STATUTORY INSTRUMENTS

2005 No. 1832

ROAD TRAFFIC

The Motor Vehicles (Tests) (Amendment) Regulations 2005

Made - - - -	*6th July 2005*
Laid before Parliament	*8th July 2005*
Coming into force - -	*1st August 2005*

The Secretary of State for Transport, in exercise of the powers conferred upon him by sections 45 and 46 of the Road Traffic Act 1988(**a**) and by virtue of the Department of Transport (Fees) Order 1988(**b**), and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) Regulations 2005 and shall come into force on 1st August 2005.

Preliminary

2. The Motor Vehicles (Tests) Regulations 1981(**c**) shall be amended as follows.

Amendments to regulation 20 (fees for examinations)

3.—(1) Regulation 20 shall be amended as follows.

(2) In the provisions specified in column (1) of the following Table for the amounts specified in column (2) there shall be substituted the amounts specified in column (3).

(**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. 1988/643, which was made under the Finance (No. 2) Act 1987 (c. 51), section 102. The relevant amending instrument is S.I. 2003/1094 and the relevant entry in S.I. 1988/1126 is Schedule 1, Table III, item 1.

(**c**) S.I. 1981/1694; relevant amending instruments are 1984/1126, 1989/1694, 1991/1525 and 2229, 1992/1609 and 3160, 1995/2438, 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.

TABLE

(1) *Regulation*	*(2)* *Existing Amount (£)*	*(3)* *Substituted Amount (£)*
20(1)(a)	15.55	23.80
20(1)(aa)	25.45	30.40
20(1)(b)	29.70	30.40
20(1)(c)(i)	44.05	46.15
20(1)(c)(ii)	42.10	44.15
20(1)(ca)	49.35	51.55
20(1)(d)(i)	63.45	65.00
20(1)(d)(ii)	46.80	47.95
20(1)(da)(i)	98.00	100.40
20(1)(da)(ii)	63.30	64.85
20(1)(f)	45.60	47.20

Amendment to regulation 23 (duplicate test certificates)

4. In regulation 23(3), for sub-paragraph (b) substitute—

"(b) on being paid the fee of £10,"

Signed by authority of the Secretary of State

S J Ladyman
Minister of State
Department for Transport

6th July 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further 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 3 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 increased fees for testing vehicles, other than those in Classes VI or VI_A, take account of inflation; for vehicles in classes IV, IV_A, V, V_A and VII to reflect the increased time to conduct an average MOT test due to the increased number of catalyst-equipped vehicles in the fleet; and for motor bicycles with or without a side car to reflect the increased time to conduct an average MOT test. The new fees, with the percentage increase since the fees were last fixed being shown in brackets, are set out in the Table below.

Table

Nature of examination	*Existing fee (£)*	*Substituted fee (£)*
Motor bicycles without a side car.	15.55	23.80 (53.1%)
Motor bicycles with a side car.	25.45	30.40 (19.4%)
Vehicles in Class III ("light motor vehicles" other than motor bicycles).	29.70	30.40 (2.4%)
Vehicles in Class IV ("motor cars" and "heavy motor cars" not being vehicles within Class III, IV_A, V, V_A, or VII)—		
(i) if the vehicle is a minibus, and	44.05	46.15 (4.8%)
(ii) in any other case.	42.10	44.15 (4.9%)
Vehicles in Class IV_A (being minibuses which are not within Class IV; the vehicles in this Class cover "minibuses", other than those excluded by virtue of a certificate of initial fitness issued on or after 1st August 1998 or compliance with certain type of approval requirements, not being vehicles within Class III, V or V_A in respect of which any forward-facing seat is fitted with a relevant seat belt).	49.35	51.55 (4.5%)
Vehicles in Class V ("large passenger-carrying vehicles", particular public service vehicles and "play buses" not being vehicles within Class V_A)—		
(i) if the vehicle is constructed or adapted to carry more than 16 passengers, and	63.45	65.00 (2.4%)
(ii) in any other case.	46.80	47.95 (2.5%)
Vehicles in Class V_A ("large passenger-carrying vehicles", particular public service vehicles and "play buses", other than 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)—		
(i) if the vehicle is constructed or adapted to carry more than 16 passengers, and	98.00	100.40 (2.4%)
(ii) in any other case.	63.30	64.85 (2.4%)
Vehicles in Class VII (goods vehicles with a design gross weight of more than 3,000 kg but not more than 3,500 kg).	45.60	47.20 (3.5%)

In the case of the vehicles mentioned above, under regulation 21 of the 1981 Regulations, the fee payable on an appeal against a notice of the refusal of a test certificate is the same amount as the fee payable for an examination. Those fees are increased accordingly.

Regulation 4 amends regulation 23 of the 1981 Regulations so that the fee for a duplicate test certificate for a motorbike without a side car is now £10, instead of being half the fee payable for an examination of the vehicle. This means that the same fee is now paid by all vehicle classes for a duplicate test certificate.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business 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.

STATUTORY INSTRUMENTS

2005 No. 1832

ROAD TRAFFIC

The Motor Vehicles (Tests) (Amendment) Regulations 2005

£3.00

© Crown copyright 2005

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.

E1046 7/2005 151046T 19585

ISBN 0-11-073065-8

9 780110 730653