The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 45(1), (2) and (7), 46(7)(a), and 47(5) to (7) of the Road Traffic Act 1988(a).

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

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) Regulations 2017 and come into force on 20th May 2018.

Amendment of the Motor Vehicles (Tests) Regulations 1981

2. The Motor Vehicles (Tests) Regulations 1981(b) are amended as follows.

3. In regulation 3(1), before the definition of “authorisation” insert—

“American pickup” means a motor vehicle with a manufacturer’s declaration (on a plate on the vehicle) that it meets the motor vehicle safety standards applicable under the law in the United States of America or Canada(c) and—

(a) is capable of carrying a driver and at least one passenger;
(b) is capable of carrying goods in an open load bed separate from the driver/passenger compartment, with or without a removable cover; and
(c) has a gross design weight over 3,000kg but does not exceed 6,500kg;“.

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(a) 1988 c.52. Section 45(1) was substituted by paragraph 52(2) of Schedule 4 to the Road Traffic Act 1991 (c. 40). Section 46 was substituted by section 2 of the Road Traffic (Vehicle Testing) Act 1999 (c. 12) and amended by paragraph 26(2) to (5) of Schedule 10 to the Deregulation Act 2015 (c. 20). See the definition of “prescribed” in section 85.


4. In regulation 5—

(a) for paragraph (1) substitute—

“(1) For the purposes of these Regulations motor vehicles to which they apply are classified as follows—

(a) Class I: Light motor bicycles in EU categories L1e, L3e and L4e;
(b) Class II: Motor bicycles in EU categories L3e and L4e;
(c) Class III: Light motor vehicles in EU categories L2e and L5e;
(d) Class IV:
   (i) Motor vehicles in EU categories L5e, L6e, L7e, M1, M2, M3 and N1 not being vehicles within Classes III, IVA, V, VA, VI, VIA or VII; and
   (ii) American pickups;
(e) Class IVA: Minibuses, other than vehicles to which paragraph (4) applies, in EU categories M2 and M3 not being vehicles within Classes III, V, VA, VI or VIA, in respect of which any forward-facing seat is fitted with a relevant seat belt;
(f) Class V: Motor vehicles in EU categories M2 and M3 not being vehicles within Class VA which are—
   (i) large passenger-carrying vehicles;
   (ii) public service vehicles—
      (aa) of a type specified in paragraph (3), and
      (bb) constructed or adapted to carry more than 12 seated passengers, and
   (iii) play buses;
(g) Class VA: Motor vehicles, other than vehicles to which paragraph (4) applies, in EU categories M2 and M3 which are—
   (i) large passenger-carrying vehicles;
   (ii) public service vehicles—
      (aa) of a type specified in paragraph (3), and
      (bb) constructed or adapted to carry more than 12 seated passengers, and
   (iii) play buses,
   in respect of which any forward-facing seat is fitted with a relevant seat belt;
(h) Class VI: Public service vehicles, other than those of a type specified in paragraph (3), in EU categories M2 and M3 not being vehicles within Class VIA;
(i) Class VIA: Public service vehicles, not being vehicles to which paragraph (4) applies, in EU categories M2 and M3 other than those of a type specified in paragraph (3), in respect of which any forward-facing seat is fitted with a relevant seat belt;
(j) Class VII: Goods vehicles in EU category N1 of which the design gross weight is more than 3,000 kilograms but does not exceed 3,500 kilograms;

and (except as otherwise provided in these Regulations) any reference in these Regulations to a class of vehicles is to be construed accordingly.”,

(b) After paragraph (5) insert—

“(6) In this regulation references to vehicles in EU categories—

(a) L1e to L7e are to those categories as described in Annex 1 to Regulation (EU) 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two or three-wheel vehicles and quadricycles(a);”;

(a) OJ No L 60, 2.3.2013, p52.
(b) M1 to M3, and N1, are to those categories as described in Annex 2 to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(a).

