

1995 No. 448**ROAD TRAFFIC AND VEHICLES****Motor Vehicle Testing Regulations (Northern Ireland) 1995**

Made 4th December 1995

Coming into operation 24th January 1996

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The Department of the Environment, in exercise of the powers conferred on it by Articles 61(2) and (6), 62, 63(5), (6) and (7), 72(1) and (2), 75(8), 81(8) and (9) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicle Testing Regulations (Northern Ireland) 1995 and shall come into operation on 24th January 1996.

Interpretation

2.—(1) In these Regulations—

“the 1994 Act” means the Vehicle Excise and Registration Act 1994(b);

“the Order” means the Road Traffic (Northern Ireland) Order 1995;

(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department” and “prescribed”
 (b) 1994 c. 22

“the Construction and Use Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(a);

“the Lighting Regulations” means the Road Vehicles Lighting Regulations (Northern Ireland) 1995(b);

“agricultural motor vehicle”, “articulated bus”, “articulated vehicle”, “minibus”, “pedestrian controlled vehicle”, “track laying” and “works truck” have the meanings given by regulation 2(1) of the Construction and Use Regulations;

“break-down vehicle” means a motor vehicle—

(a) on which is permanently mounted apparatus designed for raising one disabled vehicle partly from the ground and for drawing that vehicle when so raised; and

(b) which is not equipped to carry any load other than articles required for the operation of or in connection with, that apparatus or for repairing disabled vehicles;

“Community Recording Equipment Regulation” has the meaning given in Article 53 of the Order;

“design gross weight” means—

(a) in the case of a vehicle which is equipped with a plate in accordance with regulation 68 of the Construction and Use Regulations, the maximum gross weight shown on the plate in respect of item 7 of Part I of Schedule 7 to those Regulations; and

(b) in any other case, the weight which the vehicle is designed or adapted not to exceed when in normal use and travelling on a road laden;

“dual-purpose vehicle” has the meaning given by Article 2(2) of the Order of 1981;

“examination” means an examination of a motor vehicle for the purposes of Article 61 of the Order;

“large passenger-carrying vehicle” means a motor vehicle which is constructed or adapted to carry more than twelve seated passengers in addition to the driver, and which is not a public service vehicle;

“light motor bicycle” means a motor bicycle of which the cylinder capacity of the engine does not exceed 200 cubic centimetres;

“light motor vehicle” means a motor vehicle with three wheels the unladen weight of which does not exceed 450 kilograms;

“motor bicycle” means a two-wheeled motor cycle, whether having a sidecar attached to it or not;

“play bus” means a motor vehicle which was originally constructed to carry more than 12 passengers but which has been adapted primarily for the carriage of playthings for children (including articles required in connection with the use of those things);

(a) S.R. 1989 No. 299; relevant amending Regulations are S.R. 1991 No. 147, 1991 No. 420, 1992 No. 54, 1992 No. 111, 1992 No. 373, 1992 No. 509, 1993 No. 39, 1993 No. 247, 1994 No. 231, 1994 No. 353, 1994 No. 452 and 1995 No. 94

(b) S.R. 1995 No. 449

“the prescribed statutory requirements” has the meaning given by regulation 3(1);

“public service vehicle” has the meaning given by Article 2(2) of the Order of 1981(a);

“road construction vehicle” means a motor vehicle—

(a) which is constructed or adapted for use for the conveyance of built-in road construction machinery; and

(b) which is not constructed or adapted for the conveyance of any other load except articles and material used for the purposes of such machinery;

“serial number”, in relation to a vehicle the chassis of which has not been constructed separately from its superstructure, means the number given to, and for the purpose of identifying, the vehicle by its manufacturer;

“taxi” has the meaning given by Article 79A of the Order of 1981(b);

“tower wagon” means either—

(a) a vehicle into which there is built, as part of the vehicle, an expanding or extendible device designed for facilitating the erection, inspection, repair or maintenance of overhead structures or equipment, and which is not constructed or adapted for use, or used, for the conveyance of any load other than such a device or articles used in connection with it, or

(b) a vehicle into which there is built, as part of the vehicle, an expanding or extendible device designed for facilitating the erection, inspection, repair or maintenance of overhead structures or equipment, and which is not constructed or adapted for use, or used, for the conveyance of any load other than—

(i) such a device or articles used in connection with it, or

(ii) articles used in connection with the installation or maintenance (by means of such a device) of materials or apparatus for lighting streets, roads or public places;

“vehicle testing centre” has the meaning given by Article 73 of the Order.

