

EXPLANATORY MEMORANDUM TO
THE ROAD VEHICLES (REGISTRATION AND LICENSING) (AMENDMENT)
REGULATIONS 2015

2015 No. 403

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 These Regulations further amend the Road Vehicles (Registration and Licensing) Regulations 2002. The Department is doing this to enable certain changes to vehicle registration documents to be made on line or by telephone. Provision is also made for vehicle traders to notify such changes in certain circumstances on the vehicle keeper's behalf. The Regulations also provide that a person who is registered as the keeper of 50 or more vehicles is defined as the "keeper of a fleet" and for such a person to be able to choose whether they wish to have a registration document to be issued and the address to which such document may be issued.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

3.1 None.

4. Legislative Context

4.1 The Vehicle Excise and Registration Act 1994 provides that the Secretary of State may by Regulations make provision with respect to the registration of vehicles. The relevant Regulations are the Road Vehicles (Registration and Licensing) Regulations 2002 ("the 2002 Regulations"), Part 3 of which sets out the requirements for the registration of vehicles and the issue of registration documents in various circumstances and Part 4 of which sets out provisions in relation to notifications and changes to those documents. In general, the 2002 Regulations provide for details of changes in relation to registered vehicles to be provided by the keeper in writing and there is no flexibility to prevent the issue of registration documents to persons who do not wish to keep them because of the administrative resources required to manage a large volume of paper documents.

4.2 These Regulations make the following changes to the 2002 Regulations;

- Notifications of changes in relation to vehicle registration documents and records may be provided by phone or electronically in a wide range of circumstances.
- A person who is the registered keeper of 50 or more vehicles is to be treated as the keeper of a fleet and thereby only have a registration document issued when that keeper asks for it. In that event, the registration document may, with the Secretary of State's agreement, be issued and sent to an address nominated by that keeper.
- Vehicle Traders by whom a vehicle is being sold are permitted to notify changes on the keeper's behalf.
- Other minor and consequential amendments are also being made to clarify and update the 2002 Regulations.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- What is being done and why;

7.1 The Secretary of State's functions in relation to the 2002 Regulations are carried out by the Driver and Vehicle Licensing Agency (DVLA) including the requirements in relation to the registration of vehicles and the vehicle record.

7.2 During the Road Transportation theme of the Red Tape Challenge, comments were received about the lack of electronic services for notifying changes to vehicles, the bureaucracy of the administration process and timeliness of delivery for manual notifications. One of the major outcomes of the Challenge is a drive to reduce regulatory burden on vehicle keepers and business by removing the requirement for unnecessary paperwork to be provided. In consequence, the policy is to allow registered keepers and vehicle traders to make electronic notifications (online) and by telephone about any changes to the vehicle record whenever this is possible.

7.3 The DVLA already offers a number of electronic services to motorists and the policy is to extend these so that a wider range of changes may be notified by telephone or electronically. For example, customers should be able to notify DVLA by telephone or online when their vehicle has been disposed to a trade

dealer, transferred or sold. It is also the intention that vehicle keepers may notify a change of personal details or export of their vehicle online.

- 7.4 Keepers of fleets also want the facility to notify changes of name and address electronically along with changes to vehicle particulars, to provide an easier and quicker process to that of giving written notifications.
- 7.5 It is also intended to remove the requirement to issue a registration document to the keeper of a fleet of 50 or more vehicles when a vehicle is registered or when a change to the vehicle or registered keeper is notified. Instead, a new registration document will only be issued when the registered keeper requests one. At the same time such keepers will be able to view information relevant to their individual vehicle records online. These measures will decrease the administrative burden and costs for keepers of a fleet who would otherwise have to store and manage large numbers of registration documents while maintaining access to the vehicle records for reference purposes.
- 7.6 Allowing the keeper of a fleet to nominate the address to which the registration document may be issued is a further relaxation of requirements, as such keepers often dispose of vehicles via third party contractors and it will save the keeper time, and administrative resource, if the relevant documents can be sent direct to the third party.
- Consolidation
- 7.7 No consolidation is currently planned by the Department.

8. Consultation outcome

- 8.1 The Motoring Services Strategy Consultation outlined the vision, to be at the forefront of digital services and to maximise the digital delivery of services to motorists. Additionally, the Transforming DVLA Services consultation focussed on the increase in digital services. There is strong support for more digital services to be available to customers.
- 8.2 The Government's Red Tape Challenge focuses on reducing regulatory burden. During the Road Transportation theme of the Red Tape Challenge, a number of comments were received about the administrative burden for large fleet companies when storing and handling registration documents. Comments surrounded the bureaucracy of the administration process. DVLA has undertaken an informal stakeholder engagement exercise with the Fleet Industry. The British Vehicle Rental and Leasing Association (BVRLA) said that the proposal is considered an opportunity for members and will provide time and cost savings to fleet companies of approximately three million pounds a year.

9. Guidance

9.1 Information will be available via the GOV.UK website and also through publications available from the DVLA.

10. Impact

10.1 The impact on business, charities or voluntary bodies is considered to be positive.

10.2 The impact on the public sector is considered to be positive.

10.3 Two Impact Assessments are attached to this memorandum and will be published alongside the Explanatory Memorandum on the legislation.gov.uk website.

11. Regulating small business

11.1 The legislation applies to small business.

11.2 To minimise the impact of the requirements on firms employing up to 20 people, the approach taken means that transactions with the DVLA are made easier and regulatory burdens are reduced.

11.3 The decision on what action to take to assist small business was based on the outcome from the consultation and the impact assessments. This has helped ensure that the effect of these Regulations on small businesses is proportionate and appropriate and recognises the particular pressures faced by this sector.

12. Monitoring & review

12.1 The DVLA will continue to monitor and review the policy and in particular whether there is an increase in administration and costs for keepers of a fleet. Any increase in the take-up of online services offered by the DVLA will also provide a key measure for assessing the success of this instrument in achieving the intended outcomes.

12.2 A post-implementation review is planned in 5 years.

13. Contact

Mr John Vale at the Driver and Vehicle Licensing Agency (DVLA) (Tel: 01792 783864 or email: john.vale@dvla.gsi.gov.uk) can answer any queries regarding the instrument.