

MOTOR VEHICLES TEST REGULATIONS

This version is out of date

**Subsidiary
1987/067**

Regulations made or deemed to have been made under ss.7 and 8.

MOTOR VEHICLES TEST REGULATIONS**(LN. 1987/067)****1.4.1987**

Amending enactments	Relevant current Provisions	Commencement date
LN. 1988/026	r.37	18.2.1988
1990/010	Sch.5	18.1.1990
1996/046	rr.7 and 37	28.3.1996
1997/077	rr.2, 7, 10(c), 16(1) & (2), 17, 18(2), 19(1), 20(1), 21(4), 22(1) & (2), 23(1)(a), 24(a),(b) & (c), 30(1), 35, 36, 37, 38, 40, 44(a), 46(b), Sch.4 and Sch.5	24.7.1997
1997/140	rr. 3(c) and 6(c)	17.11.1997
1998/021	rr.6(a) & (b), 7, 13(1A), Sch.2 and Sch.3	5.3.1998
2001/048	r. 37(1), (1A) and (1B)	17.5.2001
2005/122	rr. 37(1), (1A), (1B), (3) and (4)	1.5.2004
2005/051	Sch.5	1.4.2005
2005/122	rr. 2, 3(a) and (c), 4(1), (2) and (2)(d), 6(d), 7, 9(2)(c), 12(1)(c) and (d), 13(1)(b), 13(1A), 15, 16(2), 23(1)(b), 24, 25(1) and (2), 26, 37(2), 40, 42, 44, 45, 46(b)(ii) Sch. 1 and 3	25.8.2005

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Preliminary.

Title and commencement.

1. These Regulations may be cited as the Motor Vehicles Test Regulations 1987 and shall come into operation on the 1st day of April, 1987.

Interpretation.

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

“appointed day” means the day when these regulations come into operation;

“Centre” means the Motor Vehicles Test Centre established under section 5 of the Act;

“exceptional circumstances” means circumstances resulting from an accident, a fire, an epidemic, severe weather, a failure of essential services or other unexpected happening, other than a breakdown or mechanical defect in a motor vehicle or trailer or non-delivery of spare parts therefor;

“licensing authority” has the same meaning as in section 4 of the Traffic Act 2005;

“prescribed requirements” in relation to a motor vehicle or trailer means the requirements prescribed by regulation 13;

“re-examination” means the examination of a motor vehicle or trailer consequent upon the refusal of a roadworthiness certificate or the decision on an appeal;

“registered” means registered under section 15 of the Act;

“roadworthiness certificate” means a certificate issued by an examiner that a motor vehicle or trailer complies with the prescribed requirements;

“Transport Inspector” means a person designated as a Transport Inspector under the Transport Act 1998;

"vehicle" includes motor vehicle and trailer and, according to the context, may mean a motor vehicle together with a trailer.

Application.

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3. Three regulations apply to the following vehicles, that is to say—
- (a) public service vehicles, goods vehicles, private motor vehicles and motor cycles which have not been registered under the Act;
 - (b) ambulances, public service vehicles and goods vehicles which have been registered for more than one year;
 - (c) private motor vehicles and motor cycles which have been registered for four or more years or where four or more years have elapsed since the date of their manufacture;
 - (d) trailers, whether or not they have been used on roads in Gibraltar,

and do not apply to any vehicle which belongs to a class shown in Schedule 1, except on first registration in Gibraltar.

Temporary Certificate.

4. (1) The Chief Examiner may in respect of any motor vehicle or trailer extend the time for compliance with the provisions of regulations 6 or 7 if he is satisfied that, by reason of exceptional circumstances, it cannot be examined within the time required by these regulations.

(2) A certificate issued in accordance with subregulation (1) shall be in the form numbered MVT/1 in Schedule 4, which shall be signed by the Chief Examiner or some person authorized in that behalf by the Chief Examiner, and shall show—

- (a) in the case of a motor vehicle, the registration mark;
- (b) in the case of a trailer, the identification mark allotted to it;
- (c) the date of issue; and
- (d) the extended period of time, not being longer than three months, for the motor vehicle or trailer to comply with the provisions of regulations 6 or 7.

Extension of time.

5. The Chief Examiner may, for good cause, extend the time limited by these regulations for making application for the examination or re-

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examination of a motor vehicle or trailer or for submitting the vehicle for such examination or re-examination.

Regular examinations.

Applications for first examination.