(2) For the purposes of these Regulations the unladen weight of a vehicle shall be computed in accordance with Article 2(3) of the Order of 1981.

(3) In calculating for the purposes of the definition of “large passenger-carrying vehicle” the number of seated passengers which the vehicle is constructed or adapted to carry a length of at least 400 millimetres measured horizontally along the front of each seat shall be allowed for the accommodation of each such passenger. Where a continuous seat is fitted with arms for the purpose of separating the seating spaces and the arms are so constructed that they can be folded back or otherwise put out of use, the seat shall be measured for the purposes of this paragraph as though it were not fitted with arms.

(a) Article 2(2) was amended by S.I. 1981/1117 (N.I. 24), Art. 3

(b) Article 79A was inserted by Part II of Sch. 3 to S.I. 1991/197 (N.I. 3)

(4) For the purposes of these Regulations the provisions of regulation 2(4) of the Construction and Use Regulations shall apply for determining when a motor vehicle is first used.

The prescribed statutory requirements

3.—(1) The prescribed statutory requirements for the purposes of Article 61(1)(a) of the Order are in relation to any vehicle in a Class specified in an item in column 2 of the Table the requirements specified in that item in column 3 of the Table, and in these Regulations those requirements are referred to as “the prescribed statutory requirements”.

TABLE

(1) <i>Item</i>	(2) <i>Class</i>	(3) <i>Requirement</i>
1	I and II	Paragraph 1 of Schedule 2
2	III	Paragraph 2 of Schedule 2
3	IV	Paragraph 3 of Schedule 2
4	V	Paragraph 4 of Schedule 2

(2) Subject to the provisions of these Regulations, every vehicle to which these Regulations apply and which is submitted for examination in accordance with the provisions of these Regulations shall be examined for the purpose of ascertaining whether those of the prescribed statutory requirements which are applicable to the vehicle have been complied with at the date of the examination.

Condition of vehicles

4. For the purposes of Article 61(1)(b) of the Order the requirement in relation to a vehicle to which these Regulations apply is that the condition of the vehicle should not be such that its use on a road would involve a danger of injury to any person, having regard, in particular, to the items described in Schedule 3, and in these Regulations that requirement is referred to as “the condition requirement”.

Classification of vehicles and application of Regulations

5.—(1) For the purposes of these Regulations motor vehicles to which they apply are classified as follows—

Class I: Light motor bicycles

Class II: Motor bicycles

Class III: Light motor vehicles other than motor bicycles

Class IV: (a) Motor cars and heavy motor cars not being vehicles within Classes III or V

(b) Break-down vehicles

(c) Road construction vehicles

(d) Tower wagons

(e) Dual-purpose vehicles

Class V: (a) Large passenger-carrying vehicles, and

(b) Play buses.

and (except where otherwise provided in these Regulations) any reference in these Regulations to a class of vehicles shall be construed accordingly.

(2) Save as provided in regulation 6, these Regulations apply to every vehicle of a class specified in paragraph (1).

Exemptions

6.—(1) Article 63 of the Order does not apply to the following vehicles—

(i) a heavy locomotive;

(ii) a light locomotive;

(iii) a motor tractor;

(iv) a track laying vehicle;

(v) an articulated vehicle not being an articulated bus;

(vi) a vehicle at a time when it is being used on a public road during any calendar week if—

(i) it is being used only in passing from land in the occupation of the person keeping the vehicle to other land in his occupation; and

(ii) it has not been used on public roads for distances exceeding an aggregate of six miles in that calendar week,

and for the purposes of this sub-paragraph “public road” means a road which is repairable at the public expense;

(vii) a works truck;

(viii) a pedestrian controlled vehicle;

(ix) a vehicle (including a cycle with an attachment for propelling it by mechanical power) which is adapted, and used or kept on a road, for invalids, and which—

(i) does not exceed 306 kilograms in weight unladen, or

(ii) exceeds 306 kilograms but does not exceed 510 kilograms in weight unladen, and are supplied and maintained by or on behalf of the Department of Health and Social Services;

(x) a vehicle temporarily in Northern Ireland displaying a registration mark described in regulation 5 of the Motor Vehicles (International Circulation) (Registration and Licensing) Regulations (Northern Ireland) 1963(a) a period of twelve months not having elapsed since the vehicle was last brought into Northern Ireland;

