

2012 No. 2652

ROAD TRAFFIC

**The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations
2012**

<i>Made</i>	- - - -	<i>21st October 2012</i>
<i>Laid before Parliament</i>		<i>25th October 2012</i>
<i>Coming into force</i>	- -	<i>18th November 2012</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 47(5) of the Road Traffic Act 1988(a) (“the 1988 Act”).

Representative organisations have been consulted in accordance with section 195(2)(b) of the 1988 Act.

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2012 and come into force on 18th November 2012.

Amendment of Regulations

2. The Motor Vehicles (Tests) Regulations 1981(c) are amended in accordance with these Regulations.

Exemptions

- 3.—(1) Regulation 6(1) is amended as follows.
- (2) Immediately following sub-paragraph (xxiv), omit the word “and”.
 - (3) At the end of sub-paragraph (xxv), omit “.” and add—
“; and
(xxvi) a vehicle having a date of manufacture(d) before 1st January 1960.”

(a) 1988 c.52. For the meaning of “prescribed” in section 47(5) see sections 85 and 192(1).
(b) Section 195(2) is amended by the Road Safety Act 2006 (c.49) sections 42 and 59 and Schedule 6, paragraphs 1 and 30 and Schedule 7. Those amendments have not yet been commenced.
(c) S.I. 1981/1694; relevant amending instruments are 1985/45, 1991/253 and 1992/1217.
(d) “date of manufacture” has the meaning given in section 47(8) of the Road Traffic Act 1988.

Signed by authority of the Secretary of State

21st October 2012

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”) to enable vehicles manufactured before 1st January 1960 to be used on the roads without a MoT test certificate. Article 4(2) of Directive 2009/40/EC (OJ L141, 6.6.2009, p.12) allows Member States to exempt such vehicles from roadworthiness testing.

Regulation 3 introduces a new exemption in regulation 6 of the 1981 Regulations, which exempts vehicles manufactured before 1st January 1960 from the requirement for such vehicles to have a MoT test certificate.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR and is annexed to the Explanatory Memorandum which is available alongside this instrument on the UK legislation website, www.legislation.gov.uk.

A copy of Directive 2009/40/EC may be downloaded without charge from EUR-Lex, the European Law website (<http://eur-lex.europa.eu/en/index.htm>).

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