
STATUTORY INSTRUMENTS

1981 No. 1694

The Motor Vehicles (Tests) Regulations 1981

PART I GENERAL

Exemptions

6.—(1) Pursuant to section 44(4) the Secretary of State hereby prescribes the following vehicles as those to which section 44 does not apply:—

- (i) a heavy locomotive,
- (ii) a light locomotive,
- (iii) a motor tractor,
- (iv) a track laying vehicle,
- [^{F1}(v) a goods vehicle, the design gross weight of which exceeds 3500 kilograms;]
- (vi) an articulated vehicle not being an articulated bus,
- [^{F2}(vii) a vehicle to which paragraph (1A) for the time being applies.]
- (viii) a works truck,
- (ix) a pedestrian controlled vehicle,
- (x) a vehicle (including a cycle with an attachment for propelling it by mechanical power) which is adapted, and used or kept on a road, for invalids, and which—
 - (i) does not exceed 306 kilograms in weight unladen, or
 - (ii) exceeds 306 kilograms but does not exceed 510 kilograms in weight unladen, and are supplied and maintained by or on behalf of the Department of Health and Social Security, the Scottish Office or the Welsh Office;
- (xi) a vehicle temporarily in Great Britain displaying a registration mark mentioned in Regulation 5 of the Motor Vehicles (International Circulation) Regulations 1971, a period of twelve months not having elapsed since the vehicle was last brought into Great Britain;
- (xii) a vehicle proceeding to a port for export;
- (xiii) a vehicle in the service of a visiting force or of a headquarters (within the meaning given by Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965).
- (xiv) a vehicle provided for police purposes and maintained in workshops approved by the Secretary of State as suitable for such maintenance, being a vehicle provided in England and Wales by a police authority or the Receiver for the Metropolitan Police District, or, in Scotland, by a police authority or a joint police committee;
- (xv) a vehicle which has been imported into Great Britain and to which section 44(2)(b) applies, being a vehicle owned by or in the service of the naval, military or air forces of Her Majesty raised in the United Kingdom and used for naval, military or air force purposes;

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- (xvi) a vehicle in respect of which a test certificate issued in accordance with Article 34 of the Road Traffic (Northern Ireland) Order 1981 is in force or which are licensed under the Vehicles (Excise) Act (Northern Ireland) 1972;
- [^{F3}(xvii) an electrically propelled goods vehicle the design gross weight of which does not exceed 3500 kilograms;]^{F4}...
- (xviii) subject to the provisions of paragraph (4), a hackney carriage or a cab in respect of which there is in force a licence under—
- (a) section 6 of the Metropolitan Public Carriage Act 1869, or
 - (b) the Town Police Clauses Act 1847, the Burgh Police (Scotland) Act 1892 or any similar local statutory provision,
- to ply for hire;
- (xix) subject to the provisions of paragraph (4), a private hire car in respect of which there is in force a licence granted by a local authority [^{F5}or Transport for London], or, in Scotland, by a local authority or a police authority.
- [^{F6}(xx) an agricultural motor vehicle.]
- [^{F7}(xxi) a motor vehicle constructed and not merely adapted for the purpose of street cleansing or the collection or disposal of refuse or the collection or disposal of the contents of gullies and which is either—
- (a) a three wheeled vehicle, or
 - (b) a vehicle which—
 - (i) is incapable by reason of its construction of exceeding a speed of 20 miles per hour on the level under its own power, or
 - (ii) has an inside track width of less than 810 millimetres;
- (xxii) a goods vehicle, the design gross weight of which does not exceed 3500 kilograms and in respect of which a goods vehicle test certificate was issued between 1st February 1990 and 17th March 1991, while that certificate is valid; ^{F8}...
- (xxiii) before 1st August 1991, a goods vehicle the design gross weight of which does not exceed 3500 kilograms and which is of a class specified in Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1988.]
- [^{F9}(xxiv) a tramcar; and
- (xxv) a trolley vehicle which is not an auxiliary trolley vehicle.]
- [^{F10}(1A) This paragraph applies to a vehicle at a time when it is being used on a public road during any calendar week if—
- (a) it is being used only in passing from land in the occupation of the person keeping the vehicle to other land in his occupation, and
 - (b) it has not been used on public roads for distances exceeding an aggregate of six miles in that calendar week,
- and for the purposes of this paragraph “public road” has the meaning given in section 62(1) the Vehicle Excise and Registration Act 1994.]
- (2) Pursuant to section 44(6) the Secretary of State hereby exempts from section 44(1) the use of a vehicle—
- (a) (i) for the purpose of submitting it by previous arrangement for, or bringing it away from, an examination, or