(xi) a vehicle proceeding to a port for export from the United Kingdom;

- (xii) a vehicle in the service of a visiting force or of a headquarters (within the meaning given by Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965)(a);
 - (xiii) a vehicle provided for police or fire brigade purposes;
 - (xiv) a vehicle owned by or in the service of the naval, military or air forces of Her Majesty;
 - (xv) a vehicle in respect of which a test certificate issued in accordance with section 45 of the Road Traffic Act 1988(b) is in force;
 - (xvi) an agricultural motor vehicle;
 - (xvii) a motor vehicle constructed and not merely adapted for the purpose of street cleansing or the collection or disposal of refuse or the collection or disposal of the contents of gullies and which is either—
 - (a) a three wheeled vehicle, or
 - (b) a vehicle which—
 - (i) is incapable by reason of its construction of exceeding a speed of 20 miles per hour on the level under its own power, or
 - (ii) has an inside track width of less than 810 millimetres;
 - (xviii) a vehicle constructed or adapted for and used solely for the purpose of spreading material on roads to deal with frost, ice or snow;
 - (xix) an electrically-propelled vehicle; and
 - (xx) a public service vehicle.
- (2) The use of a vehicle—
- (a) (i) for the purpose of submitting it by previous arrangement for, or bring it away from, an examination, or
 - (ii) in the course of an examination, for the purpose of taking it to, or bringing it away from, any place where a part of the examination is to be or, as the case may be, has been, carried out, or of carrying out any part of the examination, the person so using it being either—
 - (A) an examiner; or
 - (B) a person acting under the personal direction of an examiner; or
 - (iii) where a test certificate is refused on an examination—
 - (A) for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy for a further examination the defects on the ground of which the test certificate was refused; or
 - (B) for the purpose of delivering it, by towing it, to a place where the vehicle is to be broken up;
- (b) for any purpose for which the vehicle is authorised to be used on roads by an order under Article 60 of the Order;

(a) S.I. 1965/1536

(b) 1988 c. 52

- (c) where the vehicle has been imported into Northern Ireland, for the purpose of its being driven after arrival in Northern Ireland on the journey from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle;
- (d) for the purpose of removing it in pursuance of bye-laws made under Article 107(1) of the Order of 1981 or Article 30 of the Pollution Control and Local Government (Northern Ireland) Order 1978(a);
- (e) where the vehicle has been detained or seized by a police constable, for police purposes connected with such detention or seizure;
- (f) where the vehicle has been removed, detained or seized or condemned as forfeited under any provision of the Customs and Excise Management Act 1979(b) for any purpose authorised by an officer of Customs and Excise;
- (g) for the purpose of testing it by a motor trader as defined in section 62(1) of the 1994 Act, to whom a trade licence has been issued under that section, during the course of, or after completion of repairs carried out to that vehicle by that motor trader;
- (h) being a goods vehicle used for the purpose of funerals; and
- (i) being a goods vehicle first used before 1st January 1960, which is used unladen and not drawing a laden trailer, and a trailer manufactured before 1st January 1960 and used unladen,

is exempt from Article 63(1).

- (3) A vehicle in use only on Rathlin Island is exempt from Article 63(1).

PART II

EXAMINATIONS

Manner of making application for examinations, and fees

7.—(1) Any person wishing to have an examination carried out on a vehicle shall make application for that purpose to the Department.

(2) Every application made under paragraph (1) shall be on a form issued by the Department, and shall contain the particulars required by the Department and shall be accompanied by the appropriate fee determined in accordance with paragraph 1 of Schedule 1.

Time of application for tests

8. Every application for an examination of a vehicle shall be made—

- (a) at least one month before the date on which the applicant desires to submit the vehicle for the examination; and
- (b) not more than three months before the last day by which the vehicle is required by these Regulations to be submitted for the examination.

(a) S.I. 1978/1049 (N.I. 19)

(b) 1979 c. 2

Notice of place and time of examinations

9. As soon as reasonably practicable after the date of the receipt of an application for an examination the Department shall send notice to the applicant in writing of the vehicle testing centre at which the examination is to take place, and the date and time reserved by the Department for that examination.

