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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 484**

**Motor Cycles Etc. (Single Vehicle Approval)  
Regulations (Northern Ireland) 2004**

**PART III**

**MISCELLANEOUS**

**Refusal of application or appeal without an examination or a complete examination**

**8.—(1)** The Department may refuse an application or appeal even though an examination has not been carried out if –

- (a) the vehicle is not submitted for examination at the time and place fixed under these Regulations for the examination;
- (b) the fee in respect of the examination is not paid at or before the time fixed under these Regulations for the examination;
- (c) the examiner is not able, with the facilities and apparatus available to him at the place at which the examination would otherwise be carried out, to complete the examination without the vehicle being driven or the engine run and the vehicle is not when submitted for examination, either for want of fuel or oil or for any other reason, fit to be driven or for the engine to be run to such extent as may be necessary for the purposes of carrying out the examination;
- (d) when the vehicle is submitted for the examination, the vehicle or any item which forms part of the vehicle or its equipment is so dirty or dangerous as to make it unreasonable for the examination to be carried out;
- (e) any things which are on the vehicle when it is submitted for the examination, and are not part of its equipment or accessories, are required by the examiner to be removed from the vehicle or to be secured in such manner as he may think necessary and those things are not removed or secured accordingly;
- (f) when the vehicle is submitted for the examination, a proper examination cannot be carried out as a consequence of any door, tailgate, boot lid, engine cover, fuel cap or other device designed to be capable of being readily opened, being locked or otherwise fixed so that it cannot readily be opened;
- (g) when the vehicle is submitted for the examination, its condition is such that, in the opinion of the examiner, a proper examination of the vehicle would involve a danger of –
  - (i) injury to any person, or
  - (ii) damage to the vehicle or any other property;
- (h) when the vehicle is submitted for examination, there is not permanently fixed to the frame, chassis or main structure of the vehicle in a conspicuous and easily accessible position so as to be readily legible, a vehicle identification number which –

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (i) complies with paragraph 3.1.1 of the Annex to Directive [93/34/EC](#) and corresponds with the frame number or chassis number, as appropriate, of the vehicle;
  - (ii) has been assigned to the vehicle under regulation 6(1); or
  - (iii) does not fall within sub-paragraph (i) or (ii) but appears to the Department to be adequate for the purpose of enabling the vehicle to be identified; or
- (i) the person who is the driver of the vehicle at the time it is submitted for the examination is requested to remain on or in it or in its vicinity throughout the examination, to drive it, to operate its controls or to remove and refit its panels and he declines to do so.
- (2) Nothing in this regulation shall affect any power of the Department to refuse an application or to reject an appeal otherwise than under this regulation.