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STATUTORY INSTRUMENTS

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**1988 No. 1478**

**The Goods Vehicles (Plating and Testing) Regulations 1988**

**PART I**  
**GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Goods Vehicles (Plating and Testing) Regulations 1988 and shall come into force on 23rd September 1988.

**Revocation**

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

**Interpretation**

3.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

“the 1971 Act” means the Vehicles (Excise) Act 1971(1);

“the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986(2);

“the National Type Approval for Goods Vehicles Regulations” means the Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982(3);

“agricultural motor vehicle”, “agricultural trailer”, “agricultural trailed appliance”, “agricultural trailed appliance conveyor”, “articulated vehicle”, “converter dolly”, “dual-purpose vehicle”, “engineering plant”, “Ministry plate”, “registered”, “semi-trailer”, “straddle carrier”, “track-laying”, “works trailer”, and “works truck” have the same meanings respectively as in the Construction and Use Regulations;

“the 1972 Act” means the Road Traffic Act 1972;

“appeal officer” means the person appointed by the Secretary of State for the purposes of appeals to the Secretary of State;

“area engineer” means the area mechanical engineer appointed by the Secretary of State for the purposes of appeals other than appeals to the Secretary of State;

“auxiliary station” means a vehicle testing station which is regularly not open for the carrying out of re-tests on certain normal working days;

“break-down vehicle” means a motor vehicle—

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(1) 1971 c. 10.

(2) S.I. 1986/1078; relevant amending instruments are S.I. 1986/1597, 1987/676, 1133, 1988/271, 1178 and 1287.

(3) S.I. 1982/1271, amending instruments are S.I. 1984/697 and 1402, 1985/46, 1986/427 and 1089 and 1987/1508.

- (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;

“examination” means any operation being—

- (a) a first examination;
- (b) a re-test;
- (c) a periodical test;
- (d) a re-examination under regulation 33; or
- (e) a re-examination on an appeal under regulation 25, 29 or 37;

“first examination”, in relation to a vehicle, means an examination being both an examination for plating and a first goods vehicle test;

“Goods Vehicle Centre” means the Goods Vehicle Centre at Welcombe House, 91—92 The Strand, Swansea, SA1 2DH.

“living van” means a vehicle whether mechanically propelled or not which is used as living accommodation by one or more persons, and which is also used for the carriage of goods or burden which are not needed by such one or more persons for the purpose of their residence in the vehicle;

“Ministry test date disc” means a plate issued by the Secretary of State for a goods vehicle being a trailer, following the issue of a goods vehicle test certificate for that trailer under these Regulations and containing—

- (a) the identification mark allotted to that trailer and shown in that certificate;
- (b) the date until which that certificate is valid; and
- (c) the number of the vehicle testing station shown in the said certificate;

“notifiable alteration”, in relation to a vehicle, means—

- (a) an alteration made in the structure or fixed equipment of the vehicle which varies the carrying capacity or towing capacity of the vehicle;
- (b) an alteration, affecting any part of a braking system or the steering system with which the vehicle is equipped or of the means of operation of either of those systems; or
- (c) any other alteration made in the structure or fixed equipment of the vehicle which renders or is likely to render the vehicle unsafe to travel on roads at any weight equal to any plated weight shown in the plating certificate for that vehicle.

“periodical test”, in relation to a vehicle, means a goods vehicle test carried out under Part IV of these Regulations on a vehicle in respect of which a goods vehicle test certificate has been issued on a first examination of it or as a result of a re-test following that examination or as a result of an appeal under any provision in these Regulations;

“plated particulars” means those particulars which are required to be shown in a Ministry plate under Schedule 10 to the Construction and Use Regulations;

“plated weights” means such of the plated particulars related to gross weight, axle weight for each axle and train weight as are required to be shown in column (2) on the Ministry plate;

“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 play things for children (including articles required in connection with the use of those things);

“the prescribed construction and use requirements”, in relation to a vehicle, means those of the requirements specified in Schedule 3 which apply to the vehicle;

“re-test”, in relation to a vehicle, means an examination which is

- (a) an examination for plating and a goods vehicle test carried out on a vehicle under Part III of these Regulations subsequent to a first examination of that vehicle as a result of which a notice of refusal was issued; or
- (b) a goods vehicle test carried out on a vehicle under Part IV of these Regulations subsequent to a periodical test of that vehicle as a result of which a notice of refusal was issued;

