
STATUTORY INSTRUMENTS

2002 No. 2742

**The Road Vehicles (Registration
and Licensing) Regulations 2002**

PART VI

CROWN VEHICLES AND EXEMPT VEHICLES

Nil licences

33.—(1) In this regulation “nil licensable vehicle” means a vehicle which is an exempt vehicle otherwise [^{F1}than] by virtue of paragraph 2, 2A, 3, [^{F2}20G, in so far as it applies to an electric scooter being used in a trial,] 22 or 23 of Schedule 2 to the 1994 Act.

[^{F3}(1A) In, and in relation to, paragraph (1)—

“electric scooter” means a vehicle which—

- (a) is fitted with an electric motor with a maximum continuous power rating not exceeding 500 watts;
- (b) is not fitted with pedals that are capable of propelling the vehicle;
- (c) has two wheels, one front and one rear, aligned along the direction of travel;
- (d) is designed to carry no more than one person;
- (e) has a maximum weight, excluding the driver, not exceeding 55 kgs;
- (f) has a maximum design speed not exceeding 15.5 miles per hour;
- (g) has a means of directional control through the use of handlebars which are mechanically linked to the steered wheel;
- (h) has a means of controlling the speed through hand controls; and
- (i) has a power control that defaults to the ‘off’ position;

“local public authority” means—

- (a) in England and Wales, any body, other person or holder of any office listed in Part 2 (local government) of Schedule 1 to the Freedom of Information Act 2000; and
- (b) in Scotland, any body, other person or holder of any office listed in Part 3 (local government) of Schedule 1 to the Freedom of Information (Scotland) Act 2002; and

“trial” means an assessment as to the suitability of electric scooters for use on roads conducted by virtue of—

- (a) an order made under sections 44 and 63(5) of the 1988 Act; or
- (b) an arrangement made between one or more local public authorities and a person who hires out electric scooters.]

(2) A nil licence is required to be in force in respect of a nil licensable vehicle which is used or kept on a public road.

[^{F4}(3) Subject to paragraph (3A), a nil licence must be granted for a period of 12 months beginning with the first day of the month in which the application for the licence is received by the Secretary of State.]

[^{F5}(3A) A first nil licence may be granted for a period—

- (a) in accordance with [^{F6}paragraph (3)] , or
- (b) consisting in the aggregate of 12 months commencing with the relevant month and the appropriate number of days.

(3B) In paragraph (3A)—

“first nil licence” means a nil licence for a vehicle on the issue of which the vehicle is first registered under the 1994 Act;

“the relevant month” means the month immediately following the month in which the nil licence first has effect; and

“the appropriate number of days” is the number of days between the tenth or seventeenth or twenty-fourth day (as appropriate) of the month in which the nil licence first has effect and the last day of that month (inclusive of both those days).]

(4) The keeper of a nil licensable vehicle may apply to the Secretary of State for a nil licence by making to him such a declaration and furnishing him with such particulars and such documentary or other evidence as might be specified under section 7 of the 1994 Act if the keeper desired to take out a vehicle licence for the vehicle.

(5) The Secretary of State may accept a declaration given, and particulars furnished, orally by telephone.

(6) In the case of a vehicle which is an exempt vehicle by virtue of—

- (a) paragraph 19 of Schedule 2 to the 1994 Act, or
- (b) paragraph 7 of Schedule 4 to that Act,

the Secretary of State shall require the keeper to furnish him with a certificate that paragraph 19 of Schedule 2 or, as the case may be, paragraph 7 of Schedule 4 applies, unless the Secretary of State satisfies himself by other means that one of those paragraphs applies.

(7) The certificate shall be obtained by the keeper of the vehicle from the Secretary of State for Work and Pensions, the Secretary of State for Defence or the Department for Social Development for Northern Ireland, whichever is appropriate.

(8) Paragraphs (4) to (7) do not apply where the person applying for a nil licence agrees to comply with such conditions as may be specified in relation to him by the Secretary of State.

[^{F7}(8A) Section 22ZA of the 1994 Act shall apply to information of the following descriptions—

- (a) the name of any person to whom—
 - (i) disability living allowance or mobility supplement is payable; or
 - (ii) disability living allowance has ceased to be payable and who would be entitled to receive the mobility component at the higher rate but for his failure to satisfy a condition referred to in paragraph 19(2A)(b) of Schedule 2 to the 1994 Act;
- (b) that person’s date of birth and National Insurance number; and
- (c) if applicable, the date on which the allowance or supplement, as appropriate, will cease to be payable.

(8B) For the purposes of paragraph (8A)—

“disability living allowance” means a disability living allowance for the purposes of section 71 of the Social Security Contributions and Benefits Act 1992 (disability living allowance);

“mobility component” means the mobility component of a disability living allowance and “higher rate” means the higher rate of the mobility component for the time being prescribed under section 73 of that Act (the mobility component); and

“mobility supplement” has the meaning which that expression bears in paragraph 19 of Schedule 2 to the 1994 Act.]

(9) If, following an application made in accordance with this regulation, the Secretary of State is satisfied that a vehicle is a nil licensable vehicle, he shall issue a nil licence to the keeper of the vehicle.

(10) If at any time vehicle excise duty becomes chargeable under the 1994 Act in respect of a vehicle which immediately before that time was a nil licensable vehicle, the keeper of the vehicle shall forthwith return to the Secretary of State—

^{F8}(a)

(b) any certificate obtained by him for the purposes of paragraph (6) in relation to the vehicle.

F1	Word in reg. 33(1) inserted (1.10.2003) by The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2003 (S.I. 2003/2154), regs. 1, 5
F2	Words in reg. 33(1) inserted (E.W.S.) (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), 2(3)(a)
F3	Reg. 33(1A) inserted (E.W.S.) (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), 2(3)(b)
F4	Reg. 33(3) substituted (1.10.2014) by The Vehicle Excise and Registration (Consequential Amendments) Regulations 2014 (S.I. 2014/2358), reg. 1, Sch. 1 para. 11(a)
F5	Reg. 33(3A)(3B) inserted (16.12.2013) by The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2013 (S.I. 2013/2909), regs. 1, 3(2)
F6	Words in reg. 33(3A)(a) substituted (1.10.2014) by The Vehicle Excise and Registration (Consequential Amendments) Regulations 2014 (S.I. 2014/2358), reg. 1, Sch. 1 para. 11(b)
F7	Reg. 33(8A)(8B) inserted (31.10.2005) by The Road Vehicles (Registration and Licensing) (Amendment) (No.2) Regulations 2005 (S.I. 2005/2713), regs. 1, 2
F8	Reg. 33(10)(a) and word omitted (1.10.2014) by virtue of The Vehicle Excise and Registration (Consequential Amendments) Regulations 2014 (S.I. 2014/2358), reg. 1, Sch. 1 para. 11(c)

Changes to legislation:

There are currently no known outstanding effects for the The Road Vehicles (Registration and Licensing) Regulations 2002, Section 33.