STATUTORY INSTRUMENTS

2017 No. 850

ROAD TRAFFIC

The Motor Vehicles (Tests) (Amendment) Regulations 2017

Made - - - -	*11th September 2017*
Laid before Parliament	*14th September 2017*
Coming into force - -	*20th May 2018*

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 45(1), (2) and (7), 46(7)(a), and 47(5) to (7) of the Road Traffic Act 1988(**1**).

In accordance with section 195(2) of that Act the Secretary of State has consulted with such representative organisations as the Secretary of State thinks fit.

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) Regulations 2017 and come into force on 20th May 2018.

Amendment of the Motor Vehicles (Tests) Regulations 1981

2. The Motor Vehicles (Tests) Regulations 1981(**2**) are amended as follows.

(**1**) 1988 c.52. Section 45(1) was substituted by paragraph 52(2) of Schedule 4 to the Road Traffic Act 1991 (c. 40). Section 46 was substituted by section 2 of the Road Traffic (Vehicle Testing) Act 1999 (c. 12) and amended by paragraph 26(2) to (5) of Schedule 10 to the Deregulation Act 2015 (c. 20). See the definition of "prescribed" in section 85.

(**2**) S.I. 1981/1694, relevant amendments were made by paragraph 190 of Schedule 8 to the Crime and Courts Act 2013 (c. 22), and by S.I. 1982/814, 1983/1434, 1984/1126, 1985/45, 1988/1894,

3. In regulation 3(1), before the definition of "authorisation" insert—

""American pickup" means a motor vehicle with a manufacturer's declaration (on a plate on the vehicle) that it meets the motor vehicle safety standards applicable under the law in the United States of America or Canada(**3**) and—

(a) is capable of carrying a driver and at least one passenger;

(b) is capable of carrying goods in an open load bed separate from the driver/passenger compartment, with or without a removable cover; and

(c) has a gross design weight over 3,000kg but does not exceed 6,500kg;".

4. In regulation 5—

(a) for paragraph (1) substitute—

"(1) For the purposes of these Regulations motor vehicles to which they apply are classified as follows—

(a) Class I: Light motor bicycles in EU categories L1e, L3e and L4e;

(b) Class II: Motor bicycles in EU categories L3e and L4e;

(c) Class III: Light motor vehicles in EU categories L2e and L5e;

(d) Class IV:

(i) Motor vehicles in EU categories L5e, L6e, L7e, M1, M2, M3 and N1 not being vehicles within Classes III, IVA, V, VA, VI, VIA or VII; and

(ii) American pickups;

1991/253
and
2229
,
1992/1217
and
3160
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1995/1457
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1998/1672
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2002/488
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2003/1113
and
1698
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2006/594
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2007/506
,
2009/643
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2010/1172
2011/3058
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2012/2652
and
2013/271
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(**3**) The current applicable standards are: the Federal Motor Vehicle Safety Standards ("FMVSS") contained in the United States Code of Federal Regulations; and the Canadian Motor Vehicle Safety Standards ("CMVSS") contained in the Canadian Motor Vehicle Safety Regulations. The FMVSS can be accessed here:
https://one.nhtsa.gov/cars/rules/import/FMVSS/index.html
; the CMVSS can be accessed here:
https://www.tc.gc.ca/eng/acts-regulations/regulations-crc-c1038.htm
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(e) Class IVA: Minibuses, other than vehicles to which paragraph (4) applies, in EU categories M2 and M3 not being vehicles within Classes III, V, VA, VI or VIA, in respect of which any forward-facing seat is fitted with a relevant seat belt;

(f) Class V: Motor vehicles in EU categories M2 and M3 not being vehicles within Class VA which are—

(i) large passenger-carrying vehicles;

(ii) public service vehicles—

(aa) of a type specified in paragraph (3), and

(bb) constructed or adapted to carry more than 12 seated passengers, and

(iii) play buses;

(g) Class VA: Motor vehicles, other than vehicles to which paragraph (4) applies, in EU categories M2 and M3 which are—

(i) large passenger-carrying vehicles;

(ii) public service vehicles—

(aa) of a type specified in paragraph (3), and

(bb) constructed or adapted to carry more than 12 seated passengers, and

(iii) play buses,

in respect of which any forward-facing seat is fitted with a relevant seat belt;

(h) Class VI: Public service vehicles, other than those of a type specified in paragraph (3), in EU categories M2 and M3 not being vehicles within Class VIA;

(i) Class VIA: Public service vehicles, not being vehicles to which paragraph (4) applies, in EU categories M2 and M3 other than those of a type specified in paragraph (3), in respect of which any forward facing seat is fitted with a relevant seat belt;

(j) Class VII: Goods vehicles in EU category N1 of which the design gross weight is more than 3,000 kilograms but does not exceed 3,500 kilograms;

and (except as otherwise provided in these Regulations) any reference in these Regulations to a class of vehicles is to be construed accordingly.",

(b) After paragraph (5) insert—

"(6) In this regulation references to vehicles in EU categories—

(a) L1e to L7e are to those categories as described in Annex 1 to Regulation (EU) 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two or three-wheel vehicles and quadricycles(**4**);

(b) M1 to M3, and N1, are to those categories as described in Annex 2 to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(**5**).".

(**4**) OJ No L 60, 2.3.2013, p52.

(**5**) OJ No L 263, 9.10.2007, p1. The Directive has been amended by Commission Regulation (EC) No. 1060/2008