

2009 No. 880

ROAD TRAFFIC

**The Road Vehicles (Registration and Licensing) (Amendment)
Regulations 2009**

<i>Made</i>	- - - -	<i>2nd April 2009</i>
<i>Laid before Parliament</i>		<i>8th April 2009</i>
<i>Coming into force</i>	- -	<i>3rd May 2009</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 22(1)(h), 22(1)(i), 22A(2)(a), 22A(3)(d), 57 and 61B of the Vehicle Excise and Registration Act 1994(a) and by virtue of the Department for Transport (Fees) Order 2009(b).

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) Regulations 2009 and come into force on 3rd May 2009.

Preliminary

2. The Road Vehicles (Registration and Licensing) Regulations 2002(c) are amended as follows.

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

3. In paragraph 13 of Schedule 2—

- (a) in sub-paragraph (1)(a), for “£29” substitute “£32”;
- (b) in sub-paragraph (1)(b), for “£17” substitute “£19”;
- (c) in sub-paragraph (2), for “£11” substitute “£12”; and
- (d) in sub-paragraph (3) for “£7” substitute “£3”.

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- (a) 1994 c.22; section 22(1)(h) was amended by the Vehicle Crimes Act 2001 (c.3) (“the 2001 Act”), section 33(1) and by the Finance Act 1996 (c.8) (“the 1996 Act”), Schedule 2, paragraphs 4(1) and 4(4). Section 22(1)(i) was inserted by the 1996 Act, Schedule 2, paragraphs 4(1) and 4(5). Section 22A was inserted by section 33(2) of the 2001 Act. Section 57 was amended by the 1996 Act, section 205, Schedule 2, paragraph 16 and Schedule 41, Part II(6), and by the Finance Act 2002 (c.23), section 141, Schedule 5, paragraphs 1 and 16 and Schedule 40. Section 61B was inserted by the Finance Act 1998 (c.36), Schedule 1, paragraph 2 and amended by the Finance Act 2006 (c.25), section 14 and by the Finance Act 2008 (c.9), section 148.
 - (b) S.I. 2009/711. The relevant provisions in S.I. 2009/711 are article 6 and paragraphs 39, 42 and 43 of Schedule 1, together with article 9 and Schedule 2.
 - (c) S.I. 2002/2742; relevant amending instruments are S.I. 2003/2335, 2004/1872 and 2099, 2005/2344, 2007/498 and 2008/1444.

Amendments to Schedule 3 (issue of new registration document)

4. In paragraph 7 of Schedule 3—

- (a) in sub-paragraph (1), for “£38” substitute “£41”;
- (b) in sub-paragraph (2), for “£6” substitute “£4”; and
- (c) in sub-paragraph (3), for “£8” substitute “£9”.

Signed by authority of the Secretary of State

2nd April 2009

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.

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 changes 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 10.3% from £29 to £32 (paragraph 13(1)(a)). Where the examination of an eligible vehicle is carried out at the same time as an examination for other specified purposes the fee is increased by 11.8% from £17 to £19 (paragraph 13(1)(b)).

In either case, where an examination is, at the applicant’s request, conducted “out of hours” the supplement to the normal fee is increased by 9.1% from £11 to £12 (paragraph 13(2)); and where the examination is, at the applicant’s request, conducted otherwise than at premises provided by the Secretary of State the supplement to the normal fee is decreased by 57.1% from £7 to £3 (paragraph 13(3)).

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 changes 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 7.9% from £38 to £41 (paragraph 7(1)). Where the examination is, at the applicant’s request, conducted otherwise than at premises provided by the Secretary of State, the supplement to the normal fee is decreased by 33.3% from £6 to £4 (paragraph 7(2)). Where the examination is, at the applicant’s request, conducted “out of hours”, the supplement to the normal fee is increased by 12.5% from £8 to £9 (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, Bristol BS5 0DA (telephone: 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.

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STATUTORY INSTRUMENTS

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£4.00