



Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Tests of vehicles other than goods vehicles to which section 49 applies

47 Obligatory test certificates.

- (1) A person who uses on a road at any time, or causes or permits to be so used, a motor vehicle to which this section 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 section and section 48 of this Act, the “appropriate period” means a period of twelve months or such shorter period as may be prescribed.

- (2) Subject to subsections (3) and (5) below, the motor vehicles to which this section applies at any time are—
- (a) those first registered [^{F1}under the Vehicle Excise and Registration Act 1994 or any corresponding earlier legislation], not less than three years before that time, and
 - (b) those which, having a date of manufacture not less than three years before that time, have been used on roads (whether in Great Britain or elsewhere) before being [^{F2}so registered],

being, in either case, motor vehicles other than goods vehicles which are required by regulations under section 49 of this Act 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 eight seats, excluding the driver’s seat, or
 - (b) a taxi (as defined in section 64 (3) of the ^{M1}Transport Act 1980), being a vehicle licensed to ply for hire, or

Status: Point in time view as at 30/11/1999. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 47 is up to date with all changes known to be in force on or before 05 August 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)

- (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,

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

[^{F3}(4) For the purposes of subsection (2)(b) above 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 [^{F4}section 24 of the Vehicle Excise and Registration Act 1994] before it is registered by the Secretary of State under [^{F5}section 21(2)] of that Act.

- (5) This section does not apply to vehicles of such classes as may be prescribed.
- (6) The Secretary of State may by regulations exempt from subsection (1) above the use of vehicles for such purposes as may be prescribed.
- (7) The Secretary of State may by regulations exempt from subsection (1) above the use of vehicles in any such area as may be prescribed.
- (8) For the purposes of this section 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 Secretary of State may by order made by statutory instrument direct that subsection (2) above shall have effect with the substitution, for three years (in both places), of such other period (not being more than ten years) as may be specified in the order.

An order under this subsection shall not have effect unless approved by resolution of each House of Parliament.

Subordinate Legislation Made

- P1** S. 47 for previous exercises of power see Index to Government Orders
P2 S. 45 (with ss. 46 and 47(5)) power exercised by [S. I. 1991/253](#)

Textual Amendments

- F1** Words in s. 47(2)(a) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66(1), [Sch. 3 para. 24\(2\)\(a\)](#) (with s. 57(4))
F2 Words in s. 47(2)(b) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66(1), [Sch. 3 para. 24\(2\)\(b\)](#) (with s. 57(4))
F3 S. 47(4) substituted (1.6.1994) by 1994 c. 9, s. 5, [Sch. 2 paras. 25, 29](#)
F4 Words in s. 47(4)(b) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66(1), [Sch. 3 para. 24\(2\)\(c\)\(i\)](#) (with s. 57(4))
F5 Words in s. 47(4)(b) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66(1), [Sch. 3 para. 24\(2\)\(c\)\(ii\)](#) (with s. 57(4))

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Marginal Citations

M1 1980 c. 34.

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