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## STATUTORY INSTRUMENTS

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# 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*

#### **Obligatory test certificates**

**63.**—(1) A person who uses on a road or other public place at any time, or causes or permits to be so used, a motor vehicle to which this Article applies, and as respects which no test certificate has been issued within the appropriate period before that time, is guilty of an offence.

In this Article and Article 64, the “appropriate period” means a period of 12 months or such shorter period as may be prescribed.

(2) <sup>F1</sup> Subject to paragraphs (3) and (5), the motor vehicles to which this Article applies at any time are—

- (a) those first registered under the Vehicle Excise and Registration Act 1994<sup>F2</sup> or any earlier corresponding legislation, not less than 5 years before that time; and
- (b) those which, having a date of manufacture not less than 5 years before that time, have been used on roads (whether in Northern Ireland or elsewhere) before being so registered,

being, in either case, motor vehicles other than goods vehicles which are required by regulations under Article 65 to be submitted for a goods vehicle test.

(3) As respects a vehicle being—

- (a) a motor vehicle used for the carriage of passengers and with more than 8 seats, excluding the driver's seat; or

[<sup>F3</sup>(b) a taxi; or]

- (c) an ambulance, that is to say, a motor vehicle which is constructed or adapted, and primarily used, for the carriage of persons to a place where they will receive, or from a place where they have received, medical or dental treatment, and which, by reason of design, marking or equipment is readily identifiable as a vehicle so constructed or adapted,

paragraph (2)(a) shall have effect as if for the period there mentioned there were substituted a period of one year.

(4) For the purposes of paragraph (2)(b), there shall be disregarded—

- (a) the use of a vehicle before it is sold or supplied by retail, and
- (b) the use of a vehicle to which a motor dealer has assigned a mark under section 24 of the Vehicle Excise and Registration Act 1994 before it is registered by the Secretary of State under section 21(2) of that Act.

(5) This Article does not apply to vehicles of such classes as may be prescribed.

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**Changes to legislation:** *The Road Traffic (Northern Ireland) Order 1995, Section 63 is up to date with all changes known to be in force on or before 13 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(6) The Department may by regulations exempt from paragraph (1) the use of vehicles of such purposes as may be prescribed.

(7) The Department may by regulations exempt from paragraph (1) the use of vehicles in any such area as may be prescribed.

[<sup>F4</sup>(7A) The Department may by regulations make provision for the issue, in such circumstances as may be prescribed, of a certificate of temporary exemption in respect of a vehicle, exempting that vehicle from paragraph (1) for such period as may be specified in the certificate.]

(8) For the purpose of this Article the date of manufacture of a vehicle shall be taken to be the last day of the year during which its final assembly is completed, except where after that day modifications are made to the vehicle before it is sold or supplied by retail, and in that excepted case shall be taken to be the last day of the year during which the modifications are completed.

(9) The Department may by order, made subject to affirmative resolution, direct—

- (a) that paragraph (2) shall have effect with the substitution, for 5 years (in both places), of such other period (not being more than 10 years) as may be specified in the order; and
- (b) that Article 78(3) shall have effect with the substitution, for 5 years, of that other period.

**F1** mod. by SR 1996/12

**F2** 1994 c.22

**F3** Art. 63(3)(b) substituted (31.5.2016) by [Taxis Act \(Northern Ireland\) 2008 \(c. 4\)](#), s. 59, [Sch. 2 para. 8](#); S.R. 2015/389, art. 2(3), Sch. Pt. 3

**F4** 2004 NI 14

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**Changes and effects yet to be applied to :**

- [art. 63\(9\)](#) words repealed by [2016 c. 11 \(N.I.\) Sch. 2](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)
- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 13A](#) inserted by [2016 c. 11 \(N.I.\) s. 2\(3\)](#)
- [art. 17\(8\)\(b\)\(v\)](#) and word added by [2008 c. 4 \(N.I.\) Sch. 2 para. 7\(b\)](#)
- [art. 17D\(1B\)](#) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(a\)](#)
- [art. 17D\(2\)\(aa\)](#) substituted for word by [2016 c. 11 \(N.I.\) s. 5\(2\)\(b\)](#)
- [art. 17D\(2A\)\(a\)](#) substituted for words by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(i\)](#)
- [art. 17D\(2A\)\(b\)](#) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(ii\)](#)
- [art. 55\(2\)\(m\)](#) inserted by [S.I. 2008/1216 \(N.I.\) art. 54\(1\)](#)
- [art. 110\(3A\)](#) inserted by [2016 c. 11 \(N.I.\) s. 22\(b\)](#)