
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and consolidate, with amendments, the Road Vehicles (Registration and Licensing) Regulations 1971 and the Road Vehicles (Registration and Licensing) Regulations (Northern Ireland) 1973 and their amending instruments so as to provide a single set of Regulations for the whole of the United Kingdom.

The consolidation also extends to the Vehicle and Driving Licence Records (Evidence) Regulations 1970 (so far as they relate to vehicle licensing), the Road Vehicles (Exemptions from Duty) Regulations 1986, the Road Vehicles (Prescribed Regulations for the Purposes of Increased Penalties) Regulations 1987, the Recovery Vehicles (Prescribed Purposes) Regulations 1989, the Vehicle Registration (Sale of Information) Regulations 1996, the Vehicle Excise Duty (Reduced Pollution) Regulations 1998 and their Northern Ireland equivalents, together with all amending instruments. The Road Vehicles (Excise) (Prescribed Particulars) Regulations 1981 and their amending instruments are revoked as spent. The full list of instruments revoked is in Schedule 1. Regulation 4 prescribes the requirements which determine whether a vehicle is an electrically assisted pedal cycle and exempts such vehicles from the remaining provisions of these Regulations. Part II (regulations 5 to 9) relates to licences. Regulation 5 enables the Secretary of State to require an applicant for a vehicle licence at one of the rates of duty applicable to vehicles which satisfy the reduced pollution requirements to furnish a reduced pollution certificate, as to which Schedule 2 makes detailed provision. Regulation 6 concerns the exhibition of vehicle licences and nil licences, in particular the manner in which such licences are to be exhibited, and regulation 7 prohibits the exhibition on vehicles of anything resembling a vehicle, trade or nil licence. Provision is made by regulation 8 for the issue of duplicates where such licences have been, or may have been, lost, stolen, destroyed or damaged or contain illegible particulars. Part III (regulations 10 to 15) is about registration and registration documents. Regulation 10 prescribes the fee payable before the first registration of a vehicle under section 21 of the Vehicle Excise and Registration Act 1994, enables the Secretary of State to register a vehicle in Great Britain or Northern Ireland as he considers appropriate, provides for a registration document to be issued to the keeper and enables the Secretary of State to require the vehicle to be produced for inspection before he issues a registration document and to refuse to issue one if not satisfied that the vehicle accords with the particulars in the licence application. Regulation 11 enables the Secretary of State to require the inspection of a vehicle where the keeper asks for a particular registration mark to be assigned to it, which had been assigned to another vehicle, and to charge £80 for the assignment. Regulations 13 and 14 provide for the replacement and correction of registration documents. Regulation 15 enables the Secretary of State to require production of a vehicle and to withhold the issue of a new registration document under any provision of the Regulations, if he is not satisfied that it accords with the particulars furnished when a licence was last applied for or that it is the registered vehicle. Regulation 15(3) and Schedule 3 (which come into force on 7th April 2003) make special provision with regard to the issue of new registration documents for EU category M1 vehicles which have been notified as insurance write-offs or whose registration documents have been surrendered. In such cases inspection is obligatory and fees are payable and, where the Secretary of State is satisfied that the vehicle is the registered vehicle, provision is made for the issue of a certificate to that effect.

Part IV (regulations 16 to 26) require the Secretary of State to be notified in various circumstances relating to a vehicle. Provision is made for notification of alterations (regulation 16), the destruction or permanent export (regulation 17—which also requires surrender of the registration document), changes in the name or address of the keeper or holder of a trade licence (regulations 18 and 19) and changes of keeper (regulations 20 to 26 which make differing

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provision according to circumstances). Regulation 20 makes general provision as to notification of a change of keeper. In particular, paragraphs (4) and (5) of regulation 20 (which come into force on 7th April 2003) define the circumstances in which regulations 21 to 25 are not to apply and, on a change of keeper, the registration document is to be surrendered to the Secretary of State or, if the keeper is an insurer, destroyed. Regulation 26 introduces Schedule 4 which consolidates, in relation to Great Britain, provisions previously in the Road Vehicles (Statutory Off-Road Notification) Regulations 1997 and makes provision on similar lines for Northern Ireland for the first time.

In Part V, regulation 27 enables the Secretary of State to make particulars contained in the register available for use by specified persons, in some cases on payment of a fee, and regulation 28 empowers him to sell anonymised data derived from the register.

Part VI (regulations 29 to 34) concerns Crown vehicles and exempt vehicles. Regulation 29 exempts vehicles kept by the Crown from the Regulations except where provided by Part VI and excludes vehicles used or appropriated for use by the armed services from the scope of the Regulations altogether. Regulation 30 provides for the registration of Crown vehicles and regulation 31 for issue and display of on vehicles of certificates of Crown exemption. Regulation 32 provides that the Regulations in general apply to exempt vehicles and regulation 33 provides for the issue of nil licences for such vehicles. Regulation 34 and Schedule 5 contain provisions previously in the Road Vehicles (Exemptions from Duty) Regulations 1986 and confer exemption on vehicles imported into Great Britain by members of specified visiting forces and headquarters or organisations and their dependants.

Part VII (regulations 35 to 42), which relates to trade licences, prescribes descriptions of business for the purposes of the definition of “motor trader” in section 62 of the Vehicle Excise and Registration Act 1994 (regulation 35), the period for requesting a review of a decision to refuse a trade licence (regulation 36), the conditions subject to which trade licences are to be issued (regulation 37 and Part I of Schedule 6) and the purposes for which a vehicle may be used under a trade licence (regulation 38 and Part II of Schedule 6). Regulations 40 and 41 provide for the issue of trade plates and replacement trade plates and regulation 42 for the manner in which the general registration marks of trade licence holders shown on trade plates and trade licences are to be displayed.

Part VIII (regulations 43 to 47) covers the ascertainment of the cylinder capacity of a vehicle and the seating capacity of a bus (regulations 43 and 44), and prescribes purposes for which a recovery vehicle may be used (regulation 45 and Schedule 7) and matters with respect to which statements in documents are admissible in evidence in proceedings under the Vehicle Excise and Registration Act 1994. Regulation 47 and Schedule 8 prescribe regulations as to which an offence under section 59 of the 1994 Act of contravention or failure to comply attracts a maximum fine on level 3 of the standard scale.

Copies of the Directive referred to in these Regulations can be obtained from the Stationery Office.

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