“Secretary of State” means the Secretary of State for Transport;

“sender” means a person who informs the Secretary of State of a notifiable alteration under regulation 30;

“sold or supplied by retail”, in relation to a trailer, means sold or supplied otherwise than to a person acquiring solely for the purpose of resale or of resupply for a valuable consideration;

“the standard lists” means lists—

- (a) prepared by the Secretary of State after consultation with representative organisations of the motor manufacturing and road transport industries and other connected organisations and published by the Goods Vehicle Centre; and
- (b) showing, as respects goods vehicles of a make, model and type specified in the lists and complying in the case of motor vehicles with certain particulars relating to the engine, transmission, brakes and dimensions so specified and in the case of trailers with certain particulars relating to type of coupling, dimensions, brakes and tyres so specified (hereinafter referred to as “the constructional particulars”) the gross weight for, and the axle weight for each axle of, vehicles of that make, model and type and, in the case of motor vehicles, the train weight for vehicles of that make, model and type, the said weights being weights at or below which the Secretary of State considers vehicles of that make, model and type could safely be driven on roads having regard to— ii(i) the weights at which vehicles of that make, model and type were originally designed to operate; i(ii) in the case of motor vehicles, the requirements as to brakes of regulations 15, 16 and 18 of the Construction and Use Regulations; (iii) in the case of trailers, the requirements of regulations 15 and 16 of the Construction and Use Regulations and the provisions of Schedule 1 as respects braking force; and

“vehicle testing station” means a station provided by the Secretary of State under section 45(9) of the 1972 Act.

(2) Any reference in these Regulations to—

- (a) an examination for plating includes, in relation to a vehicle to which regulation 18 applies, an examination provided for in that regulation; and
- (b) a vehicle of a make, model and type shall in relation to a trailer, include a reference to a vehicle of a make and bearing a serial number.

(3) For the purpose of these Regulations, in counting the number of axles of a vehicle, where the centres of the areas of contact between all the wheels and the road surface can be included between any two vertical planes at right angles to the longitudinal axis of the vehicle less than 1.02 metres apart, those wheels shall be treated as constituting one axle.

(4) For the purpose of these Regulations, in determining when a trailer is first sold or supplied by retail the date of such first sale or supply by retail shall in the case of a trailer which is constructed with a chassis be taken to be the date on which the chassis (with or without a body mounted on it) is first sold or supplied by retail and in the case of any other trailer be taken to be the date the trailer is first sold or supplied by retail.

(5) Unless the context otherwise requires, any reference in these Regulations to—

- (a) a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations;
- (b) a numbered paragraph is a reference to the paragraph bearing that number in the regulation or Schedule in which the reference appears;
- (c) a vehicle is a reference to a vehicle to which these Regulations apply.

### **Application**

- 4.—(1) Subject to paragraph (2), these Regulations apply to goods vehicles being—
- (a) heavy motor cars and motor cars constructed or adapted for the purpose of forming part of an articulated vehicle;
  - (b) other heavy motor cars;
  - (c) other motor cars, the weight of which unladen exceeds 1525 kilograms;
  - (d) semi-trailers;
  - (e) converter dollies of any unladen weight manufactured on or after 1st January 1979; or
  - (f) trailers, not being converter dollies or semi-trailers, the unladen weight of which exceeds 1020 kilograms.
- (2) Nothing in these Regulations applies to goods vehicles of any of the classes of vehicle specified in Schedule 2.

### **Prescribed requirements for tests**

- 5.—(1) Subject to these Regulations, every vehicle submitted for a goods vehicle test in accordance with these Regulations shall be examined for the purpose of ascertaining whether the prescribed construction and use requirements are complied with.
- (2) For the purposes of these Regulations the applicability of any of the prescribed construction and use requirements to a vehicle is not affected by Item 5 in the Table in regulation 4(4) of the Construction and Use Regulations (which exempts vehicles being used in the course of a goods vehicle test from certain construction and use requirements).

### **Supervision of tests**

6. Subject to these Regulations, every examination for plating and every goods vehicle test shall be carried out by or under the direction of a goods vehicle examiner.

