
STATUTORY INSTRUMENTS

1995 No. 2994

The Road Traffic (Northern Ireland) Order 1995

Part III

Construction and Use of Vehicles and Equipment

Tests of vehicles other than goods vehicles to which Article 65 applies

Tests of satisfactory condition of vehicles

61.—(1) This Article applies to motor vehicles other than goods vehicles which are required by regulations under Article 65 to be submitted for a vehicle test under that Article and has effect for the purpose of ascertaining whether the following requirements are complied with namely—

- (a) the prescribed statutory requirements relating to the construction and condition of motor vehicles or their accessories or equipment; and
- (b) the requirement that the condition of motor vehicles should not be such that their use on a road would involve a danger of injury to any person.

(2) The Department may by regulations make provision—

- (a) for the examination of vehicles submitted for examination under this Article; and
- (b) for the issue, where it is found on such an examination that the requirements mentioned in paragraph (1) are complied with, of a certificate (in this Order referred to as a “test certificate”) that at the date of the examination the requirements were complied with in relation to the vehicle.

(3) Examinations for the purposes of this Article shall be carried out by—

- (a) persons, not being officers of the Department, authorised for those purposes by the Department (in this Article and Article 62 referred to as “authorised examiners”); or
- (b) vehicle examiners.

(4) Where a test certificate is refused, the examiner must issue a notification of the refusal stating the grounds of the refusal, and a person aggrieved by the refusal or the grounds of the refusal may appeal to the Department.

(5) On any such appeal the Department must cause a further examination to be made and either issue a test certificate or issue a notification of the refusal stating the grounds of the refusal.

(6) The Department may make regulations under this Article for the purpose of giving effect to this Article and for prescribing anything authorised by this Article and Article 62 to be prescribed.

(7) In its application to vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, this Article shall have effect as if any reference to prescribed statutory requirements relating to the construction and condition of motor vehicles or their accessories or equipment included a reference to the prescribed requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be fixed to such equipment.