5. In regulation 6(1)—
   (a) in sub-paragraph (xxi), for paragraph (b) substitute—
       “(b) a vehicle which has an inside track width of less than 810 millimetres;”
   (b) omit sub-paragraphs (xxii) and (xxiii),
   (c) for sub-paragraph (xxvi), substitute—
       “(xxvi) a public service vehicle having a date of manufacture before 1st January 1960
       and which has not undergone substantial changes in the technical
       characteristics of its main components;”;
   (d) at the end insert—
       “(xxvii) a vehicle which is incapable, by reason of its construction, of exceeding a
       speed of 15.5 miles per hour on the level under its own power;
       (xxviii) a vehicle of historical interest other than a public service vehicle.”.

6. In regulation 6(3)(b) for “Islands of” substitute “islands of Bute, “.

7. In regulation 6(5) at the end insert—
   ““vehicle of historical interest” means a vehicle which is considered to be of historical
   interest to Great Britain and which—
   (a) was manufactured or registered for the first time at least 40 years previously,
   (b) is of a type no longer in production, and
   (c) has been historically preserved or maintained in its original state and has not
   undergone substantial changes in the technical characteristics of its main
   components,
   where “type” in relation to a vehicle has the meaning given in paragraph 1 of Schedule 3 of
   the Road Vehicles (Approval) Regulations 2009(b).”.

8. In regulation 31(2) for “2009/40/EC” substitute “2014/45/EU of the European Parliament and
   of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their
   trailers”(c).

9. In paragraph 1 of Schedule 2—
   (a) in the table in sub-paragraph (a), in the entry for number 6, in the second column at the
   beginning insert “22 and”,
   (b) in the table in sub-paragraph (c), in the entry for number 13A, in the second column for
   “9” substitute “10”.

10. In paragraph 2 of Schedule 2—
    (a) in the table in sub-paragraph (b)—

(b) S.I. 2009/717, to which there are amendments not relevant to these Regulations.
(c) OJ L127 29.4.14, p31.
(i) in the entry for item 14, in the second column for “15, 16 and 18” substitute “15 to 17, and 18”,  
(ii) in the entry for item 15, in the second column after “30” insert “to 32”,  
(iii) in the entry for item 22, in the second column after “the body” add “, body fittings, interior fittings”, and in the third column before “Structure and Suspension” add “Body, Body Fittings,”,  
(b) in the table in sub-paragraph (c), in the entry for item 25—  
(i) in the second column for “18 and 23” substitute “18, 20 and 23”,  
(ii) in the third column for “Rear Fog Lamp” substitute “Front and Rear Fog Lamps”,  
(c) in the table in sub-paragraph (c), after item 26 insert—

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Regulations</th>
<th>Affecting</th>
</tr>
</thead>
<tbody>
<tr>
<td>26A</td>
<td>18 and 23</td>
<td>Reversing Lamp</td>
</tr>
<tr>
<td>26B</td>
<td>18 and 23</td>
<td>Daytime Running Lamp,</td>
</tr>
</tbody>
</table>

(d) in the table in sub-paragraph (d), in the entry for item 27, for “4, 5, 6, 7 and 9 to 15” substitute “4 to 7 and 10 to 15”.

11. In paragraph 3 of Schedule 2—  
(a) in sub-paragraph (a), for “2, 3, 4 and 7 to 27” substitute “2 to 4, 7 to 13 and 14 to 27”,  
(b) in the table in sub-paragraph (b)—  
(i) after item 27A insert—

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Regulations</th>
<th>Affecting</th>
</tr>
</thead>
<tbody>
<tr>
<td>27B</td>
<td>35 and 36</td>
<td>Speedometer</td>
</tr>
</tbody>
</table>

(ii) in item 28 after “61” insert “and 61A”, and after “Emissions” insert “and Emission Control Devices”,  
(iii) in item 28XB omit “, including its ventilation and any connected switches or fuses,”.  
(iv) after item 28XE insert—

