STATUTORY INSTRUMENTS

2004 No. 2577

ROAD TRAFFIC

The Goods Vehicles (Evidence of Test Certificates) Regulations 2004

Made - - - -	*30th September2004*
Laid before Parliament	*11th October2004*
Coming into force - -	*15th November 2004*

The Secretary of State for Transport, in exercise of the powers conferred by section 66(3) of the Road Traffic Act 1988(**a**), and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Goods Vehicles (Evidence of Test Certificates) Regulations 2004 and shall come into force on 15th November 2004.

(2) The Goods Vehicles (Production of Test Certificates) Regulations 1970(**b**) are revoked.

Interpretation

2. In these Regulations "the 1988 Act" means the Road Traffic Act 1988.

Application for vehicle licence for a goods vehicle to which section 53(2) of the 1988 Act applies

3. Where an application is made under the Vehicle Excise and Registration Act 1994(**c**) for a licence for a goods vehicle to which section 53(2) of the 1988 Act applies, the licence shall not be granted unless one of the following requirements is satisfied—

(a) evidence is produced that an effective goods vehicle test certificate is in force for the vehicle;

(b) the applicant makes a declaration in the form specified in the Schedule to these Regulations or a form to the like effect; or

(c) a certificate of temporary exemption issued by virtue of section 53(5)(b) of the 1988 Act, for a period which includes the date on which the licence is to come into force, is produced in respect of the vehicle.

(**a**) 1988 c. 52. Section 66(3) was amended by the Vehicle Excise and Registration Act 1994 (c. 22) Schedule 3, paragraph 24.
(**b**) S.I. 1970/560.
(**c**) 1994 c. 22. **[DfT 13412]**

Signed by authority of the Secretary of State

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

30th September 2004

SCHEDULE

Regulation 3

FORM OF DECLARATION

I DECLARE that this goods vehicle is not intended to be used during the period covered by this application except–

(a) for a purpose prescribed by regulation 44(1) of the Goods Vehicles (Plating and Testing) Regulations 1988(**a**); or

(b) in an area prescribed by regulation 44(2) of those Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Goods Vehicles (Production of Test Certificates) Regulations 1970.

Regulation 3 prescribes that one of three requirements must be met where an application is made for a licence under the Vehicle Excise and Registration Act 1994 for a vehicle to which section 53 (obligatory goods vehicle test certificates) of the Road Traffic Act 1988 applies, in order that the Secretary of State may be satisfied that (if one is required) an effective goods vehicle test certificate is in force for the vehicle.

In connection with the second requirement, prescribed by *regulation 3(b)*, the *Schedule* prescribes the form of declaration to be made by an applicant who does not intend to use the vehicle during the period of the licence except for a purpose for which, or in an area in which, exemption from testing applies by virtue of regulation 44(1) or (2) of the Goods Vehicles (Plating and Testing) Regulations 1988.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Driver and Vehicle Licensing Agency, Longview Road, Morriston, Swansea SA6 7JL. A copy has been placed in the library of both Houses of Parliament.

(**a**) S.I. 1988/1478, amended by S.I. 1990/448 and other amendments not relevant to these Regulations.

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