STATUTORY INSTRUMENTS

2004 No. 1896

ROAD TRAFFIC

The Motor Vehicles (Evidence of Test Certificates) Regulations 2004

Made - - - -	*19th July 2004*
Laid before Parliament	*10th August 2004*
Coming into force - -	*1st September 2004*

The Secretary of State for Transport, in exercise of the powers conferred by section 66(1) and (2) 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 Motor Vehicles (Evidence of Test Certificates) Regulations 2004 and shall come into force on 1st September 2004.

(2) The Motor Vehicles (Production of Test Certificates) Regulations 1969(**b**) are hereby revoked.

Interpretation

2. In these Regulations—

"the 1988 Act" means the Road Traffic Act 1988; and

"the 1994 Act" means the Vehicle Excise and Registration Act 1994(**c**).

Application for vehicle licence for a vehicle to which section 47 of the 1988 Act applies

3. Where an application is made under the 1994 Act for a vehicle licence for a vehicle to which section 47 of the 1988 Act applies, the licence shall not be granted unless one of the following conditions is satisfied—

(a) an effective test certificate is produced;

(b) records maintained under section 45(6B) of the 1988 Act provide evidence of the granting of an effective test certificate;

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

---

(**a**) 1988 c. 52; section 45(6B) and section 66(2)(aa) were inserted by the Road Traffic (Vehicle Testing) Act 1999 (c. 12) sections 1(3) and 5; section 47 was amended by the Finance Act 1994 (c. 9), Schedule 2, paragraph 25 and by the Vehicle Excise and Registration Act 1994 (c. 22) Schedule 3, paragraph 24.
(**b**) S.I. 1969/418.
(**c**) 1994 c. 22.

(d) in the case of an application relating to a vehicle to which section 47 applies by virtue of subsection (2)(b) of that section, the owner of the vehicle declares in writing the year in which the vehicle was manufactured, and the period of three years from the date of manufacture has not expired.

Signed by authority of the Secretary of State

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

19th July 2004

SCHEDULE

Regulation 3

FORM OF DECLARATION

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

(a) for a purpose prescribed by regulation 6(2) of the Motor Vehicles (Tests) Regulations 1981(**a**); or

(b) in an area prescribed by regulation 6(3) of those Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Motor Vehicles (Production of Test Certificates) Regulations 1969.

Regulation 3 prescribes the conditions that must be met where an application is made for a vehicle licence under the Vehicle Excise and Registration Act 1994 for a vehicle to which section 47 (obligatory 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 test certificate is in force for the vehicle.

Regulation 3(c) and the Schedule prescribe 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 6(2) or (3) of the Motor Vehicles (Tests) Regulations 1981.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from Vehicle and Operator Services Agency, Berkeley House Annexe, Croydon Street, Bristol BS5 0DA. A copy has been placed in the library of both Houses of Parliament.

(**a**) S.I. 1981/1694 amended by S.I. 1991/253 and 1998/1672 and other amendments not relevant to these Regulations.

£3.00

© Crown copyright 2004

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1023 8/2004 141023T 19585

ISBN 0-11-049565-9

9 780110 495651