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Regulations</th>
<th>Affecting</th>
</tr>
</thead>
<tbody>
<tr>
<td>28XF</td>
<td>100(1) (insofar as it relates to the condition of seats, doors and other openings, body fittings and interior fittings to the extent that such condition may cause danger)</td>
<td>Cab (including steps and step rings), seats, doors, other openings and driving controls</td>
</tr>
<tr>
<td>28XG</td>
<td>100(1) (insofar as it relates to spare wheel and carrier, transmission, engine mountings and steering lock)</td>
<td>Spare wheel and carrier, transmission, engine mountings and steering lock</td>
</tr>
<tr>
<td>28XH</td>
<td>100(1) (insofar as it relates to tyre pressure monitoring systems)</td>
<td>Tyre pressure monitoring systems</td>
</tr>
</tbody>
</table>

(c) The requirements contained in the following provisions of the Lighting Regulations—

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Regulations</th>
<th>Affecting</th>
</tr>
</thead>
<tbody>
<tr>
<td>28XJ</td>
<td>18 and 23</td>
<td>End outline marker lamp</td>
</tr>
</tbody>
</table>

12. In paragraph 3A of Schedule 2, in sub-paragraph (a), for “2, 3, 4 and 7 to 28XE” substitute “2 to 4, 7 to 13, 14 to 28XJ”.

13. In paragraph 4 of Schedule 2—  
(a) in sub-paragraph (a) for “2, 3, 4, 7 to 13, 16 to 20, 21, 22, and 24 to 28XE” substitute “2 to 4, 7 to 13, 16 to 22, 24 to 28XG, and 28XJ”,  
(b) in the table in sub-paragraph (b) omit entry 31.

14. In paragraph 4A of Schedule 2, for “2, 3, 4, 7 to 13, 16 to 20, 21, 22 and 24 to 33” substitute “2 to 4, 7 to 13, 16 to 22, 24 to 28XG, 28XJ, and 29 to 33”.

4
15. In paragraph 5 of Schedule 2—
   (a) in sub-paragraph (a) for “2, 3, 4, 7 to 13, 16 to 20, 22, 24, 25, 26, 27, 28 and 29 to 33” substitute “2 to 4, 7 to 13, 16 to 20, 22, 24 to 27B, 28 to 28XG, and 28XJ to 33”,
   (b) omit sub-paragraph (e).

16. In paragraph 5A of Schedule 2, in sub-paragraph (a) for “2, 3, 4” substitute “2 to 4” and for “20, 22, 24 to 26, 27, 28 to 38” substitute “20 to 22, 24 to 28XG, 28XJ to 38”.

17. In paragraph 6 of Schedule 2, for “2, 3, 4, 7 to 13, 15 to 28, 29 and 29A” substitute “2 to 4, 7 to 13, 15 to 28XG, and 28XJ to 29A”.

Signed by authority of the Secretary of State

Jesse Norman
Parliamentary Under Secretary of State

11th September 2017
Department for Transport
EXPLANATORY NOTE
(This note is not part of the Regulations)

The Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”) make provision about the testing of motor vehicles other than good vehicles.


The Regulations amend the 1981 Regulations to bring American pickups and Class VII vans used on the Isle of Bute within scope of the testing regime, and to exclude vehicles with a design speed of no more than 15.5 miles per hour, and vehicles of historical interest from that regime. They amend Schedule 2 of the 1981 Regulations which specifies the requirements to be complied with in relation to a vehicle on testing.

An impact assessment of the effect of exempting vehicles of historical interest from periodic testing on the costs of business, the voluntary sector and the public sector is available from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR. A copy may be obtained from the Department for Transport website (www.gov.uk/government/organisations/department-for-transport). An Explanatory Memorandum and a Transposition Note are published alongside the instrument on www.legislation.gov.uk. The Directive referred to above is published at http://eur-lex.europa.eu.

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