

2000 No. 1432

ROAD TRAFFIC

The Motor Vehicles (Tests) (Amendment) Regulations 2000

<i>Made</i> - - - -	<i>25th May 2000</i>
<i>Laid before Parliament</i>	<i>31st May 2000</i>
<i>Coming into force</i>	<i>26th June 2000</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by sections 45 and 46 of the Road Traffic Act 1988(a) and by virtue of the Department of Transport (Fees) Order 1988(b), and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) Regulations 2000 and shall come into force on 26th June 2000.

Preliminary

2. The Motor Vehicles (Tests) Regulations 1981(c) shall be further amended as follows.

Amendments to regulation 3 (interpretation)

3. In regulation 3(1) in the sub-paragraph which begins with the expression “agricultural motor vehicle,” there shall be inserted before the expression “minibus,” the expression “exhaust system,”.

Amendments to regulation 13 (requirements as to vehicles submitted for examinations)

4.—(1) Regulation 13 shall be amended as follows.

(2) In paragraph (1)—

- (a) the word “or” immediately following sub-paragraph (h) shall be omitted; and
- (b) after sub-paragraph (j) there shall be added the following—

“; or

(a) 1988 c. 52; sections 45 and 46 were amended by paragraphs 52 and 53 of Schedule 4 to the Road Traffic Act 1991 (c. 40). Section 45 was also amended by paragraph 159 of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39).

(b) S.I. 1988/643, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant amending instrument is S.I. 1995/1684 and the relevant entry in Table III of Schedule 1 is item 1.

(c) S.I. 1981/1694; relevant amending instruments are 1984/1126, 1989/1694, 1991/1525 and 2229, 1992/1609 and 3160, 1995/2438, 1997/81, 1998/1672 and 1999/2199.

- (k) in the case of a vehicle propelled by a compression ignition engine, to which regulation 61(10BA) of the Construction and Use Regulations^(a) applies, the exhaust system has been so altered that the examiner or inspector is not able, with the facilities and apparatus available to him at the place at which the examination would otherwise be carried out, to determine whether Part II of Schedule 7B to those Regulations applies to the vehicle”.

Amendments to regulation 20 (fees for examinations)

5.—(1) Regulation 20 shall be amended as follows.

(2) In the regulations specified in column 1 of the following Table for the amounts specified in column 2 there shall be substituted the amounts specified in column 3.

TABLE

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing Amount (£)</i>	<i>(3)</i> <i>Substituted Amount (£)</i>
20(1)(e)(i)	45.90	49
20(1)(e)(ii)	32.70	35
20(1)(ea)(i)	76.90	82
20(1)(ea)(ii)	42.00	45
20(2A)	27.50	29
	20.00	21
20(2B)	6.25	7

(3) In the Table in paragraph (4), for the amounts specified in column 1 of the Table below there shall be substituted the amounts specified in column 2.

TABLE

<i>(1)</i> <i>Existing Amount (£)</i>	<i>(2)</i> <i>Substituted Amount (£)</i>	<i>(1) (Cont)</i> <i>Existing Amount (£)</i>	<i>(2) (Cont)</i> <i>Substituted Amount (£)</i>	<i>(1) (Cont)</i> <i>Existing Amount (£)</i>	<i>(2) (Cont)</i> <i>Substituted Amount (£)</i>
23.00	24	52.10	56	32.70	35
36.70	39	79.60	85	52.70	56
26.50	28	16.40	17	38.90	42
40.20	43	26.40	28	58.90	63
45.90	49	19.90	21		
73.40	78	29.90	32		

^(a) S.I. 1986/1078; relevant amending instrument is S.I. 1995/2210.

(4) In the Table in paragraph (4A), for the amounts specified in column 1 of the Table below there shall be substituted the amounts specified in column 2.

TABLE

(1) <i>Existing Amount (£)</i>	(2) <i>Substituted Amount (£)</i>	(1) (Cont) <i>Existing Amount (£)</i>	(2) (Cont) <i>Substituted Amount (£)</i>	(1) (Cont) <i>Existing Amount (£)</i>	(2) (Cont) <i>Substituted Amount (£)</i>
36.10	38	83.10	89	42.00	45
49.80	53	110.60	118	62.00	66
39.60	42	19.40	21	48.20	52
53.30	57	29.40	32	68.20	73
76.90	82	22.90	25		
104.40	111	32.90	36		

Signed by authority of the Secretary of State

25th May 2000

Larry Whitty
Parliamentary Under Secretary of State,
Department of the Environment, Transport and the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”). Those Regulations make provision for certain motor vehicles to be examined by persons authorised by the Secretary of State and for test certificates to be issued for vehicles that are found to meet certain requirements.