Application for re-examinations

10.—(1) Where, under regulation 11, a notification of the refusal of a test certificate in respect of a vehicle is issued, the vehicle may be submitted at a vehicle testing centre for a re-examination.

(2) Where an applicant desires to submit a vehicle for a re-examination he shall make a further application for that purpose on a form issued by the Department.

(3) The fee payable on such an application is the appropriate fee determined in accordance with paragraph 1 of Schedule 1.

(4) Where an application is made under paragraph (2) within 21 days from the date of service of the notice and the vehicle is presented for re-examination on a date and at a time appointed by the Department, the fee payable is the appropriate fee determined in accordance with paragraph 2 of Schedule 1.

Examinations, and issue of test certificates (or notices of refusal)

11. On the submission of a vehicle for an examination the Department shall arrange for a vehicle to undergo that examination, and when that examination has been completed there shall be issued—

- (a) where the vehicle is found to comply with the prescribed statutory requirements and the condition requirement, a test certificate, or
- (b) where the vehicle is found not to comply with the prescribed statutory requirements or the condition requirement, a notice of refusal of a test certificate.

Re-examination procedure, and issue of test certificates (or notices of refusal)

12.—(1) Where a vehicle is submitted for a re-examination at a vehicle testing centre in circumstances where the fee for the re-examination is payable under paragraph (4) of regulation 10 a vehicle examiner shall in carrying out the examination be under an obligation only to examine the vehicle for the purpose of ascertaining whether it complies with the particular items of the prescribed statutory requirements or the condition requirement with which it was shown in the notice of a refusal of a test certificate not to comply.

(2) Where a vehicle examiner finds that the vehicle complies with the particular items of the prescribed statutory requirements or the condition requirement mentioned in paragraph (1) and has no reason to believe that the other prescribed statutory requirements or the condition requirement are not complied with in relation to the vehicle, there shall be issued a test certificate.

(3) Where a vehicle examiner does not find that the vehicle complies with the particular items of the prescribed statutory requirements or the condition requirement mentioned in paragraph (1) or finds that any other prescribed statutory requirement or an item of the condition requirement is not complied with in relation to the vehicle, there shall be issued a notice of the refusal of a test certificate.

(4) Where a vehicle is submitted for a re-examination at a vehicle testing centre in circumstances where a fee for the re-examination is payable under regulation 10(3), the Department shall arrange for the vehicle to undergo a re-examination, and when that re-examination has been completed there shall be issued—

- (a) where the vehicle is found to comply with the prescribed statutory requirements and the condition requirement, a test certificate; or
- (b) where the vehicle is found not to comply with the prescribed statutory requirements or the condition requirement, a notice of refusal of a test certificate.

(5) The person submitting the vehicle for re-examination shall produce the notification of refusal and the registration book relating to the vehicle, and the Department shall not be required to carry out the re-examination unless the notification of refusal and the registration book are produced.

Form of test certificates and notices of refusal

13. Test certificates and notices of the refusal of a test certificate issued under regulation 11 or 12 shall—

- (a) be signed by a vehicle examiner; and
- (b) contain—
 - (i) the date on which it was issued;
 - (ii) details of the vehicle testing centre at which it was issued; and
 - (iii) the registration mark (if any) exhibited on the vehicle or, if no such mark is so exhibited, the chassis or serial number marked on the vehicle.

Removal of vehicle submitted for examination

14. A person presenting a vehicle for examination shall cause it to be removed from the vehicle testing centre before the end of the day on which the examination is completed.

PART III

APPEALS

Appeal on refusal of a test certificate

15.—(1) An appeal under Article 61(4) of the Order shall be made in writing on a form issued by the Department and shall be sent, together with the appropriate fee determined in accordance with paragraph 1 of Schedule 1, to the Department within fourteen days from the date of issue of the notification of refusal.

(2) On being notified by the Department in writing, the appellant shall present the vehicle for a further examination at the time and vehicle testing centre specified in the notice.

(3) The person submitting the vehicle for such examination shall—

(a) produce the notification of refusal and the registration book relating to the vehicle; and

(b) give such information as may be reasonably required in relation to alterations made or repairs carried out, or any accidents or other events occurring, since the date of the notification, which may have affected the vehicle or its equipment or accessories,

and the Department shall not be required to carry out the examination unless the notification of refusal and registration book are produced and such information is given.

