

2009 No. 802

ROAD TRAFFIC

**The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations
2009**

<i>Made</i> - - - -	<i>25th March 2009</i>
<i>Laid before Parliament</i>	<i>30th March 2009</i>
<i>Coming into force</i> - -	<i>20th April 2009</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 45(2) and (7) and 46(1)(f) of the Road Traffic Act 1988(a) and by virtue of the Department for Transport (Fees) Order 2009(b).

In accordance with section 195(2) of that Act he has consulted with such representative organisations as he thinks fit.

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2009 and come into force on 20th April 2009.

Fee changes

2.—(1) Regulation 20 of the Motor Vehicles (Tests) Regulations 1981(c) are amended as follows.

(2) In the regulations specified in column (1) of the Table, for each amount specified in column (2) substitute the amount 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)	84	113
20(1)(e)(ii)	59	86
20(1)(ea)(i)	84	113

- (a) 1988 c. 52; section 45 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 52 and by the Road Traffic (Vehicle Testing) Act 1999 (c. 12), section 1; section 46 was substituted by the Road Traffic (Vehicle Testing) Act 1999, section 2.
- (b) S.I. 2009/711. The relevant provisions in S.I. 2009/711 are article 5 and paragraphs 21 to 24 of Schedule 1, together with article 9 and Schedule 2.
- (c) S.I. 1981/1694; relevant amending instruments are S.I. 1982/783; 1983/1147; 1984/401 and 1126; 1985/834; 1986/372 and 904; 1988/339 and 989; 1989/920 and 1694; 1990/628 and 1186; 1991/253, 455, 1525 and 2229; 1992/566, 1609 and 3160; 1993/3011; 1994/2136; 1995/2438; 1996/1751; 1997/81; 1998/1672; 1999/2199; 2000/1432 and 2322; 2001/1648 and 3330; 2002/488 and 1698; 2003/1113, 1698 and 1815; 2004/1632 and 1879; 2005/2341; 2006/1998 and 2680; 2007/506 and 1161; 2008/1402 and 1461 and 2009/643.

20(1)(ea)(ii)	59	86
20(2A)	48	52
	35	38
20(2B)	12	7
20(7)	11	12

(3) In the Table in paragraph (4), for each amount specified in the column numbered (1) in the Table below in relation to each type of fee, substitute the amount specified in the column numbered (2).

Table

<i>Normal Fee(£)</i>		<i>Out of hours Fee(£)</i>		<i>Designated Premises Fee(£)</i>		<i>Out of Hours at Designated Premises Fee (£)</i>	
<i>(1) Existing Amount</i>	<i>(2) Substituted Amount</i>	<i>(1) Existing Amount</i>	<i>(2) Substituted Amount</i>	<i>(1) Existing Amount</i>	<i>(2) Substituted Amount</i>	<i>(1) Existing Amount</i>	<i>(2) Substituted Amount</i>
55	60	78	85	63	64	86	89
84	113	132	165	96	120	144	172
38	41	55	60	46	45	63	64
59	86	94	124	71	93	106	131

Signed by authority of the Secretary of State

25th March 2009

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

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 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. These certificates are commonly referred to as “MOT Certificates”.

Regulation 2 makes amendments to regulation 20 of the 1981 Regulations. Regulation 20 prescribes the fees payable for examinations of vehicles pursuant to applications made under regulation 12 of those Regulations.

The changes to the fees for examinations of vehicles in Classes VI and VI_A (public service vehicles other than those of a type specified in regulation 5(3) of the 1981 Regulations 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 set out in the Table. The percentage changes since the fees were last fixed are shown in brackets.

Table

<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 22 passengers.	113 (34.5%)	165 (25.0%)	120 (25.0%)	172 (19.4%)
Examination under regulation 12 in any other case.	86 (45.8%)	124 (31.9%)	93 (31.0%)	131 (23.6%)
Re-examination under regulation 20(7) – minor items, next day, etc.	12 (9.1%)	12 (9.1%)	12 (9.1%)	12 (9.1%)
Re-examination of a vehicle constructed or adapted to carry more than 22 passengers, within 14 days of previous examination.	60 (9.1%)	85 (9.0%)	64 (1.6%)	89 (3.5%)
Re-examination of a vehicle constructed or adapted to carry more than 22 passengers, later than 14 days after previous examination.	113 (34.5%)	165 (25.0%)	120 (25.0%)	172 (19.4%)
Re-examination of any other vehicle within 14 days of previous examination.	41 (7.9%)	60 (9.1%)	45 (-2.2%)	64 (1.6%)
Re-examination of any other vehicle later than 14 days after previous examination.	86 (45.8%)	124 (31.9%)	93 (31.0%)	131 (23.6%)

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 (regulation 21(1)). These fees are increased accordingly.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the VOSA Corporate Office, Berkeley House, Croydon Street, Bristol BS5 0DA (telephone: 0117 954 3200). A copy has been placed in the library of each House of Parliament. The impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website www.opsi.gov.uk

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