
STATUTORY INSTRUMENTS

2008 No. 1444

ROAD TRAFFIC

**The Road Vehicles (Registration and Licensing)
(Amendment) (No. 2) Regulations 2008**

<i>Made</i>	- - - -	<i>5th June 2008</i>
<i>Laid before Parliament</i>		<i>12th June 2008</i>
<i>Coming into force</i>	- -	<i>13th July 2008</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 22(1)(h), 22A(2)(a), 22A(3)(d), 57 and 61B of the Vehicle Excise and Registration Act 1994(1).

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 2008 and shall come into force on 13th July 2008.

Preliminary

2. The Road Vehicles (Registration and Licensing) Regulations 2002(2) shall be amended as follows.

Amendments to Schedule 2 (reduced pollution certificates and the reduced pollution requirements)

3.—(1) Schedule 2 shall be amended as follows.

(2) In paragraph 12(2)(c)(i), for “the Goods Vehicle Centre, Welcombe House, 91/92 The Strand, Swansea SA1 2DH” substitute “such office of the Vehicle and Operator Services Agency as he may direct”.

(3) In paragraph 13—

(a) in sub-paragraph (1)(a), for “£28” substitute “£29”; and

(1) 1994 c. 22; section 22A was inserted by section 33(2) of the Vehicles (Crimes) Act 2001 (c. 3). Section 57 was amended by the Finance Act 1996 (c. 8), section 23 and Schedule 2, paragraph 16, and by the Finance Act 2002 (c. 23), sections 19(1) and 141, Schedule 5, paragraphs 1 and 16 and Schedule 40. Section 61B was inserted by the Finance Act 1998 (c. 36), section 16 and Schedule 1, paragraph 2, and by the Finance Act 2006 (c. 25), section 14.

(2) S.I. 2002/2742; relevant amending instruments are S.I. 2003/2335, 2004/1872 and 2009, 2005/2344 and 2007/498.

- (b) in sub-paragraph (3), for “£6” substitute “£7”.

Amendments to Schedule 3 (issue of new registration document)

- 4. In paragraph 7 of Schedule 3—
 - (a) in sub-paragraph (1), for “£36” substitute “£38”;
 - (b) in sub-paragraph (2), for “£5.50” substitute “£6”; and
 - (c) in sub-paragraph (3), for “£7.50” substitute “£8”.

Signed by authority of the Secretary of State

5th June 2008

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Registration and Licensing) Regulations 2002 (“the 2002 Regulations”).

The Vehicle Excise and Registration Act 1994 (“the 1994 Act”) provides for reduced rates of vehicle excise duty to be applicable to certain buses, haulage vehicles and heavy goods vehicles (“eligible vehicles”) which meet the reduced pollution requirements. Regulation 5 of, and Schedule 2 to, the 2002 Regulations prescribe the reduced pollution requirements for the purposes of the 1994 Act and provide for the issue of reduced pollution certificates where the requirements are found to be satisfied.

Regulation 3 amends paragraph 12(2)(c)(i) of Schedule 2 to the 2002 Regulations so as to allow the Secretary of State to direct appeals against the refusal or revocation of a reduced pollution certificate to the appropriate VOSA office. This change is necessary so as to accommodate the relocation of the Goods Vehicle Centre. Details of the address will be publicised in all places where information about goods vehicles services is provided.

The fees for such examinations are prescribed in paragraph 13 of Schedule 2 to the 2002 Regulations. Where an examination of a vehicle is carried out under paragraph 8 of Schedule 2 to the 2002 Regulations (re-examination of a vehicle for which a reduced pollution certificate is in force) no fee is payable.

Regulation 3 also increases the fees prescribed in paragraph 13. Where the examination of an eligible vehicle is not carried out at the same time as an examination for other specified purposes the fee is increased by 3.6% from £28 to £29 (paragraph 13(1)(a)). Where the examination is, at the applicant’s request, conducted otherwise than at premises provided for by the Secretary of State the supplement to the normal fee is increased by 16.7% from £6 to £7 (paragraph 13(3)).

Where the examination of an eligible vehicle is carried out at the same time as an examination for other specified purposes the fee remains unchanged at £17 (paragraph 13(1)(b)). Where an examination is, at the applicant’s request, conducted “out of hours” the supplement to the normal fee remains unchanged at £11 (paragraph 13(2)).

Regulation 15 of, and Schedule 3 to, the 2002 Regulations provide that where an insurer has informed the Secretary of State that a vehicle is uneconomical to repair or the registration document has been surrendered to the Secretary of State under regulation 20(5) of those Regulations, the vehicle must undergo an examination to confirm it is the registered vehicle before a new registration document is issued. The examination is known as a “Vehicle Identity Check”. The fees for such examinations are prescribed in paragraph 7 of Schedule 3 to the 2002 Regulations.

Regulation 4 increases the fees prescribed in paragraph 7. The fee payable for an examination before the issue of a new registration document or for an appeal against the refusal to conduct the examination is increased by 5.6% from £36 to £38 (paragraph 7(1)). Where the examination is, at the applicant’s request, conducted otherwise than at premises provided for by the Secretary of State, the supplement to the normal fee is increased by 9.1% from £5.50 to £6 (paragraph 7(2)). Where the examination is, at the applicant’s request, conducted “out of hours”, or in a case where the examination is conducted otherwise than at premises provided for by the Secretary of State, further supplement, is increased by 6.7% from £7.50 to £8 (paragraph 7(3)).

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the VOSA Corporate Office, Berkeley House, Croydon Street,

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Bristol BS5 0DA (telephone number: 0117 954 3200). A copy has been placed in the library of each House of Parliament. The impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website www.opsi.gov.uk.