
STATUTORY INSTRUMENTS

2002 No. 1698

ROAD TRAFFIC

**The Motor Vehicles (Tests)
(Amendment) (No. 2) Regulations 2002**

<i>Made</i>	- - - -	<i>1st July 2002</i>
<i>Laid before Parliament</i>		<i>3rd July 2002</i>
<i>Coming into force</i>	- -	<i>1st August 2002</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 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 2002 and shall come into force on 1st August 2002.

Preliminary

2. The Motor Vehicles (Tests) Regulations 1981(3) shall be further amended as follows.

Amendments to regulation 20 (fees for examinations)

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

(2) In paragraphs (1)(d)(i) and (da)(i), for “22” there shall be substituted “16”.

(3) In paragraph (2A), for “16” there shall be substituted “22”.

(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).

(1) 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).
(2) 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.
(3) 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, 2001/1648 and 3330 and 2002/488.

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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)(a)	14.30	14.65
20(1)(aa)	23.50	24.05
20(1)(b)	27.50	28.15
20(1)(c)(i)	39.40	41.10
20(1)(c)(ii)	37.60	39.25
20(1)(ca)	44.40	46.20
20(1)(d)(i)	58.90	60.35
20(1)(d)(ii)	43.40	44.45
20(1)(da)(i)	87.05	93.30
20(1)(da)(ii)	55.50	60.20
20(1)(f)	39.20	43.15

Signed by authority of the Secretary of State

1st July 2002

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 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 *regulation 3* of these Regulations.

Regulation 3(2) makes amendments to regulation 20(1)(d)(i) and (da)(i) by substituting the number “16” for “22”. Under those provisions a higher fee is payable if a vehicle of Class V or V_A is constructed or adapted to carry more than 16 passengers.

Regulation 3(3) makes an amendment to regulation 20(2A) by substituting the number “22” for “16”. This amendment should be read in conjunction with the Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488). A higher fee is payable if a vehicle is constructed or adapted to carry more than a certain specified number of passengers. The amendment of regulation 20(2A) by substituting the number “22” for “16” ensures that a higher fee becomes payable in all cases where the Public Service Vehicles Accessibility Regulations 2000 (S.I. 2000/1970) apply.

Regulation 3(4) increases, from 1st August 2002, the fees payable for test examinations of vehicles except those in Class VI or VI_A. The increases are as follows, with the percentage increase since the fees were last fixed (on 1st November 2001) being shown in brackets—

- (a) motor bicycles without a side car, from £14.30 to £14.65 (2.45%);
- (b) motor bicycles with a side car, from £23.50 to £24.05 (2.34%);
- (c) vehicles in Class III (“light motor vehicles” other than motor bicycles), from £27.50 to £28.15 (2.36%);
- (d) vehicles in Class IV (“motor cars” and “heavy motor cars” not being vehicles within Class III, IV_A, V, V_A, VI, VI_A, or VII)—
 - (i) from £39.40 to £41.10 (4.31%) if the vehicle is a minibus, and
 - (ii) from £37.60 to £39.25 (4.39%) in any other case;
- (e) vehicles in Class IV_A (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 V_A in respect of which any forward facing seat is fitted with a relevant seat belt), from £44.40 to £46.20 (4.05%);
- (f) vehicles in Class V (“large passenger-carrying vehicles”, particular public service vehicles and “play buses” not being vehicles within Class V_A)—
 - (i) from £58.90 to £60.35 (2.46%) if the vehicle is constructed or adapted to carry more than 16 passengers, and
 - (ii) from £43.40 to £44.45 (2.42%) in any other case;

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- (g) vehicles in Class V_A (“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 £87.05 to £93.30 (7.18%) if the vehicle is constructed or adapted to carry more than 16 passengers, and
 - (ii) from £55.50 to £60.20 (8.47%) in any other case; and
- (h) vehicles in Class VII (goods vehicles with a design gross weight of more than 3,000 kg but not more than 3,500 kg), from £39.20 to £43.15 (10.08%).

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. In the case of vehicles mentioned above, under regulation 23 of the 1981 Regulations, the fee for a duplicate test certificate is £10, except in the case of a motor bicycle without a side car where it is half the fee for a test of that vehicle.

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