Repayment of fee on appeal

16.—(1) After the completion of the examination for the purpose of the appeal, the Department shall repay to the appellant the whole or part of the fee paid on the appeal where it appears to the Department that there were substantial grounds for contesting the whole or part of the decision appealed.

(2) Subject to paragraph (3), the fee payable on appeal shall be payable notwithstanding that the vehicle is not submitted for examination in accordance with the provisions of regulation 15.

(3) Where the appellant has before the time specified under regulation 15(2) for the carrying out of the examination given the Department not less than three days' notice (whether in writing or otherwise) at the vehicle testing centre specified in the notice, that the appellant does not propose to submit the vehicle for examination at that time, any amount previously paid in respect of such a fee shall be repaid to the appellant unless another time is arranged for the carrying out of the examination.

PART IV

OTHER MATTERS

Duplicate test certificates

17.—(1) If a test certificate has been lost or defaced, an application for the issue of a duplicate of the original certificate may be made.

(2) Subject to paragraph (3), the Department shall search the copies of test certificates and other records in its possession and upon tracing sufficient particulars of the certificate to which the application relates to enable a duplicate to be issued and on being paid the fee determined in accordance with paragraph 5 of Schedule 1 shall issue a duplicate marked "Duplicate" and the duplicate so issued shall have the same effect as the original test certificate.

(3) No such search need be made if the original certificate was issued more than thirteen months previously or if the applicant does not furnish with his application the approximate date of its issue, together with particulars of

the registration mark of the vehicle to which the certificate relates and also either the address or identity of the vehicle testing centre at which the original certificate was issued.

Suspension or revocation of test certificates

18.—(1) The Department may suspend or revoke a test certificate if—

- (a) the test certificate has been obtained by misrepresentation;
- (b) the vehicle fails to conform with the prescribed statutory requirements or the condition requirement; or
- (c) the test certificate has been altered, defaced or mutilated.

(2) In the event of any such suspension or revocation—

- (a) the Department shall serve on the owner written notice of such suspension or revocation and the test certificate shall be deemed to be suspended or revoked as from the date of such service; and
- (b) the owner shall deliver the test certificate to the vehicle testing centre specified in the notice within 7 days of the date of service of the notice.

Production of test certificate on application for licence

19.—(1) Where an application is made for a licence under the 1994 Act for a motor vehicle to which Article 63(2)(a) of the Order applies, the licence shall not be granted unless there is produced a current test certificate.

(2) Where an application is made for a licence under the 1994 Act for a motor vehicle to which Article 63(2)(b) of the Order applies, the licence shall not be granted unless—

- (a) there is produced a current test certificate; or
- (b) the owner of the vehicle declares in writing the year in which the vehicle was manufactured, and a period of 5 years, or such other period specified by an order made by the Department under Article 63(9) of the Order, from the date of manufacture has not expired.

General provisions as to repayment of fees

20.—(1) The fees paid in pursuance of regulation 7(2) or 10(3) or (4) shall be repaid—

- (a) if no appointment for an examination of the vehicle is made or the appointment made is subsequently cancelled by the Department;
- (b) if the person for whom the appointment is made gives to the Department, at the vehicle testing centre where the examination is to be held, notice cancelling the appointment of not less than 3 clear days before the date of the appointment;
- (c) if the person for whom the appointment is made keeps the appointment but the examination does not take place, or is not completed, for reasons attributable neither to him nor to the vehicle presented for examination; or
- (d) if the person whom the appointment is made satisfies the Department that the vehicle cannot, or, as the case may be, could not reasonably

be presented for examination on the date of appointment due to exceptional circumstances occurring not more than 7 days before the said date and of which notice is given within 3 days of the occurrence thereof to the Department at the vehicle testing centre where the examination is, or, as the case may be, was to be held.

(2) In this regulation “exceptional circumstances” means an accident, a fire, a failure in the supply of fuel or electricity or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts therefor).

Fee payable for test under Article 75(5) or inspection under Article 81 of the Order

21.—(1) The fee payable for a test under Article 75(5) of the Order is the appropriate fee determined in accordance with paragraph 4 of Schedule 1.

(2) The fee payable for an inspection under Article 81 of the Order is the appropriate fee determined in accordance with paragraph 3 or 4, as the case may be, of Schedule 1.

Computation of time

22.—(1) Save in regulations 18(2)(b) and 20(1)(d) (insofar as it relates to 7 days), no period of time described in these Regulations shall include any day which is a Saturday, Sunday or public holiday.

