
STATUTORY INSTRUMENTS

1995 No. 2994

The Road Traffic (Northern Ireland) Order 1995

Part III

Construction and Use of Vehicles and Equipment

Tests of vehicles other than goods vehicles to which Article 65 applies

Obligatory test certificates

63.—(1) A person who uses on a road or other public place at any time, or causes or permits to be so used, a motor vehicle to which this Article applies, and as respects which no test certificate has been issued within the appropriate period before that time, is guilty of an offence.

In this Article and Article 64, the “appropriate period” means a period of 12 months or such shorter period as may be prescribed.

(2) Subject to paragraphs (3) and (5), the motor vehicles to which this Article applies at any time are—

- (a) those first registered under the Vehicle Excise and Registration Act 1994⁽¹⁾ or any earlier corresponding legislation, not less than 5 years before that time; and
- (b) those which, having a date of manufacture not less than 5 years before that time, have been used on roads (whether in Northern Ireland or elsewhere) before being so registered,

being, in either case, motor vehicles other than goods vehicles which are required by regulations under Article 65 to be submitted for a goods vehicle test.

(3) As respects a vehicle being—

- (a) a motor vehicle used for the carriage of passengers and with more than 8 seats, excluding the driver’s seat; or
- (b) a taxi (within the meaning of Article 79A(8) of the Order of 1981) being a vehicle used to stand or ply for hire or carry passengers for hire; or
- (c) an ambulance, that is to say, a motor vehicle which is constructed or adapted, and primarily used, for the carriage of persons to a place where they will receive, or from a place where they have received, medical or dental treatment, and which, by reason of design, marking or equipment is readily identifiable as a vehicle so constructed or adapted,

paragraph (2)(a) shall have effect as if for the period there mentioned there were substituted a period of one year.

(4) For the purposes of paragraph (2)(b), there shall be disregarded—

- (a) the use of a vehicle before it is sold or supplied by retail, and

- (b) the use of a vehicle to which a motor dealer has assigned a mark under section 24 of the Vehicle Excise and Registration Act 1994 before it is registered by the Secretary of State under section 21(2) of that Act.
- (5) This Article does not apply to vehicles of such classes as may be prescribed.
- (6) The Department may by regulations exempt from paragraph (1) the use of vehicles of such purposes as may be prescribed.
- (7) The Department may by regulations exempt from paragraph (1) the use of vehicles in any such area as may be prescribed.
- (8) For the purpose of this Article the date of manufacture of a vehicle shall be taken to be the last day of the year during which its final assembly is completed, except where after that day modifications are made to the vehicle before it is sold or supplied by retail, and in that excepted case shall be taken to be the last day of the year during which the modifications are completed.
- (9) The Department may by order, made subject to affirmative resolution, direct—
 - (a) that paragraph (2) shall have effect with the substitution, for 5 years (in both places), of such other period (not being more than 10 years) as may be specified in the order; and
 - (b) that Article 78(3) shall have effect with the substitution, for 5 years, of that other period.