

**EXPLANATORY MEMORANDUM TO**  
**THE GOODS VEHICLES (TESTING) (FEES) (AMENDMENT)**  
**REGULATIONS (NORTHERN IRELAND) 2012**

**SR 2012 No. 328**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 65(1) and (2), 67(1)(h) and 110(2) of the Road Traffic (Northern Ireland) Order 1995 and is subject to the negative resolution procedure.
- 1.3. The rule is due to come into operation on 1st October 2012.

**2. Purpose**

- 2.1. The Statutory Rule will increase fees in respect of goods vehicle tests in order to enable the Driver & Vehicle Agency to carry out the compliance assurance tasks required to implement key provisions from the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010.
- 2.2. It is proposed that goods vehicle test fees, which were last increased in 2005, should be increased with effect from 1st October 2012.

**3. Background**

- 3.1. The proposed increases are necessary to ensure full cost recovery of the cost of the compliance assurance activity associated with implementation of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 and will result in an increase to the test fees of £38.50 for vehicles and £15.00 for trailers.
- 3.2. Compliance assurance in respect of the 2010 Act will require extensive administrative compliance checks when applications are received from operators. These will include checking the repute of operators and transport managers, including any enforcement actions taken against them in the past including prohibitions, fixed penalties or prosecutions.
- 3.3. In addition there will be a requirement for additional checks at the roadside and visits to premises to checks for evidence of systems to support compliance eg drivers hours, licensing and environmental requirements, and maintenance regimes.
- 3.4. DVA will also undertake action at the request of the Transport Regulation Unit and also where evidence is received from other sources in regard to non-compliance.

**4. Matters of Special Interest to the Environment Committee**

- 4.1. None.

## **5. Consultation**

- 5.1. Consultation in respect of the fee increase was carried out between December 2011 and February 2012. No issues were raised.

## **6. Position in Great Britain**

- 6.1. In all cases, the proposed Northern Ireland fees are considerably below the fees currently charged in GB.

## **7. Equality Impact**

- 7.1. There are no Human Rights, Equality, Environmental or Rural Issues associated with the proposed legislation.

## **8. Regulatory Impact**

- 8.1. A Regulatory Impact Assessment (RIA) was completed for the implementation of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010.

## **9. Financial Implications**

- 9.1. Not applicable.

## **10. Section 24 of the Northern Ireland Act 1998**

- 10.1. The Department has considered the matter of Convention rights and Community Law and is satisfied there are no matters of concern.

## **11. EU Implications**

- 11.1. Not applicable.

## **12. Additional Information**

- 12.1. Not applicable.