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- (ii) in the course of an examination, for the purpose of taking it to, or bringing it away from, any place where a part of the examination is to be or, as the case may be, has been, carried out, or of carrying out any part of the examination, the person so using it being either—
 - (A) an examiner, or a Ministry Inspector or an inspector appointed by a designated council, or
 - (B) a person acting under the personal direction of an examiner, a Ministry Inspector or a designated Council, or
 - (iii) where a test certificate is refused on an examination—
 - (A) for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy for a further examination the defects on the ground of which the test certificate was refused; or
 - (B) for the purpose of delivering it, by towing it, to a place where the vehicle is to be broken up;
 - (b) for any purpose for which the vehicle is authorised to be used on roads by an order under section 42;
 - (c) where the vehicle has been imported into Great Britain, for the purpose of its being driven after arrival in Great Britain on the journey from the place where it has arrived in Great Britain to a place of residence of the owner or driver of the vehicle;
 - (d) for the purpose of removing it in pursuance of section 3 of the Refuse Disposal (Amenity) Act 1978, of moving or removing it in pursuance of regulations under section 20 of the Road Traffic Regulation Act 1967 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, or of removing it from a parking place in pursuance of an order under section 31(1) of the Road Traffic Regulation Act 1967, an order relating to a parking place designated under section 35 thereof, or a provision of a designation order having effect by virtue of section 39(2) thereof;
 - (e) where the vehicle has been detained or seized by a police constable, for police purposes connected with such detention or seizure;
 - (f) where the vehicle has been removed, detained or seized or condemned as forfeited under any provision of the Customs and Excise Management Act 1979 for any purpose authorised by an officer of Customs and Excise;
 - (g) for the purpose of testing it by a motor trader as defined in section 16(8) of the Vehicles (Excise) Act 1971, to whom a trade licence has been issued under that section, during the course of, or after completion of repairs carried out to that vehicle by that motor trader.
- (3) Pursuant to section 44(7) the Secretary of State hereby exempts from section 44(1) the use of a vehicle on any island in any area mainly surrounded by water, being an island or area from which motor vehicles, unless constructed for special purposes can at no time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicle:

[^{F11}Provided that—

- (a) in relation to a vehicle in any of Classes I to [^{F12}VIA],] this Regulation does not apply to any of the following islands, namely, the Isle of Wight, the islands of Arran, Bute, Great Cumbrae, Islay, Lewis, Mainland (Orkney), Mainland (Shetland), Mull, North Uist and Skye [^{F13}and

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- (b) in relation to a vehicle in Class VII this Regulation does not apply in any of the following islands, namely, the Isle of Wight, the Islands of Lewis, Mainland (Orkney), Mainland (Shetland) and Skye.]

(4) The exemptions specified in paragraph (1)(xviii) and (xix) do not obtain unless the authority which issued the licence [^{F14}“the licensing authority”] holds a certificate issued by the Secretary of State evidencing that he is satisfied that the issue of the licence is subject to the vehicle first passing an annual test relating to the prescribed statutory requirements; and, as from 1st January 1983,

- (a) in the case of a vehicle of a kind mentioned in paragraph (1)(xviii) first used more than one year before the licence there mentioned was issued, or
- (b) in the case of a vehicle of a kind mentioned in paragraph (1)(xix) first used more than three years before the licence there mentioned was issued

[^{F15}the licensing authority] also issued to the licensee a certificate recording that on the date on which the certificate was issued that authority was, as a result of a test, satisfied that the prescribed statutory requirements were satisfied.

(5) In this Regulation—

[^{F16}“auxiliary trolley vehicle” means a trolley vehicle which is adapted to operate under power provided from a source on board when it is not operating from power transmitted to it from some external source;]

“private hire car” means a motor vehicle which is not a vehicle licensed to ply for hire under the provisions of the Metropolitan Public Carriage Act 1869, Town Police Clauses Act 1847, the Burgh Police (Scotland) Act 1892 or any similar local statutory provision with respect to hackney carriages but which is kept for the purpose of being let out for hire with a driver for the carrying of passengers in such circumstances that it does not require to be licensed to ply for hire under the said provisions; and

“test” means an examination of a vehicle in relation to the prescribed statutory requirements conducted—

- (i) [^{F17}by a person appointed to act as an inspector under section 43, or a person authorised as an examiner or acting on his behalf, or]
- (ii) by a person on behalf of a police authority in England or Wales, or
- (iii) by a person on behalf of a police authority or a joint police committee in Scotland.

