STATUTORY INSTRUMENTS

2010 No. 451

ROAD VEHICLES

The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2010

Made - - - -	*23rd February 2010*
Laid before Parliament	*2nd March 2010*
Coming into force - -	*1st April 2010*

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 22(1)(h), 22(1)(i), 22A(2)(a), 22A(3)(d), 57(2) and 61B(1)(d) of the Vehicle Excise and Registration Act 1994(**a**).

In determining the amount of the fees specified in these Regulations, the Secretary of State has taken into account the costs of the functions listed in paragraphs 39, 42 and 43 of Schedule 1 of the Department of Transport (Fees) Order 2009(**b**) and has taken into account the matters listed in Schedule 2 to that Order in determining the costs of those functions.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) Regulations 2010 and they come into force on 1st April 2010.

Amendment of Regulations

2. The Road Vehicles (Registration and Licensing) Regulations 2002(**c**) are amended as follows.

Schedule 2 (Reduced Pollution Certificates and the Reduced Pollution Requirements)

3.—(1) Paragraph 13 of Schedule 2 is amended as follows.

(2) In sub-paragraph (1), for "sub-paragraphs (2) and (3)" substitute "sub-paragraph (2)".

(3) Omit sub-paragraph (3).

(**a**) 1994 c.22; section 22(1)(h) was amended by the Vehicles (Crime) Act 2001 (c.3) ("the 2001 Act"), section 33(1) and the Finance Act 1996 (c.8) ("the 1996 Act"), Schedule 2, paragraphs 4(1) and (4). Section 22(1)(i) was inserted by the 1996 Act, Schedule 2, paragraphs 4(1) and (5). Section 22A was inserted by section 33(2) of the 2001 Act. Section 57 was amended by the 1996 Act, sections 23 and 205, Schedule 2, paragraph 16 and Schedule 41, Part II(6), and the Finance Act 2002 (c.23), section 141, Schedule 5, paragraphs 1 and 16 and Schedule 40. Section 61B was inserted by the Finance Act 1998 (c.36), section 16, Schedule 1, paragraph 2 and amended by the Finance Act 2006 (c.25), section 14 and by the Finance Act 2008 (c.9), section 148.

(**b**) S.I. 2009/711. The relevant provisions in S.I. 2009/711 are articles 6 and 9.

(**c**) S.I. 2002/2742; relevant amending instruments are S.I. 2003/2335, 2004/1872 and 2099, 2005/2344, 2007/498, 2008/1444, 2009/880 and 2009/3103.

Schedule 3 (Issue of New Registration Document)

4.—(1) Paragraph 7 of Schedule 3 is amended as follows.

(2) In sub-paragraph (1), for "sub-paragraphs (2) and" substitute "sub-paragraph".

(3) Omit sub-paragraph (2).

(4) In sub-paragraph (3), for "that person" substitute "the person submitting the vehicle for examination,".

Signed by authority of the Secretary of State

Paul Clark
Parliamentary Under Secretary of State
Department for Transport

23rd February 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Registration and Licensing) Regulations 2002 ("the 2002 Regulations").

The Vehicle Excise and Registration Act 1994 ("the 1994 Act") provides for reduced rates of vehicle excise duty to be applicable to certain buses, haulage vehicles and heavy goods vehicles ("eligible vehicles") which meet the reduced pollution requirements. Regulation 5 of, and Schedule 2 to, the 2002 Regulations prescribe the reduced pollution requirements for the purposes of the 1994 Act and provide for the issue of reduced pollution certificates where those requirements are found to be satisfied following an examination.

The fees for such examinations are prescribed in paragraph 13 of Schedule 2 to the 2002 Regulations. Where an examination of a vehicle is carried out under paragraph 8 of Schedule 2 to the 2002 Regulations (re-examination of a vehicle for which a reduced pollution certificate is in force) no fee is payable.

Regulation 3 removes the additional fee payable under paragraph 13(3) of Schedule 2 for an examination carried out at premises not provided by the Secretary of State. As a consequence, where the examination of an eligible vehicle, undertaken at premises not provided by the Secretary of State, is not carried out at the same time as an examination for other specified purposes the fee is reduced by 8.6% from £35 to £32 (paragraph 13(1)(a)). Where the examination of an eligible vehicle, undertaken at premises not provided by the Secretary of State, is carried out at the same time as an examination for other specified purposes the fee is reduced by 13.6% from £22 to £19 (paragraph 13(1)(b)).

Regulation 15 of, and Schedule 3 to, the 2002 Regulations provide that where an insurer has informed the Secretary of State that a vehicle is uneconomical to repair or the registration document has been surrendered to the Secretary of State under regulation 20(5) of those Regulations, the vehicle must undergo an examination to confirm it is the registered vehicle before a new registration document is issued. The examination is known as a "Vehicle Identity Check". The fees for such examinations are prescribed in paragraph 7 of Schedule 3 to the 2002 Regulations.

Regulation 4 removes the additional fee payable under paragraph 7(2) of Schedule 3 for an examination carried out at premises not provided by the Secretary of State. As a consequence, the fee payable for an examination, undertaken at premises not provided by the Secretary of State, before the issue of a new registration document or for an appeal against the refusal to conduct the examination is reduced by 8.9% from £45 to £41 (paragraph 7(1)).

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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