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STATUTORY INSTRUMENTS

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**2004 No. 1879**

**ROAD TRAFFIC**

**The Motor Vehicles (Tests)  
(Amendment) (No. 2) Regulations 2004**

<i>Made</i>	- - - -	<i>14th July 2004</i>
<i>Laid before Parliament</i>		<i>6th August 2004</i>
<i>Coming into force</i>	- -	<i>30th August 2004</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 45 and 46 of the Road Traffic Act 1988(1) and by virtue of the Department of Transport (Fees) Order 1988(2), 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 2004 and shall come into force on 30th August 2004.

**Increases in fees**

2.—(1) Regulation 20 of the Motor Vehicles (Tests) Regulations 1981(3) shall be amended as follows.

(2) In the provisions specified in column (1) of the following Table for the amounts specified in column (2) there shall be substituted the amounts specified in column (3).

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(1) 1988 c. 52; section 45 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 52 and by the Road Traffic (Vehicle Testing) Act 1999 (c. 12), section 1; section 46 was substituted by the Road Traffic (Vehicle Testing) Act 1999, section 2.

(2) S.I. 1988/643, which was made under the Finance (No. 2) Act 1987 (c. 51), section 102. The relevant amending instrument is S.I. 2003/1094 and the relevant entry in S.I. 1988/643 is Schedule 1, Table III, item 1.

(3) S.I. 1981/1694; relevant amending instruments are 1984/1126, 1989/1694, 1991/1525 and 2229, 1992/1609 and 3160, 1995/2438, 1997/81, 1998/1672, 1999/2199, 2000/1432 and 2322, 2001/1648 and 3330, 2002/488 and 1698, 2003/1113, 1698 and 1815, and 2004/1632.

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**TABLE**

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing Amount (£)</i>	<i>(3)</i> <i>Substituted Amount (£)</i>
20(1)(e)(i)	59.00	67.00
20(1)(e)(ii)	42.00	47.00
20(1)(ea)(i)	59.00	67.00
20(1)(ea)(ii)	42.00	47.00
20(2A)	35.00	39.00
	25.00	28.00
20(2B)	9.00	10.00

(3) At the beginning of paragraph (4), there shall be inserted “Subject to paragraph (7),”.

(4) In the Table in paragraph (4), for the amounts specified in column (1) of the Table below there shall be substituted the amounts specified in column (2).

**TABLE**

<i>(1)</i> <i>Existing Amount(£)</i>	<i>(2)</i> <i>Substituted Amount(£)</i>	<i>(1) (Cont)</i> <i>Existing Amount(£)</i>	<i>(2) (Cont)</i> <i>Substituted Amount(£)</i>	<i>(1) (Cont)</i> <i>Existing Amount(£)</i>	<i>(2) (Cont)</i> <i>Substituted Amount(£)</i>
28.00	44.00	68.00	77.00	42.00	47.00
47.00	63.00	103.00	116.00	67.00	75.00
33.50	50.00	20.00	31.00	51.00	57.00
52.50	69.00	34.00	45.00	76.00	85.00
59.00	67.00	25.50	37.00		
94.00	106.00	39.50	51.00		

(5) In paragraph (7), for “The fees prescribed by paragraph (4) shall not be payable” there shall be substituted “Notwithstanding paragraph (4), the fee payable for a re-examination of a vehicle in Class VI or Class VI<sub>A</sub> shall be £10”.

Signed by authority of the Secretary of State

14th July 2004

*David Jamieson*  
Parliamentary Under Secretary of State  
Department for Transport

**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 2* makes amendments to regulation 20 of the 1981 Regulations. Regulation 20 prescribes the fees payable for examinations of vehicles pursuant to applications made under regulation 12 of those Regulations.

The increased fees for examinations of vehicles in Classes VI and VI<sub>A</sub> (public service vehicles other than those of a type specified in regulation 5(3) of the 1981 Regulations and 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) are set out in the Table below. The percentage increases since the fees were last fixed are shown in brackets.

**Table**

<i>Nature of Examination</i>	<i>Normal</i>	<i>Out of hours</i>	<i>Designated Premises</i>	<i>Out of hours at Designated Premises</i>
	<i>(£)</i>	<i>(£)</i>	<i>(£)</i>	<i>(£)</i>
Examination under regulation 12 of the 1981 Regulations of a vehicle constructed or adapted to carry more than 22 passengers.	67 (13.6%)	106 (12.8%)	77 (13.2%)	116 (12.6%)
Examination under regulation 12 in any other case.	47 (11.9%)	75 (11.9%)	57 (11.8%)	85 (11.8%)
Re-examination of a vehicle constructed or adapted to carry more than 22 passengers,	44 (57.1%)	63 (34%)	50 (49.3%)	69 (31.4%)

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<i>Nature of Examination</i>	<i>Normal</i>	<i>Out of hours</i>	<i>Designated Premises</i>	<i>Out of hours at Designated Premises</i>
	(£)	(£)	(£)	(£)
within 14 days of previous examination.				
Re-examination of a vehicle constructed or adapted to carry more than 22 passengers, later than 14 days after previous examination.	67 (13.6%)	106 (12.8%)	77 (13.2%)	116 (12.6%)
Re-examination of any other vehicle within 14 days of previous examination.	31 (55%)	45 (32.4%)	37 (45.1%)	51 (29.1%)
Re-examination of any other vehicle later than 14 days after previous examination.	47 (11.9%)	75 (11.9%)	57 (11.8%)	85 (11.8%)

In the case of the vehicles mentioned above, the fee payable on an appeal against the notice of refusal of a test certificate is the same amount as the fee payable under regulation 20(1) of the 1981 Regulations. Those fees are increased accordingly.

*Regulation 2(4)* introduces a fee of £10 for the re-examination of a vehicle in Class VI or VI<sub>A</sub> in the circumstances specified in regulation 20(7) of 1981 Regulations.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Department for Transport, 5th floor, Southside, 105 Victoria Street, London SW1E 6DT (telephone number: 020 7944 2455). A copy has been placed in the library of each House of Parliament.