(2) For the purposes of these Regulations “public holiday” shall not include Good Friday and shall include Easter Tuesday.

Revocation

23. The Regulations specified in Schedule 4 are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on
4th December 1995.

(L.S.)

Trevor Pearson

Assistant Secretary

SCHEDULE 1

Regulations 7(2), 10(3)
and (4), 15(1), 17(2) and 21

Fees

1. <i>Fee payable for examination under regulation 7(2) or 10(3) or 15(1)</i>	
(a) Vehicle in Class I or II	£10.50
(b) Vehicle in Class III or IV (not being a minibus)	£17.50
(c) Vehicle in Class V	£21.00
(d) Minibus	£21.00
2. <i>Fee payable for re-examination under regulation 10(4)</i>	
(a) Vehicle in Class I or II	£7.50
(b) Vehicle in Class III or IV (not being a minibus)	£10.00
(c) Vehicle in Class V	£10.50
(d) Minibus	£10.50
3. <i>Fee payable for a full inspection under Article 81 of the Order</i>	
(a) Vehicle in Class I or II	£10.50
(b) Vehicle in Class III or IV (not being a minibus)	£17.50
(c) Vehicle in Class V	£21.00
(d) Minibus	£21.00
(e) Public service vehicle constructed or adapted to carry more than 12 passengers	£41.00
(f) Public service vehicle constructed or adapted to carry not more than 12 passengers	£31.00
(g) Taxi	£29.00
(h) Goods vehicle of 3,500 kgs maximum gross weight or under	£17.50
(i) Goods vehicle over 3,500 kgs maximum gross weight	£32.50
(j) Trailer	£21.00
4. <i>Fee payable for a test under Article 75(5) of the Order or a partial inspection under Article 81 of the Order</i>	
(a) Vehicle in Class I or II	£7.50
(b) Vehicle in Class III or IV (not being a minibus)	£10.00
(c) Vehicle in Class V	£10.50
(d) Minibus	£10.50
(e) Public service vehicle constructed or adapted to carry more than 12 passengers	£20.50
(f) Public service vehicle constructed or adapted to carry not more than 12 passengers	£14.50
(g) Taxi	£10.50
(h) Goods vehicle of 3,500 kgs maximum gross weight or under	£10.00
(i) Goods vehicle over 3,500 kgs maximum gross weight	£16.50
(j) Trailer	£10.50
5. <i>Fee payable for a duplicate test certificate</i>	
Any vehicle	£9.00

The Prescribed Statutory Requirements for Vehicles in Classes I and II

1. (a) The requirements contained in the following provisions of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
1	13, 14 and 16	Braking
2	22 to 25	Wheels and Tyres
3	27	Steering
4	33 and 34	Speedometer
5	35	Audible Warning Instrument
6	36	Sidestands
7	37	Petrol Tanks
8	56	Silencers
9	69	Vehicle Identification Number
10	71	Plates

(b) The requirements contained in the following provisions of the Lighting Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
11	21 and 26	Front Position Lamp
12	21 and 26	Dipped Beam Headlamp
13	21 and 26	Main Beam Headlamp
14	21 and 26	Rear Position Lamp
15	21 and 26	Rear Retro Reflector
16	21 and 26	Stop Lamp
17	21 and 26	Direction Indicator
18	21 and 26	Rear registration plate lamp

(c) The requirements contained in the following provisions of the Road Vehicles (Registration and Licensing) Regulations (Northern Ireland) 1973(a):

(a) S.R. & O. 1973 No. 490; relevant amending Regulations are S.I. 1976/2180

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
19	18, 19, 20 and 21	Registration Marks

The Prescribed Statutory Requirements for Vehicles in Class III

2. (a) The requirements specified in items 1 to 5, 7 to 9 and 11 to 19, in paragraph 1.
- (b) The requirements contained in the following provisions of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
20	20	Structure and Suspension
21	28, 29 and 30	Glass and Field of Vision
22	31	Mirrors
23	32	Windscreen Cleaning
24	46, 47 and 48	Seat Belts and Anchorage Points
25	53	Mascots
26	68	Plates

- (c) The requirements contained in the following provisions of the Lighting Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
27	21 and 26	Rear Fog Lamp

