



Road Traffic Act 1972

1972 CHAPTER 20

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

General provisions

- 44** **Obligatory test certificates for vehicles other than goods vehicles to which s.45 applies**
- (1) A person who uses on a road at any time, or causes or permits to be so used, a motor vehicle to which this section applies, and as respects which no test certificate has been issued within the appropriate period before the said time, shall be guilty of an offence.
 - (2) Subject to section 43(1) of this Act and to subsection (4) below, the motor vehicles to which this section applies at any time are—
 - (a) those first registered under the Vehicles (Excise) Act 1971, the Vehicles (Excise) Act 1962, the Vehicles (Excise) Act 1949 or the Roads Act 1920, not less than ten years before that time, and
 - (b) those which, having a date of manufacture not less than the specified period before that time, have been used on roads (whether in Great Britain or elsewhere) before being registered under the Vehicles (Excise) Act 1971 or the Vehicles (Excise) Act 1962.
 - (3) For the purposes of paragraph (b) above there shall be disregarded the use of a vehicle—
 - (a) before it is sold or supplied by retail; or
 - (b) before it is registered by the Secretary of State under paragraph (b) of section 19(1) of the Vehicles (Excise) Act 1971 (registration when Secretary of State receives from a motor dealer particulars of a vehicle to which the dealer has assigned a mark under section 20 thereof) and after a mark is so assigned to it.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) This section shall not apply to public service vehicles (within the meaning of Part III of the Road Traffic Act 1960) adapted to carry eight or more passengers or to vehicles of such classes as may be prescribed.
- (5) The Secretary of State may by order made by statutory instrument direct that subsection (2)(a) above shall have effect with the substitution, for ten years, of such shorter period as may be specified in the order.

An order under this subsection shall not have effect unless approved by resolution of each House of Parliament.

- (6) The Secretary of State may by regulations exempt from subsection (1) above the use of vehicles for such purposes as may be prescribed.
- (7) The Secretary of State may by regulations exempt from subsection (1) above the use of vehicles in any such area as may be prescribed.
- (8) For the purpose of spreading the work of issuing certificates in contemplation of a change in the length of the period specified under subsection (5) above or of the appropriate period (and whether for purposes of this section or section 52 of this Act), the order or, as the case may be, regulations changing the length of that period may be made so as to come into operation on different days as respects vehicles first registered under any of the enactments mentioned in subsection (2) above at different times.
- (9) Where within the appropriate period after a test certificate is issued or treated for the purposes of this section as issued, but not earlier than one month before the end of that period, a further test certificate is issued as respects the same vehicle, the further certificate shall be treated for the purposes of this section as if issued at the end of the said appropriate period.
- (10) Where the particulars contained in a test certificate in accordance with regulations made under section 43(6) of this Act include a date of expiry falling later, but not more than one month later, than the end of the appropriate period after the date on which it is issued, the certificate shall be deemed to have been issued in respect of the same vehicle as an earlier test certificate and the date on which it was issued shall be deemed to have been a date falling within the last month of the appropriate period after the date on which that earlier certificate was issued or treated for the purposes of this section as issued ; and any date of expiry contained in a test certificate shall be deemed to have been entered in accordance with such regulations unless the contrary is proved.
- (11) For the purposes of this section 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 the said excepted case shall be taken to be the last day of the year during which the modifications are completed.
- (12) Any power conferred by this section to make an order shall include power, exercisable in like manner and subject to the like provisions, to vary or revoke the order.
- (13) In this section—

" appropriate period " means a period of twelve months or such shorter period as may be prescribed ;

" specified period " means a period of ten years or such shorter period as may be specified in an order under subsection (5) above.