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STATUTORY INSTRUMENTS

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**2007 No. 506**

**ROAD TRAFFIC**

**The Motor Vehicles (Tests) (Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>21st February 2007</i>
<i>Laid before Parliament</i>		<i>27th February 2007</i>
<i>Coming into force</i>	- -	<i>1st April 2007</i>

The Secretary of State for Transport makes the following Regulations 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).

In accordance with section 195(2) of that Act he has consulted with such representative organisations as he thinks fit.

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) Regulations 2007 and shall come into force on 1st April 2007.

**Preliminary**

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

**Amendment to regulation 20 (fees for examinations)**

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

(2) In the regulations specified in column (1) of the Table below, 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 I, Table III, item 1.
- (3) S.I. 1981/1694; relevant amending instruments are S.I. 1982/783; 1983/1147; 1984/401 and 1126; 1985/834; 1986/372 and 904; 1988/339 and 989; 1989/920 and 1694; 1990/628 and 1186; 1991/253, 455, 1525 and 2229; 1992/566, 1609 and 3160; 1993/3011; 1994/2136; 1995/2438; 1996/1751; 1997/81; 1998/1672; 1999/2199; 2000/1432 and 2322; 2001/1648 and 3330; 2002/488 and 1698; 2003/1113, 1698 and 1815; 2004/1632 and 1879; 2005/2341; 2006/1998 and 2680.

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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)	76.00	80.00
20(1)(e)(ii)	53.00	56.00
20(1)(ea)(i)	76.00	80.00
20(1)(ea)(ii)	53.00	56.00
20(2A)	44.00	46.00
	32.00	34.00
20(2B)	11.00	12.00

(3) 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)</i> <i>Existing Amount (£)</i>	<i>(2)</i> <i>Substituted Amount (£)</i>	<i>(1)</i> <i>Existing Amount (£)</i>	<i>(2)</i> <i>Substituted Amount (£)</i>
50.00	53.00	87.00	92.00	53.00	56.00
71.00	75.00	131.00	138.00	85.00	90.00
57.00	60.00	35.00	37.00	64.00	68.00
78.00	82.00	51.00	54.00	96.00	102.00
76.00	80.00	42.00	44.00		
120.00	126.00	58.00	61.00		

(4) In paragraph (7), for “£10” there shall be substituted “£11”.

#### **Amendment to Schedule 2 (the prescribed statutory requirements)**

4.—(1) Schedule 2 shall be amended as follows.

(2) In paragraph 3(b)—

- (a) for “provision” substitute “provisions”; and
- (b) in the table before item 28, there shall be added—

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“27A	36A and 70A	Speed Limiters”
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(3) In paragraph 4—

(a) in sub-paragraph (a), after “20,” there shall be inserted “21,” and for “, 24 to 26 and 28” there shall be substituted “ and 24 to 28”; and

(b) in sub-paragraph (b), item 32 shall be omitted.

(4) In paragraph 4A, after “20,” there shall be inserted “21,” and for “, 24 to 26 and 28 to 33” there shall be substituted “ and 24 to 33”.

Signed by authority of the Secretary of State

21st February 2007

*S.J. Ladyman*  
Minister of State  
Department for Transport

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## 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 3* 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>
	(£)	(£)	(£)	(£)
Examination under regulation 12 of the 1981 Regulations of a vehicle constructed or adapted to carry more than 22 passengers.	80 (5.3%)	126 (5%)	92 (5.7%)	138 (5.3%)
Examination under regulation 12 in any other case.	56 (5.7%)	90 (5.9%)	68 (6.3%)	102 (6.3%)
Re-examination of a vehicle constructed or adapted to carry more than 22 passengers, within 14 days of previous examination.	53 (6%)	75 (5.6%)	60 (5.3%)	82 (5.1%)
Re-examination of a vehicle constructed or adapted to carry more than 22 passengers, later than 14 days after previous examination.	80 (5.3%)	126 (5%)	92 (5.7%)	138 (5.3%)
Re-examination of any other vehicle within 14 days of previous examination.	37 (5.7%)	54 (5.9%)	44 (4.8%)	61 (5.2%)

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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>
	(£)	(£)	(£)	(£)
Re-examination of any other vehicle later than 14 days after previous examination.	56 (5.7%)	90 (5.9%)	68 (6.3%)	102 (6.3%)

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 (regulation 21(1)). These fees are increased accordingly.

*Regulation 3(4)* provides for an increase in the fee for a re-examination of a vehicle in Class VI or VI<sub>A</sub> in the circumstances specified in regulation 20(7) of the 1981 Regulations from £10 to £11 (10%).

*Regulation 4* amends Schedule 2 to the 1981 Regulations. New item 27A is inserted in the table in paragraph 3(b) and is made to apply to Class IV vehicles. It prescribes the requirements of regulations 36A and 70A of the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1806) (“the 1986 Regulations”) which relate to speed limiters required to be fitted to passenger carrying vehicles and the speed limiter plates with which such vehicles are to be equipped. It is not expected that these provisions will apply until 1st January 2008.

The amendments being made by *regulation 4(3)* and *(4)* have the effect of extending the application of items 21 and 27 to Class V and V<sub>A</sub> vehicles. Item 21 prescribes regulation 67 of the 1986 Regulations which relates to vehicle identification numbers. Item 27 prescribes regulations 4 to 7 and 11 to 15 of the Road Vehicles (Display of Registration Marks) Regulations 2001 (S.I. 2001/561). Item 32 has been revoked and re-enacted as item 27A as the provisions relating to speed limiters and speed limiter plates will now also apply to Class IV vehicles.

A full regulatory 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, 5th floor, Southside, 105 Victoria Street, London SW1E 6DT (telephone: 020 7944 2455). A copy has been placed in the library of each House of Parliament. The regulatory impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website [www.opsi.gov.uk](http://www.opsi.gov.uk).