F1	Reg. 6(1)(v) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253) , regs. 1(b), 6(1)(a)
F2	Reg. 6(1)(vii) substituted (1.7.1995) by The Motor Vehicles (Tests) (Amendment) Regulations 1995 (S.I. 1995/1457) , regs. 1, 2(2)
F3	Reg. 6(1)(xvii) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253) , regs. 1(b), 6(1)(b)
F4	Word in reg. 6(1) omitted (18.3.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253) , regs. 1(b), 6(1)(c)
F5	Words in reg. 6(1)(xix) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113) , regs. 1(1), 4(a) (with reg. 1(3))
F6	Reg. 6(1)(xx) added (1.3.1985) by The Motor Vehicles (Tests) (Amendment) Regulations 1985 (S.I. 1985/45) , regs. 1, 4
F7	Reg. 6(1)(xxi)-(xxiii) added (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253) , regs. 1(b), 6(1)(c)
F8	Word in reg. 6(1) omitted (1.7.1992) by virtue of Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992 (S.I. 1992/1217) , regs. 1, 12(a)

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- F9** Reg. 6(1)(xxiv)(xxv) added (1.7.1992) by Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992 (S.I. 1992/1217), regs. 1, **12(a)**
- F10** Reg. 6(1A) inserted (1.7.1995) by The Motor Vehicles (Tests) (Amendment) Regulations 1995 (S.I. 1995/1457), regs. 1, **2(3)**
- F11** Words in reg. 6(3) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **6(2)(a)**
- F12** Word in reg. 6(3)(a) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **6**
- F13** Words in reg. 6(3) added (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **6(2)(b)**
- F14** Words in reg. 6(4) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **4(b)(i)** (with reg. 1(3))
- F15** Words in reg. 6(4) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **4(b)(ii)** (with reg. 1(3))
- F16** Words in reg. 6(5) inserted (1.7.1992) by Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992 (S.I. 1992/1217), regs. 1, **12(b)**
- F17** Words in reg. 6(5) substituted (1.11.1983) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1983 (S.I. 1983/1434), regs. 1, **4**

Modifications etc. (not altering text)

- C1** Reg. 6(1) modified (1.4.1992) by The Retention of Registration Marks Regulations 1992 (S.I. 1992/510), regs. 1, **12(3)**

Commencement Information

- I1** Reg. 6 in force at 31.12.1981, see reg. 1

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Changes and effects yet to be applied to :

- reg. 6(1)(xiv) words substituted by S.I. 2011/3058 reg. 8(2)(a)
- reg. 6(1)(xxv) full stop omitted by S.I. 2012/2652 reg. 3(3)
- reg. 6(1)(xxii)(xxiii) omitted by S.I. 2017/850 reg. 5(b)
- reg. 6(1)(xxiv) word omitted by S.I. 2012/2652 reg. 3(2)
- reg. 6(1)(xvii) words inserted by S.I. 2018/25 reg. 3(2)
- reg. 6(5) words inserted by S.I. 2017/850 reg. 7
- reg. 6(5) words substituted by S.I. 2011/3058 reg. 8(2)(b)
- reg. 6(5) words substituted by S.I. 2020/818 Sch. 6 para. 8(3)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 1(c) inserted by S.I. 2003/1698 reg. 9(3)
- Sch. 2 para. 3(b) item 27A inserted by S.I. 2007/506 reg. 4(2)(b)
- Sch. 2 para. 2(e) inserted by S.I. 2013/271 reg. 12(1)
- Sch. 2 para. 4(b) item 32 omitted by S.I. 2007/506 reg. 4(3)(b)
- Sch. 2 para. 5(e) omitted by S.I. 2017/850 reg. 15(b)
- Sch. 2 para. 2(d) substituted by S.I. 2003/1698 reg. 9(4)
- Sch. 2 para. 5(a) word inserted by S.I. 2013/271 reg. 12(5)
- Sch. 2 para. 5A(a) word inserted by S.I. 2013/271 reg. 12(6)
- Sch. 2 para. 3(b) word substituted by S.I. 2007/506 reg. 4(2)(a)
- Sch. 2 para. 3A(a) word substituted by S.I. 2013/271 reg. 12(3)
- Sch. 2 para. 4(a) words inserted by S.I. 2007/506 reg. 4(3)(a)
- Sch. 2 para. 4A words inserted by S.I. 2007/506 reg. 4(4)
- Sch. 2 para. 3(b) table words inserted by S.I. 2013/271 reg. 12(2)
- Sch. 2 para. 4(a) words substituted by S.I. 2007/506 reg. 4(3)(a)
- Sch. 2 para. 4A words substituted by S.I. 2007/506 reg. 4(4)
- Sch. 2 para. 1(c) item 13A words substituted by S.I. 2009/643 reg. 5(2)
- Sch. 2 para. 2(b) item 22 words substituted by S.I. 2009/643 reg. 5(3)
- Sch. 2 para. 2(d) item 27 words substituted by S.I. 2009/643 reg. 5(4)
- Sch. 2 para. 4(a) words substituted by S.I. 2013/271 reg. 12(4)
- Sch. 2 para. 3(a) words substituted by S.I. 2017/850 reg. 11(a)
- Sch. 2 para. 3A(a) words substituted by S.I. 2017/850 reg. 12
- Sch. 2 para. 4(a) words substituted by S.I. 2017/850 reg. 13(a)
- Sch. 2 para. 4A words substituted by S.I. 2017/850 reg. 14
- Sch. 2 para. 5(a) words substituted by S.I. 2017/850 reg. 15(a)
- Sch. 2 para. 5A(a) words substituted by S.I. 2017/850 reg. 16
- Sch. 2 para. 5(f) words substituted by S.I. 2019/453 reg. 24(3)(c)
- Sch. 2 para. 5A(c) words substituted by S.I. 2019/453 reg. 24(3)(d)
- reg. 5(6) inserted by S.I. 2017/850 reg. 4(b)
- reg. 5(6)(b) words substituted by S.I. 2020/818 Sch. 6 para. 8(2)
- reg. 6(1)(xxi)(b) substituted by S.I. 2017/850 reg. 5(a)

