

2001 No. 3330

ROAD TRAFFIC

**The Motor Vehicles (Tests)
(Amendment) (No. 2) Regulations 2001**

Made - - - - - 3rd October 2001

Laid before Parliament 8th October 2001

Coming into force - - 1st November 2001

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred by sections 45 and 46 of the Road Traffic Act 1988(a), and by virtue of the Department of Transport (Fees) Order 1988(b), and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) (No.2) Regulations 2001 and shall come into force on 1st November 2001.

Preliminary

2. The Motor Vehicles (Tests) Regulations 1981(c) shall be further amended as follows.

Amendments relating to requirements as to vehicles submitted for examinations

3.—(1) Regulation 13(1) shall be amended as follows.

(2) After sub-paragraph (f)(i), the word “or” shall be deleted.

(3) After sub-paragraph (f)(ii) there shall be inserted “; or

(iii) wheelchair restraining devices are not installed in the vehicle at the time it is submitted for examination”.

(a) 1988 c. 52; sections 45 and 46 were amended by paragraphs 52 and 53 of Schedule 4 to the Road Traffic Act 1991 (c. 40). Section 45 was also amended by paragraph 159 of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39).

(b) S.I. 1988/643, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant amending instrument is S.I. 1995/1684 and the relevant entries in Table III of Schedule 1 are items 1 and 2.

(c) S.I. 1981/1694; relevant amending instruments are S.I. 1984/1126, 1989/1694, 1991/1525 and 2229, 1992/1609 and 3160, 1995/2438, 1997/81, 1998/1672, 1999/2199, 2000/1432, 2000/2322 and 2001/1648.

Fees increase

4. In each provision specified in column (1) of the following Table for the amount specified in column (2) there shall be substituted the amount specified in column (3).

TABLE

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing amount (£)</i>	<i>(3)</i> <i>Substituted amount (£)</i>
20(1)(a)	13.70	14.30
20(1)(aa)	22.70	23.50
20(1)(b)	26.60	27.50
20(1)(c)(i)	35.90	39.40
20(1)(c)(ii)	34	37.60
20(1)(ca)	40.75	44.40
20(1)(d)(i)	54.15	58.90
20(1)(d)(ii)	41.70	43.40
20(1)(da)(i)	80.30	87.05
20(1)(da)(ii)	50.60	55.50
20(1)(f)	35.75	39.20
25(2)	94	119

Other amendments relating to fees

5.—(1) Regulation 20 shall be further amended as follows.

(2) In paragraph (3A)(b)—

- (a) after the item “steering wheel” the following item shall be inserted “tyres (other than in respect of a vehicle in Class I or II);” and
- (b) after the item “vehicle identification numbers;” the word “or” shall be deleted and the following item shall be inserted “wheels (other than in respect of a vehicle in Class I or II); or”.

Signed by authority of the Secretary of State

David Jamieson
Parliamentary Under-Secretary of State,
Department for Transport, Local Government
and the Regions

3rd October 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”). Those Regulations make provision for certain motor vehicles to be examined by persons authorised by the Secretary of State and for test certificates to be issued for vehicles that are found to meet certain requirements. These certificates are commonly referred to as “MOT Certificates”.

Regulation 13 of the 1981 Regulations relates to requirements for vehicles submitted for examination. *Regulation 3* of these Regulations makes amendments which enable an examiner or an inspector to refuse to carry out an examination of a Class VI or VIA motor vehicle if wheelchair restraining devices are not installed in the vehicle at the time it is submitted for examination.

Regulation 20 of the 1981 Regulations prescribes the fees payable for examinations of vehicles pursuant to applications made under regulation 12 of those Regulations. Regulation 20 is amended by *regulations 4* and *5* of these Regulations.

Regulation 4 increases, from 1st November 2001, the fees payable for test examinations of vehicles except those in class VI or VIA. The increases are as follows, with the percentage increase since the fees were last fixed (in October 2000) being shown in brackets—

- (a) motor bicycles without a side car, from £13.70 to £14.30 (4.38%);
- (b) motor bicycles with a side car, from £22.70 to £23.50 (3.52%);
- (c) vehicles in Class III (“light motor vehicles” other than motor bicycles), from £26.60 to £27.50 (3.38%);
- (d) vehicles in Class IV (“motor cars” and “heavy motor cars” not being vehicles within Class III, IVA, V, VA, VI, VIA, or VII—
 - (i) from £35.90 to £39.40 (9.75%) if the vehicle is a minibus, and
 - (ii) from £34 to £37.60 (10.59%) in any other case;
- (e) vehicles in Class IVA (being minibuses which are not within Class IV). The vehicles in this Class cover “minibuses”, other than those excluded by virtue of a certificate of initial fitness issued on or after 1st August 1998 or compliance with certain type approval requirements, not being vehicles within Class III, V or VA in respect of which any forward facing seat is fitted with a relevant seat belt: from £40.75 to £44.40 (8.96%).
- (f) vehicles in Class V (“large passenger-carrying vehicles”, particular public service vehicles and “play buses” not being vehicles within Class VA)—
 - (i) from £54.15 to £58.90 (8.77%) if the vehicle is constructed or adapted to carry more than 16 passengers, and
 - (ii) from £41.70 to £43.40 (4.08%) in any other case;
- (g) vehicles in Class VA (“large passenger-carrying vehicles”, particular public service vehicles and “play buses”, other than those excluded by virtue of a certificate of initial fitness issued on or after 1st August 1998 or compliance with certain type approval requirements, in respect of which any forward-facing seat is fitted with a relevant seat belt)—
 - (i) from £80.30 to £87.05 (8.38%) if the vehicle is constructed or adapted to carry more than 16 passengers, and
 - (ii) from £50.60 to £55.50 (9.64%) in any other case; and
- (h) vehicles in Class VII (goods vehicles with a design gross weight of more than 3,000 but not more than 3,500 kgs), from £35.75 to £39.20 (9.65%).

In the case of the vehicles mentioned above, under regulation 21 of the 1981 Regulations the fee payable on an appeal against a notice of the refusal of a test certificate is the same amount as the fee payable for the examination; and under regulation 23 of those Regulations, the fee for a duplicate test certificate in respect of a motor bicycle without a side car is half that fee. These fees are therefore increased automatically because of the increase in the fee for the examination.

The fee payable for the supply of 100 forms of test certificate is increased from £94 to £119 (26.59%).

Regulation 5 adds tyres and wheels (other than in respect of vehicles in Class I or II) to the list of items in regulation 20(3A)(b) (no fee payable for the re-examination of vehicles in certain classes where the re-examination relates to one or more of the matters listed).

A regulatory impact assessment has been prepared and copies can be obtained from the Department for Transport, Local Government and the Regions, Zone 2/05, Great Minster House, 76 Marsham Street, London SW1P 4DR (Telephone: 020-7944 2457). A copy has been placed in each house of Parliament.

£1.75

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1699 10/2001 660512 19585

ISBN 0-11-038654-X



9 780110 386546