6. The owner of a motor vehicle or trailer to which these regulations apply shall apply for the first examination of that vehicle—

- (a) in the case of a public service vehicle, goods vehicle, private motor vehicle or motor cycle which has not been registered under the provisions of the Act: not more than 60 days before it is intended to apply for a motor vehicle licence in respect of it;
- (b) in the case of an ambulance, a public service vehicle or, goods vehicle which on the appointed day had been registered—
 - (i) for 12 months or more: not more than 60 days before the date of the first anniversary of its registration following the appointed day;
 - (ii) for less than 12 months: not more than 60 days before the date of the first anniversary of its registration;
- (c) in the case of a private motor vehicle or motor cycle which on the appointed day had been registered—
 - (i) for four years or more: within 60 days of the next anniversary of its registration;
 - (ii) for less than four years: within 60 days of the anniversary of its registration falling in the tenth year after its manufacture;
- (d) in the case of a trailer: prior to it being used on a road.

Applications for subsequent examinations.

7. The owner of a motor vehicle or trailer to which these regulations apply shall—

- (a) subject to subregulation (b) apply for a biennial examination of that vehicle not more than 60 days before the expiry date of the first roadworthiness certificate or the latest roadworthiness certificate as the case may be, relating to it;

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- (b) in the case of an omnibus in respect of which more than 12 years have elapsed since the date of its manufacture the owner shall apply for a six-monthly examination of that vehicle not more than 30 days before the expiry date of the latest roadworthiness certificate.

Form of application.

8. An application for the examination of a motor vehicle or trailer shall be in writing, in the form numbered MVT/2 in Schedule 4, and shall be sent with the prescribed fee, addressed to the Chief Examiner at the Centre.

Notice of appointment.

9. (1) On receipt of an application under regulation 6 or 7, the Chief Examiner shall issue to the applicant a notice of appointment in the form numbered MVT/3 in Schedule 4, stating the date and time reserved for the examination.

(2) The Chief Examiner may, in a notice of appointment for the examination of—

- (a) a goods vehicle or trailer, specify the load to be carried by it at the time of the examination;
- (b) a motor vehicle which is to be used on roads to draw a trailer, require that the motor vehicle be accompanied by the trailer at the time of the examination;
- (c) a trailer, require that it be accompanied by a duly licensed motor vehicle capable of drawing it and of operating any braking system with which it is equipped.

Documents to be produced.

10. On the date and at the time appointed, the applicant shall produce to the examiner—

- (a) if the vehicle is registered, the certificate of registration;
- (b) in any other case, evidence of the date of manufacture or of importation, as the case may require; and
- (c) the latest roadworthiness certificate, if any, issued in respect of the vehicle, or a photocopy thereof.

Other conditions.

11. A vehicle shall not be submitted for examination—
- (a) unless, being a motor vehicle, it is provided with sufficient fuel and oil to enable it to be driven sufficiently for the purpose of the examination;
 - (b) unless, being a motor vehicle, there is permanently affixed to the chassis or main structure of the vehicle, in a conspicuous and easily accessible position so as to be readily legible, the chassis or serial number shown in the certificate of registration;
 - (c) if it so dirty or dangerous as to make it unreasonable for an examiner to be required to examine it.

Right to refuse examination.

12. (1) An examiner may refuse to examine a vehicle—
- (a) on a day or at a time other than that stated in the notice of appointment;
 - (b) if the documents required by regulation 10 are not produced or if the application for examination does not accord with them;
 - (c) if the vehicle does not comply with regulation 11; or
 - (d) if as a result of any alteration to the vehicle it is unable to be tested by an examiner using the equipment available to him.
- (2) An examiner may refuse to complete an examination if, owing to the failure of any part of the vehicle or, in the case of a trailer, of the accompanying motor vehicle, it cannot be driven safely.

Objects and manner of examination.

- 13.(1) In carrying out the examination of a vehicle, it shall be the duty of the examiner to determine whether the vehicle complies with such of the requirements of the following regulations as are shown in Schedule 2 to be applicable—
- (a) Control of Traffic Regulations;
 - (b) Transport Regulations 2000;

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- (c) Traffic (Licensing and Registration) Regulations;
- (d) Vehicles (Construction, Equipment and Maintenance) Regulations.

(1A) In carrying out the examination of a vehicle, it shall be the duty of the examiner to determine whether the vehicle complies with section 36 of the Transport Act 1998 (vehicle recording equipment).

(2) The manner in which examinations are to be carried out and the apparatus to be used shall comply with the requirements of Schedule 3.

Duty of owner.

14. The owner of a motor vehicle or trailer which is being examined or his representative, shall be present throughout the examination and shall, when required by the examiner, drive the vehicle or operate the controls while the vehicle is stationary, in accordance with the directions of the examiner.

Liability for loss or damage.

