
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Tests) Regulations 1981 (“the 1981 Regulations”). Those Regulations make provisions 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. These certificates are commonly referred to as “MOT Certificates”.

These Regulations correct drafting errors which occurred in the Motor Vehicles (Tests) (Amendment) Regulations 2006 (S.I. 2006/1998).

Regulation 2(2) inserts corrected new paragraphs (3) and (3ZA) into regulation 20, which make provision for the procedures for the re-examination of vehicles, other than those in Class VI or VIA, which have failed the MOT test.

Under the new paragraph (3), the re-examination of a vehicle which has failed its MOT test can be undertaken without a charge being made if it remains for repairs at the vehicle testing station at which it failed its MOT test, and so long as the re-examination is carried out before the expiration of 10 working days starting from the day after the day of the original examination and there has been no change to the authorised examiner at the vehicle testing station between the original examination and the re-examination.

New paragraph (3ZA) applies where vehicles do not remain at the vehicle testing station or where examinations do not relate to one or more of the matters set out in paragraph (3A). If the vehicle is returned to the same testing station so that the re-examination can be carried out before the expiration of 10 working days starting from the day after the day of the original examination and there has been no change to the authorised examiner at the vehicle testing station between the original examination and the re-examination the chargeable fee will be a maximum of one-half of the full fee.

A full regulatory impact assessment was prepared in respect of S.I. 2006/1998 and is available from the Department for Transport, 5th floor, Southside, 105 Victoria Street, London SW1E 6DT (telephone number: 020 7944 2455). A copy has been placed in the library of each House of Parliament. That regulatory impact assessment may also be accessed on the OPSI website www.opsi.gov.uk.