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STATUTORY INSTRUMENTS

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**1995 No. 2438**

**The Motor Vehicles (Tests)  
(Amendment) (No. 2) Regulations 1995**

5.—(1) Regulation 13 shall be renumbered as paragraph (1) of that regulation and in that provision as so re-numbered—

- (a) the words “or the Secretary of State” in each place where they occur shall be omitted;
- (b) the word “and” immediately after sub-paragraph (e) shall be omitted and after sub-paragraph (f) there shall be inserted the following sub-paragraphs—

- “(g) the vehicle emits substantial quantities of avoidable smoke;
- (h) a proper examination of the vehicle cannot readily 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 be readily opened; or
- (j) without prejudice to sub-paragraph (c), the condition of the vehicle is such that, in the opinion of the examiner or inspector, 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.”.

(2) After that provision as so renumbered there shall be inserted the following paragraph—

“(2) A reference in this Regulation to an examiner shall include a reference to an examiner appointed under section 66A of the Road Traffic Act 1988.”.