15.(1) Subject to subregulation (2) where any loss or damage to a motor vehicle or trailer, or any personal injury, whether fatal or not, is suffered by any person during the course of or as a result of the examination of a vehicle under these regulations, at a time when the examiner is driving or at the controls of the vehicle or, in the case of a trailer, the motor vehicle drawing it, the Government shall be liable for that loss, damage or injury.

(2) Where a vehicle has been altered from its original manufacturer's specification or has had accessories fitted to it other than those provided by the manufacturer, the Government shall not be liable for any loss or damage to the vehicle caused by virtue of the alterations or additions.

Issue of roadworthiness certificate.

16. (1) Where on examination a vehicle is found to comply with the prescribed requirements, the examiner shall issue to the owner of the vehicle a roadworthiness certificate in the form numbered MVT/4 in Schedule 4, which shall state the period of its validity.

(2) In the case of a vehicle intended for use as a public service vehicle, the Traffic Commission may authorize the Chief Examiner, in writing, to issue a roadworthiness certificate notwithstanding that the dimensions of the vehicle do not comply with all the requirements as to construction contained in any relevant regulations made under the Act.

Issue of notice of refusal.

17. Subject to the provisions of regulation 16(2), where on examination a vehicle is found not to comply with the prescribed requirements, the examiner shall issue to the owner of the vehicle a notice of refusal of a roadworthiness certificate, in the form numbered MVT/5 in Schedule 4, which shall state the grounds for refusal.

Procedure when braking test unsafe.

18. (1) Where in the course of an examination it is found that there are such defects in the construction or condition of the vehicle or its equipment or accessories that to carry out a braking test in the prescribed manner would be likely to cause danger to any person or damage to the vehicle or to other property, the examiner shall not carry out the braking test but shall complete the rest of the examination in accordance with these regulations.

(2) Where an examiner proceeds in accordance with sub-regulation (1), he shall issue to the owner of the vehicle a notice of refusal of a roadworthiness certificate stating—

- (a) that he could not safely carry out the braking test and the reason; and
- (b) any other reasons for refusal.

(3) In this regulation, “braking test” means such of the tests prescribed in Part IV of Schedule 3 as apply to the vehicle being examined.

Re-examination after refusal of test certificate.

Application for re-examinations.

19. (1) Where notice of refusal of a roadworthiness certificate has been issued, the owner of the vehicle may at any time, and if necessary more than once, apply for re-examination of the vehicle.

(2) An application for re-examination shall be in writing, except where the application is for re-examination on the day of the unsuccessful examination and may be endorsed on the notice of refusal.

Conditions for re-examinations.

20. (1) On the date and at the time appointed for re-examination, the owner of the vehicle shall produce to the examiner the notice of refusal of a

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roadworthiness certificate, except where the application for reexamination was endorsed on the notice of refusal.

(2) The provisions of regulations 9, 11, 12, 14 and 15 shall apply to a re-examination so far as the circumstances may require.

Conduct of re-examination and issue of certificates and notices.

21. (1) On the re-examination of a vehicle, it shall be the duty of the examiner to determine whether the defects recorded in the notice of refusal have been rectified, so that the vehicle complies with the prescribed requirements.

(2) Notwithstanding anything in sub-regulation (1), the examiner may, on a re-examination, determine whether the vehicle complies with all or any of the other prescribed requirements.

(3) The manner in which re-examinations are carried out and the apparatus to be used in carrying out re-examinations shall comply with the requirements of Schedule 3.

(4) On the completion of a re-examination, the examiner shall issue to the owner a test certificate or a notice of refusal in accordance with regulation 16 or regulation 17, as the case may be.

Notifiable alterations and re-examination.

Duty to notify alterations.

22.(1) If any of the alterations to which this regulation applies is made to any vehicle in respect of which a roadworthiness certificate has been issued, the owner of the vehicle shall, within 14 days, send to the Chief Examiner particulars of the alterations in the form numbered MVT/6 in Schedule 4.

(2) Where alterations to a vehicle change its unladen weight or gross vehicle weight, the owner shall append to the particulars a request for amendment of the roadworthiness certificate.

(3) The alterations to which this regulation applies are—

- (a) alterations to the structure or fixed equipment of the vehicle which varies its carrying or drawing capacity;
- (b) alterations which affect any part of the braking system or the steering system with which the vehicle is equipped or the means of operation of either system;

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- (c) other alterations to the structure or fixed equipment of the vehicle which render or are likely to render the vehicle unsafe to travel on roads at the gross vehicle weight shown on the registration certificate.

Re-examination following alteration.

23.(1) Where the Chief Examiner is notified of alterations to a vehicle,

- (a) if there is a request for amendment of the roadworthiness certificate, he shall; and
- (b) in any other case, he may, in his discretion, require the vehicle to be submitted for re-examination and shall give notice to the owner of the vehicle of the place, date and time appointed for the re-examination; if, by virtue of the alterations, the vehicle is rendered uninspectable, the examiner shall withdraw the roadworthiness certificate.

