

Road Traffic (Motor Vehicles, Test) Rules

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Legislative History

**ROAD TRAFFIC ACT
(CHAPTER 276, SECTIONS 90 AND 140)**

ROAD TRAFFIC (MOTOR VEHICLES, TEST) RULES

R 21

G.N. No. S 391/1981

REVISED EDITION 1999

(30th September 1999)

[1st January 1982]

Citation

1. These Rules may be cited as the Road Traffic (Motor Vehicles, Test) Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“authorisation” means any authorisation of a person to carry out an examination of a motor vehicle of such class as may be specified in the authorisation;

“examination” means an examination of a motor vehicle for the purposes of ascertaining whether the prescribed statutory requirements relating to the construction and condition of the vehicle are complied with;

“inspection report” means the report on the detailed results of an examination issued under rule 10(1)(b) or 15(5);

“inspector” means any officer authorised by the Registrar to carry out any examination of a vehicle;

“prescribed statutory requirements” means the requirements specified in the First Schedule;

“vehicle testing station” means the premises at which the Registrar has authorised an examiner to carry out any examination or the premises provided by the Registrar for carrying out an examination.

Application for authorisation

3.—(1) Every application for authorisation shall be made to the Registrar and shall be signed by the applicant or, where the applicant is a firm or a body corporate, by a person who is duly authorised to do so by the firm or body corporate.

(2) The Registrar may require a separate application to be made in respect of each of the vehicle testing stations at which the applicant proposes to carry out any examination.

Authorisation

4.—(1) Where an application is made under rule 3, the Registrar may, after making such investigation and carrying out such inspection as he thinks fit, authorise the applicant to be an examiner for the purpose of carrying out examinations of any class or classes of motor vehicles or reject the application without assigning any reason.

(2) The Registrar may authorise any person to carry out examinations notwithstanding that he is not an authorised examiner.

Conditions to be complied with by authorised examiner

5.—(1) Every authorised examiner shall comply with such conditions, if any, as may be specified in the authorisation and also with the following conditions:

- (a) the examiner shall carry out in accordance with these Rules examinations of motor vehicles in any such class as is specified in the authorisation of the examiner and shall in all other respects comply with such of the provisions of these Rules as applicable to the examiner;
- (b) the examiner shall arrange for examinations to be carried out or to be personally supervised, and for test certificates to be signed, by persons who are competent to act for such purpose and who, if they are not the examiner or, where the examiner is a firm, a partner in that firm, are in the

employment of the examiner; and in the event of the Registrar giving notice to the examiner that in the opinion of the Registrar any such person should not carry out or supervise examinations or sign test certificates, the examiner shall arrange that the person shall no longer carry out or supervise examinations or sign test certificates, as the case may be;

- (c) the examiner shall notify the Registrar of the name of every person who is authorised by the examiner to carry out or supervise examinations or to sign test certificates, not later than 7 days after any such authorisation;
- (d) the examiner shall put up and keep exhibited in some conspicuous place in his vehicle testing station so as to be legible to persons submitting vehicles for examination at the station —
 - (i) the authorisation in which that vehicle testing station is specified; and
 - (ii) a list of the names of the persons for the time being authorised to carry out or personally supervise examinations at that station and to sign test certificates;
- (e) the examiner shall put up and keep exhibited in a conspicuous place outside the vehicle testing station a sign of the size, colour and type shown in the diagram set out in Part I of the Second Schedule and complying with the conditions specified in Part II of that Schedule;
- (f) the examiner shall, after being notified by the Registrar, make his vehicle testing station and the apparatus at that station with which examinations are carried out available for the purpose of an examination to be carried out by the Registrar as a result of an appeal which has been made against the refusal of a test certificate (whether by that or any other authorised examiner);
- (g) the fee charged by the examiner for the carrying out of the examination shall not exceed the maximum fee as may, from time to time, be set by the Registrar unless the Registrar has determined that there shall not, for any period of time, be any maximum fee charged by the examiner;
- (h) where an appeal is made to the Registrar against the refusal of an examiner to issue a test certificate, the examiner shall refund the whole or part of any fee paid for the carrying out of an examination as may be directed by the Registrar if the Registrar is satisfied that the examiner had acted unreasonably in refusing to issue a test certificate; and
- (i) the examiner shall as soon as practicable give notice to the Registrar —

- (i) in a case where the examiner is the sole individual named in an authorisation, of his entering into any partnership with a view to carrying on a business which shall comprise the carrying out of examinations at that station; and
- (ii) in a case where the examiner is a firm, of any change in the constitution of that firm.

(2) A person shall not be authorised, under any arrangement made under paragraph (1)(b), to carry out or personally supervise any examinations or to sign test certificates unless he has undergone a course of instruction approved by the Registrar and is regarded by the Registrar to be competent to act for such purpose.

Examination of vehicle to ascertain compliance with prescribed statutory requirements

6. Every motor vehicle which is submitted for examination in accordance with these Rules shall be examined for the purpose of ascertaining whether the prescribed statutory requirements are at the date of the examination complied with in relation to that vehicle.

Application for examination

7.—(1) Any person who wishes to have an examination of a motor vehicle under these Rules may apply to an authorised examiner for an examination of the motor vehicle.

(2) An application under paragraph (1) may be made —

- (a) by requesting the examiner to make an appointment for the examination; or
- (b) by submitting the vehicle for examination at a vehicle testing station of the examiner otherwise than by any prior appointment.

(3) An authorised examiner shall ensure that —

- (a) where an appointment is requested for the carrying out of an examination, an appointment is forthwith offered for the carrying out of the examination at the earliest possible time at which it is reasonably practicable for the examination to be carried out;
- (b) where a vehicle is submitted for examination at a vehicle testing station of an examiner without any appointment for the carrying out of the examination having been previously made, the applicant is informed earlier that the examination can be carried out forthwith or, if not, of the earliest time at which it is reasonably practicable for the examination to be carried out; and