 (charges for entries in the electronic record and payments on account)

4. In regulation 25(1), for “£1.44” there shall be substituted “£1.71”.

Signed by authority of the Secretary of State

7th October 2006

S.J. Ladyman
Minister of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations 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. These certificates are commonly referred to as “MOT Certificates”.

Regulation 3(2) amends regulation 20 of the 1981 Regulations by increasing the fees payable for examinations of vehicles pursuant to applications made under regulation 12 of those Regulations. The increased fees for testing vehicles, other than those in Classes VI or VIA, reflect increased times to conduct an average MOT test based on the findings of a timing exercise conducted in early 2006. The new fees, with the percentage increase since the fees were last fixed being shown in brackets, are set out in the Table below.

Table

<i>Nature of examination</i>	<i>Existing fee (£)</i>	<i>Substituted fee (£)</i>
Motor bicycles without a side car.	23.80	27.15 (14%)
Motor bicycles with a side car.	30.40	34.65 (14%)
Vehicles in Class III (“light motor vehicles” other than motor bicycles).	30.40	34.65 (14%)
Vehicles in Class IV (“motor cars” and “heavy motor cars” not being vehicles within Class III, IV _A , V, V _A , or VII)—		
(i) if the vehicle is a minibus, and	46.15	52.60 (14%)
(ii) in any other case.	44.15	50.35 (14%)
Vehicles in Class IV _A (being minibuses which are not within Class IV; the vehicles in this Class cover “minibuses”, other than those excluded by virtue of a certificate of initial fitness issued on or after 1st August 1998 or compliance with certain type of approval requirements, not being vehicles within Class III, V or V _A in respect of which any forward-facing seat is fitted with a relevant seat belt).	51.55	58.75 (14%)
Vehicles in Class V (“large passenger-carrying vehicles”, particular public service vehicles and “play buses” not being vehicles within Class V _A)—		
(i) if the vehicle is constructed or adapted to carry more than 16 passengers, and	65.00	74.10 (14%)
(ii) in any other case.	47.95	54.65 (14%)
Vehicles in Class V _A (“large passenger-carrying vehicles”, particular public service vehicles and “play buses”, other than those excluded by virtue of a certificate of initial fitness issued on or after 1st August 1998 or compliance with certain type approval requirements, in respect of which any forward-facing seat is fitted with a relevant seat belt)—		
(i) if the vehicle is constructed or adapted to carry more than 16 passengers, and	100.40	114.45 (14%)
(ii) in any other case.	64.85	73.95 (14%)
Vehicles in Class VII (goods vehicles with a design gross weight of more than 3,000 kg but not more than 3,500 kg).	47.20	53.80 (14 %)

In the case of the vehicles mentioned above, under regulation 21 of the 1981 Regulations, the fee payable on an appeal against a notice of the refusal of a test certificate is the same amount as the fee payable for an examination. Those fees are increased accordingly.

Regulation 4 provides for an increase in the charge for the making of entries in the computerised record in respect of vehicles which pass the MOT test. The charge is being increased by 18.75% from £1.44 to £1.71. (There is no charge for entries in respect of vehicles which fail the MOT test.)

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Department for Transport, 5th floor, Southside, 105 Victoria Street, London SW1E 6DT (telephone number: 020 7944 2455). A copy has been placed in the library of each House of Parliament. The regulatory impact assessment may also be accessed on the OPSI website www.opsi.gov.uk.

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