Regulation 3 makes a consequential amendment to regulation 3 (interpretation) of the 1981 Regulations.

Regulation 4 amends regulation 13 of the 1981 Regulations to the effect that an examiner is under no obligation to carry out an examination on certain motor vehicles propelled by diesel engines where an exhaust system has been so altered that with the facilities and apparatus available to him he is unable to test the exhaust emissions immediately after leaving that exhaust system.

Regulation 5 makes amendments to regulation 20 (fees for examinations) of the 1981 Regulations.

The fees (last amended on 1st August 1998) payable from 26th June 2000 (with the percentage increase shown in brackets) for testing Class VI vehicles (public service vehicles other than those of a type specified in regulation 5(3) of the 1981 Regulations) are as follows.

<i>Nature of Examination</i>	<i>Normal</i> (£)	<i>Out of Hours</i> (£)	<i>Designated Premises</i> (£)	<i>Out of Hours at designated Premises</i> (£)
Examination under regulation 12 of the 1981 Regulations of a vehicle constructed or adapted to carry more than 16 passengers.	49 (6.8%)	78 (6.3%)	56 (7.5%)	85 (6.8%)
Examination under regulation 12 in any other case.	35 (7.0%)	56 (6.3%)	42 (8.0%)	63 (7.0%)
Re-examination of a vehicle constructed or adapted to carry more than 16 passengers, within 14 days of previous examination.	24 (4.3%)	39 (6.3%)	28 (5.7%)	43 (7.0%)
Re-examination of a vehicle constructed or adapted to carry more than 16 passengers, later than 14 days after previous examination.	49 (6.8%)	78 (6.3%)	56 (7.5%)	85 (6.8%)
Re-examination of any other vehicle within 14 days of previous examination.	17 (3.7%)	28 (6.1%)	21 (5.5%)	32 (7.0%)
Re-examination of any other vehicle later than 14 days after previous examination.	35 (7.0%)	56 (6.3%)	42 (8.0%)	63 (7.0%)

The fees (last amended on 1st August 1998) payable from 26th June 2000 (with the percentage increase shown in brackets) for testing Class VIA vehicles (public service vehicles, other than those of a type specified in regulation 5(3) and those excluded by virtue of a certificate of initial fitness issued on or after 1st August 1998 or compliance with certain type approval requirements, in respect of which any forward facing seat is fitted with a relevant seat belt) are as follows.

<i>Nature of Examination</i>	<i>Normal</i> (£)	<i>Out of Hours</i> (£)	<i>Designated Premises</i> (£)	<i>Out of Hours at designated Premises</i> (£)
Examination under regulation 12 of the 1981 Regulations of a vehicle constructed or adapted to carry more than 16 passengers.	82 (6.6%)	111 (6.3%)	89 (7.1%)	118 (6.7%)
Examination under regulation 12 in any other case.	45 (7.1%)	66 (6.5%)	52 (7.9%)	73 (7.0%)
Re-examination of a vehicle constructed or adapted to carry more than 16 passengers, within 14 days of previous examination.	38 (5.3%)	53 (6.4%)	42 (6.1%)	57 (6.9%)
Re-examination of a vehicle constructed or adapted to carry more than 16 passengers, later than 14 days after previous examination.	82 (6.6%)	111 (6.3%)	89 (7.1%)	118 (6.7%)
Re-examination of any other vehicle within 14 days of previous examination.	21 (8.2%)	32 (8.8%)	25 (9.2%)	36 (9.4%)
Re-examination of any other vehicle later than 14 days after previous examination.	45 (7.1%)	66 (6.5%)	52 (7.9%)	73 (7.0%)

In the case of the vehicles mentioned above, the fee payable on an appeal against the notice of refusal of a test certificate, is the same amount as the fee payable under regulation 20(1) of the 1981 Regulations. Those fees are increased accordingly.

A regulatory impact assessment has been prepared and copies can be obtained from the Department of the Environment, Transport and the Regions, Zone 2/05, Great Minster House, 76 Marsham Street, London SW1P 4DR (Telephone: 020 7944 2467). A copy has been placed in the library of each House of Parliament.

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