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STATUTORY INSTRUMENTS

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**1988 No. 1478**

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

**PART V**

**REGULATIONS GOVERNING NOTIFIABLE ALTERATIONS,  
AMENDMENTS OF PLATING CERTIFICATES AND  
RE-EXAMINATIONS IN CONNECTION THEREWITH**

**Secretary of State to be informed of notifiable alterations**

**30.** In the event of a notifiable alteration being made to a vehicle in respect of which a plating certificate has been issued, and before the vehicle to which the alteration has been made is used on roads, particulars of that alteration on a form approved by the Secretary of State shall be sent to him at the Goods Vehicle Centre, and any such form may contain a request by the sender for an amendment to be made as respects a plated weight shown on the plating certificate for the vehicle.

**31.** In this Part of these Regulations, any reference to the re-examination of a vehicle shall, as regards a vehicle for which there has been issued a certificate of conformity or a Minister's approval certificate and which has not been submitted for an examination as provided in regulation 18, be construed as a reference to an examination of the vehicle.

**Other amendments to the plating certificate**

**32.** Where, otherwise than by reason of a notifiable alteration, any particular (with reference to a plated weight or any other matter) contained in a plating certificate for a vehicle becomes or may have become no longer applicable to that vehicle, an application on a form approved by the Secretary of State may be sent to him at the Goods Vehicle Centre, for the purpose of having the vehicle re-examined with a view to that particular being amended.

**Provision as to re-examination**

**33.—(1)** Where, under regulation 30, particulars of a notifiable alteration are sent to the Secretary of State and the form contains a request as provided in that regulation the Secretary of State shall by notice to the sender require him to submit the vehicle for re-examination.

(2) Where, under regulation 30, particulars of a notifiable alteration are sent to the Secretary of State and the form does not contain a request as provided in that regulation the Secretary of State shall determine whether to require a re-examination of the vehicle. If the Secretary of State determines that no re-examination is required he shall by notice inform the sender accordingly, and if the Secretary of State determines that a re-examination is required he shall by notice require the sender to submit the vehicle for re-examination.

(3) Where, under regulation 32, an application to have a vehicle re-examined is received by the Secretary of State he shall by notice require the sender to submit the vehicle for re-examination.

(4) Any notice by which the Secretary of State requires a vehicle to be submitted for re-examination under paragraph (1), (2) or (3) shall specify the vehicle testing station, date and time appointed by the Secretary of State for that re-examination.

#### **Fee for re-examination**

**34.** Where such a request as is mentioned in regulation 30 is contained in the form mentioned in that regulation or where an application mentioned in regulation 32 is made, a fee of £10.50 shall be sent to the Secretary of State with that form or, as the case may be, with that application.

#### **Condition of acceptance of vehicle**

**35.** A goods vehicle examiner shall not be under an obligation to proceed with a re-examination of a vehicle under this Part of these Regulations where on the submission of a vehicle for the re-examination the sender does not, after being required to do so, produce to the examiner the plating certificate relating to the vehicle, and nothing in this paragraph shall be taken to derogate regulation 8.

#### **Re-examination procedure, and issue or amendment of plating certificates (or notices of refusal)**

**36.—**(1) Where a vehicle is submitted for a re-examination under this Part of these Regulations a goods vehicle examiner shall—

- (a) in a case where the re-examination is carried out by reason of a notifiable alteration examine the vehicle for the purpose of determining to what extent that notifiable alteration has rendered the plated weights shown in the plating certificate relating to that vehicle no longer appropriate; or
  - (b) in any other case examine the vehicle for the purpose of determining to what extent any particular contained in the said plating certificate is no longer applicable.
- (2) On completion of the re-examination the goods vehicle examiner shall either—
- (a) by notice inform the sender that—
    - (i) the notifiable alteration has not rendered any of the plated weights shown in the plating certificate no longer appropriate;
    - (ii) the particular is still applicable; or
  - (b) amend the plating certificate to show any new plated weights or any new particulars which the examiner has determined for the vehicle; or
  - (c) issue a new plating certificate in place of the certificate required to be produced under regulation 35 and mark as cancelled the certificate so produced.
- (3) Any goods vehicle examiner amending or cancelling a plating certificate shall authenticate the amendment or cancellation by showing on the certificate or on a document securely attached to it his name, the address of the place at which the examination as a result of which the amendment or cancellation occurs, and the date on which the amendment or cancellation takes effect.
- (4) Where a new plating certificate is issued for a vehicle it shall contain—
- (a) particulars of any plated weights determined for the vehicle under this regulation;
  - (b) where the vehicle is one of a make, model and type and otherwise one to which the standard lists apply and any such plated weight so determined is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight;

- (c) where any such plated weight so determined is less than the weight that would have been otherwise determined under regulation 20 but for paragraph (g) of that regulation, particulars of the last mentioned weight which shall be shown as a design weight;
  - (d) any other new particular determined for the vehicle under this regulation; and
  - (e) subject to sub-paragraphs (a) to (d) above, the same particulars as are appropriate in the case of the plating certificate mentioned in regulation 21.
- (5) A new plating certificate shall be signed by the goods vehicle examiner who carried out, or under whose direction the re-examination was carried out, or shall be signed on behalf of that examiner by a person authorised in that behalf by the Secretary of State.

### **Appeals**

**37.**—(1) Any person aggrieved by a determination made on a re-examination of a vehicle under this Part of these Regulations may appeal to the area engineer for the traffic area in which that determination was made, and any person aggrieved by the determination of the area engineer under this regulation may appeal to the Secretary of State.

(2) Paragraphs (2) to (9) of regulation 25 shall apply in relation to an appeal under paragraph (1) as they apply to an appeal under regulation 25, but for the purposes of such application paragraph (8) of that regulation shall have effect as if the references therein to a plating certificate were references to any plating certificate relevant to the appeal under this regulation.

(3) On completion of the re-examination of the vehicle for the purpose of the appeal, the area engineer or, as the case may be, the Secretary of State, shall make such determination in the matter as he thinks fit and may issue a different plating certificate upon the surrender of any plating certificate previously issued for the vehicle.

- (4) Any different plating certificate issued under paragraph (3) shall—
- (a) be signed by the area engineer who carried out the re-examination or, as the case may be, on behalf of the Secretary of State by an officer appointed by him for the purpose; and
  - (b) contain—
    - (i) the same particulars as are appropriate in the case of a plating certificate issued under regulation 21 subject to such modifications as may be appropriate and subject to the certificate showing particulars of the plated weights determined for that vehicle by the area engineer who carried out the re-examination or, as the case may be, by the Secretary of State in a case where such plated weight is so determined;
    - (ii) where the vehicle is one of a make, model and type and otherwise one to which the standard lists apply and any such plated weight so determined is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight; and
    - (iii) where any such plated weight so determined is less than the weight that would have been otherwise determined under regulation 20 but for paragraph (g) of that regulation, particulars of the last mentioned weight which shall be shown as a design weight.