The Prescribed Statutory Requirements for Vehicles in Class IV

3. (a) The requirements specified in items 1 to 5, 7 to 9 and 11 to 27 in paragraphs 1 and 2.
- (b) The requirements contained in the following provisions of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
28	6 to 11	Dimensions
29	34A and 71A(a)	Speed Limiter
30	49 to 52	Rear Under-run Devices and Sideguards
31	63	Emissions

- (a) Regulations 34A and 71A were inserted by S.R. 1994 No. 452, reg. 4(1) and (2) and Parts I and II of the Schedule

- (c) For minibuses of a type mentioned in regulation 41 of the Construction and Use Regulations, the requirements specified in Schedules 5 and 6 to those Regulations.
- (d) The requirements of the Community Recording Equipment regulation insofar as they relate to the installation of recording equipment and the seals to be affixed to such equipment.

The Prescribed Statutory Requirements for Vehicles in Class V

- 4. (a) The requirements specified in items 1 to 5, 7 to 9, 11 to 29 and 31 in paragraphs 1 to 3.
- (b) The requirements of paragraph 3(c) and (d).
- (c) The requirements contained in the following provision of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
32	15	Braking

Condition of vehicles

Descriptions of items to which regard shall be given during an examination

spare wheel carrier;
trailer coupling on a motor vehicle;
the chassis;
electrical wiring and equipment;
engine and transmission mountings;
fuel tanks and system;
transmission shafts and associated equipment;
exhaust system;
battery;
wheels and hubs;
suspension system;
axles and steering gear;
shock absorbers;
bumpers;
wings;
the cab;
the body;
driver's controls;
cab step or step rings;
doors, locks and hinges,
seats,
entrances and exits.

Regulations revoked

<i>Title</i>	<i>Year and Number</i>
Motor Vehicle Testing Regulations (Northern Ireland) 1989	S.R. 1989 No. 234
Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 1993	S.R. 1993 No. 94
Motor Vehicle Testing (Fees) (Amendment) Regulations (Northern Ireland) 1994	S.R. 1994 No. 409
Motor Vehicle Testing (Fees) (Amendment) Regulations (Northern Ireland) 1995	S.R. 1995 No. 157
Large Private Passenger Vehicles (Certification) Regulations (Northern Ireland) 1982	S.R. 1982 No. 383
Large Private Passenger Vehicles (Certification) (Amendment) Regulations (Northern Ireland) 1987	S.R. 1987 No. 351
Large Private Passenger Vehicles (Certification) (Amendment) Regulations (Northern Ireland) 1993	S.R. 1993 No. 77
Large Private Passenger Vehicles (Certification) (Amendment) Regulations (Northern Ireland) 1994	S.R. 1994 No. 411
Large Private Passenger Vehicles (Certification) (Fees) (Amendment) Regulations 1995	S.R. 1995 No. 158

(This note is not part of the Regulations.)

These Regulations revoke the Motor Vehicle Testing Regulations (Northern Ireland) 1989 as amended and the Large Private Passenger Vehicles (Certification) Regulations (Northern Ireland) 1982 as amended, and make fresh provision for the testing of motor vehicles, except goods vehicles and public service vehicles, in Northern Ireland, upon the introduction of new provisions in the Road Traffic (Northern Ireland) Order 1995.

The principal changes are—

1. The statutory requirements for each class of vehicle are specified (regulation 3 and Schedule 2).
2. New provision is made to ascertain whether the conditions of a vehicle is such that it would not involve a danger of injury to any person (regulation 4 and Schedule 3).
3. The Regulations apply to all motor vehicles, except goods vehicles and public service vehicles. These vehicles to which the Regulations apply are divided into five classes (regulation 5).
4. Electrically-propelled vehicles are not required to have a test certificate (regulation 6(1)).
5. An application for a test certificate must be made at least one month before the date on which the applicant desires to submit the vehicle for examination and no more than three months before the last day by which the vehicle is required to be examined. The previous requirement for a vehicle test certificate was that an application must have been made at least six weeks before the date on which the applicant desired to submit the vehicle for a test (regulation 8).

The Regulations set out in Schedule 4 are revoked as a consequence of these Regulations (regulation 23).

Any person who acts in contravention of the Regulations shall be guilty of an offence and shall be liable on summary conviction, in the case of a vehicle adapted to carry more than 8 passengers, to a fine not exceeding level 4 on the standard scale (currently £2,500), and in any other case, to a fine not exceeding level 3 on the standard scale (currently £1,000).