### **Authority to drive and duties of driver**

- 7.—(1) The person who drove the vehicle to an examination shall, except so far as he is permitted to be absent by the person who is carrying out the examination, be present throughout the whole of the examination, and shall drive the vehicle and operate its controls when and in such a manner as he may be directed by the person who is carrying out the examination to do so.
- (2) The person who is carrying out an examination is authorised to drive the vehicle on a road or elsewhere.
- (3) A contravention of this regulation is hereby declared to be an offence.

### **Conditions of acceptance of vehicle.**

- 8.—(1) In this regulation, “examiner” means—

- (a) in relation to an examination other than one under section 45(3) or (4) of the 1972 Act, a goods vehicle examiner;
  - (b) in relation to an examination under section 45(3) of the 1972 Act, the area engineer; and
  - (c) in relation to an examination under section 45(4) of the 1972 Act, the appeal officer.
- (2) An examiner shall not be under an obligation to accept a vehicle for examination or to proceed with an examination in any case where—
- (a) the vehicle is not submitted for examination at the time fixed under these Regulations for the examination;
  - (b) the applicant for the examination does not, after being requested to do so, produce the notice of appointment (if any) relating to the examination and— i(i) in the case of a motor vehicle, either the registration document relating to the vehicle or other evidence of the date of its first registration or, in the case of a motor vehicle not registered before the date of the examination, evidence of the date of its manufacture; or (ii) in the case of a trailer, evidence of the date of its manufacture;
  - (c) the fee in respect of that examination has not been paid and is not tendered in cash;
  - (d) the particulars relating to the vehicle and shown in any application form relevant to that examination are found to be substantially incorrect;
  - (e) the vehicle is one as respects which it has been stated in the application form that it is to be used on roads to draw a trailer and in the last notice of appointment preceding the examination it was required that the vehicle should be accompanied by a trailer which is to be so drawn, and the vehicle is not accompanied by such a trailer;
  - (f) the vehicle is a trailer and is not accompanied by a motor vehicle suitable for drawing that trailer and capable of operating any braking system with which the trailer is equipped;
  - (g) there is not permanently affixed to the chassis or main structure of the vehicle in a conspicuous and easily accessible position so as to be readily legible either—
    - (i) the chassis or serial number shown in the registration document relating to the vehicle; or
    - (ii) if no such number is shown or exists, the identification mark allotted to the vehicle by the Secretary of State;
  - (h) the vehicle, or any motor vehicle by which it is accompanied, or any part of or any equipment of the vehicle is so dirty or dangerous as to make it unreasonable for the examination to be carried out in accordance with these Regulations or of any directions given under section 45(8) of the 1972 Act, or the applicant for the examination does not produce any certificate required in the last notice of appointment preceding the examination, that a vehicle used for carrying toxic, corrosive or inflammable loads has been properly cleaned or otherwise made safe;
  - (i) an examiner is not able to complete the examination without the vehicle or, in the case of a trailer the motor vehicle by which it is accompanied being driven and such vehicle or, as the case may be, accompanying vehicle is not provided with fuel and oil to enable it to be driven to such extent as may be necessary for the purpose of the examination;
  - (j) an examiner is not able to complete the examination of a trailer unless the motor vehicle by which it is accompanied is driven on a road, and that motor vehicle cannot be so driven in compliance with section 8 of the 1971 Act because no licence under that Act is in force for such vehicle;
  - (k) the vehicle or any trailer by which it is accompanied is not loaded or unloaded in the manner (if any) specified for the purposes of the examination either in the last notice

of appointment preceding the examination or by the Secretary of State under these Regulations;

- (l) an examiner is not able to complete the examination due to the failure of a part of the vehicle, or of any vehicle by which it is drawn or intended to be drawn, which renders the vehicle, or any such accompanying vehicle incapable of being moved in safety under the power of the vehicle or, as the case may be, the accompanying vehicle;
- (m) on the submission of a vehicle for a periodical test, or a re-test following a periodical test the driver of the vehicle or, in the case of a trailer, the driver of the vehicle which accompanies it, does not produce to an examiner the last plating certificate (or a photocopy of it) and the last goods vehicle test certificate (or a photocopy of it) which have been issued in respect of the vehicle submitted; or
- (n) on the submission of a vehicle to which regulation 18 applies for a first examination, or for a re-test under regulation 15 following a first examination, the driver of the vehicle does not produce to the examiner the certificate mentioned in regulation 18(2).