- reg. 6(1)(xivA) inserted by S.I. 2006/594 Sch. para. 6
- reg. 6(1)(xxvi) and word inserted by S.I. 2012/2652 reg. 3(3)
- reg. 6(1)(xxvii)(xxviii) inserted by S.I. 2017/850 reg. 5(d)
- reg. 6(1)(xxix) inserted by S.I. 2020/382 reg. 2(2)
- reg. 6(1)(xxix) revoked by S.I. 2020/382 reg. 3
- reg. 6(1)(xxvi) substituted by S.I. 2017/850 reg. 5(c)
- reg. 6(1B) inserted by S.I. 2020/382 reg. 2(3)
- reg. 6(1B) revoked by S.I. 2020/382 reg. 3
- reg. 6(1B)(a) words substituted by S.I. 2020/790 reg. 2
- reg. 6(3)(b) words substituted by S.I. 2017/850 reg. 6
- reg. 7A(2) word substituted by S.I. 2014/480 reg. 3(4)
- reg. 8A(a)(ii) word substituted by S.I. 2014/480 reg. 3(5)
- reg. 8B(c) word substituted by S.I. 2014/480 reg. 3(6)
- reg. 8C(b) word substituted by S.I. 2014/480 reg. 3(7)
- reg. 8C(c) word substituted by S.I. 2014/480 reg. 3(7)
- reg. 8D(a)(ii) word substituted by S.I. 2014/480 reg. 3(8)
- reg. 8D(b) word substituted by S.I. 2014/480 reg. 3(8)
- reg. 8E(c) word substituted by S.I. 2014/480 reg. 3(9)
- reg. 13(1)(m) words substituted by S.I. 2019/453 reg. 24(3)(a)
- reg. 20(1)(c)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2010/449 reg. 4(2) Table
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- reg. 20(1)(d)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
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- reg. 20(1)(d)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(e)(ea) substituted by S.I. 2012/307 reg. 3(2)
- reg. 20(1)(ca) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2006/2680 reg. 3(2) Table
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- reg. 20(1)(da)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(ea)(i) word substituted by S.I. 2014/2114 reg. 3(4)
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2007/506 reg. 3(2) Table
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- reg. 20(1)(ea)(ii) word substituted by S.I. 2014/2114 reg. 3(5)
- reg. 20(3)(3ZA) substituted by S.I. 2007/1161 reg. 2(2)
- reg. 20(3)(3ZA) substituted for reg. 20(3) by S.I. 2006/1998 reg. 2(2)
- reg. 20(3B)(3C) substituted by S.I. 2006/1998 reg. 2(6)
- reg. 20(4)(i) words omitted by S.I. 2010/449 reg. 4(6)(a)
- reg. 20(4)(ii) words omitted by S.I. 2010/449 reg. 4(6)(a)
- reg. 23(1)(c) word substituted by S.I. 2014/480 reg. 3(11)
- reg. 23(3)(b) substituted by S.I. 2005/1832 reg. 4
- reg. 25A(3A)(3B) inserted by S.I. 2003/1698 reg. 8(2)
- reg. 31 inserted by S.I. 2013/271 reg. 13
- reg. 31(2) words substituted by S.I. 2017/850 reg. 8