(2) Where the Chief Examiner decides that re-examination is unnecessary, he shall so inform the owner of the vehicle.

Procedure on re-examination.

24. On the completion of the re-examination of a vehicle pursuant to regulation 23, the examiner may—

- (a) amend the roadworthiness certificate relating to that vehicle, as requested by the owner;
- (b) issue to the owner a notice of refusal to amend the roadworthiness certificate; or
- (c) if he decides that in consequence of the alterations the vehicle no longer complies with the prescribed requirements, withdraw the roadworthiness certificate.

*Road side tests.***Power to stop vehicles.**

25.(1) Where a police officer in uniform or, in the case of a public service vehicle, a Transport Inspector has reason to suspect that a motor vehicle or trailer on a road may be unfit for the purposes for which it is licensed, he

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may require the driver to stop, so that the motor vehicle or the trailer or both, as the case may be, may be examined and shall—

- (a) ask the driver for his name and address and, if he is not the owner of the vehicle or vehicles, for the name and address of the owner; and
- (b) inform him of his rights under regulation 26.

(2) The examination of a motor vehicle or trailer under this regulation may be carried out by the police officer or Transport Inspector or, if the police officer or Transport Inspector considers it necessary or desirable, by an examiner.

Right to have examination deferred.

26. Where a motor vehicle has been stopped under regulation 25, the driver may elect to have the examination of the motor vehicle or trailer deferred:

Provided that the police officer or Transport Inspector may require the examination to be carried out forthwith or as soon as practicable where—

- (a) the vehicle has been involved in an accident; or
- (b) the vehicle appears to him so defective that it ought not to be allowed to proceed without prior examination,

and, in either such case, the vehicle shall not be removed before it has been examined.

Deferred examination.

27. Where the driver elects to have the examination of the motor vehicle or trailer deferred, it shall take place within seven days, unless the Chief Examiner agrees otherwise, and it shall be the duty of the owner of the motor vehicle or trailer to produce it, or cause it to be produced, for the deferred examination at a time and place to be appointed by the Chief Examiner and notified to the owner.

Notice of defect.

28. Where, on the examination of a motor vehicle or trailer under regulation 25 or regulation 27, it appears to the examiner that the vehicle does not comply with any prescribed condition as to construction equipment or maintenance, he may, whether or not the defect makes the vehicles unfit for the purposes for which it is licensed and whether or not he proposes to

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institute proceedings for the breach of the condition, give notice in writing to the owner of the vehicle, specifying the defect and the condition alleged to have been broken and requiring him to have the defect remedied within 14 days of the date of the notice or such longer period as the Chief Examiner may allow.

Further tests.

29. Where notice has been given under regulation 28, the Chief Examiner may, by a further notice in writing, require the owner of the motor vehicle or trailer to submit it, within 14 days of the date of such further notice, for a further test to ascertain whether the defect has been remedied.

Appeals.

Bringing of appeals.

30. (1) A person aggrieved by the refusal of a roadworthiness certificate following the examination or re-examination of a motor vehicle or trailer or by the suspension of a motor vehicle licence following any such examination or re-examination or by a notice of defect given under regulation 28, may, within 14 days of the day when the notice was given, appeal to the licensing authority against the refusal or the suspension or the notice of defect, as the case may be.

(2) An appeal shall be by notice in the form MVT/7 in Schedule 4 and shall be accompanied by the prescribed fee.

Nomination of appeal officer.

31. On receipt of a notice of appeal under regulation 30, the licensing authority shall nominate some suitably qualified person to act as appeal officer and as such to re-examine the vehicle and report the result of the re-examination to the licensing authority.

Notice of appointment.

32. As soon as practicable after his nomination, the appeal officer shall issue to the appellant a notice of appointment in the form MVT/8 in Schedule 4, stating the date and time appointed for re-examination of the vehicle and the place where the reexamination is to be carried out, which may be the Centre or such other place as the appeal officer may determine.

Information to be furnished.

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33. (1) At the date and time appointed, the appellant shall, if so requested by the appeal officer –

- (a) produce the notice of refusal or notice of suspension or notice of defect against which the appeal is brought; and
- (b) furnish such information as the appeal officer may reasonably require.

(2) Without prejudice to the generality of paragraph (b) of sub-regulation (1), such information may relate to any alteration or repair to the vehicle or any accident in which it may have been involved or any damage it may have sustained since the examination or re-examination which resulted in the refusal or suspension or notice of defect appealed against.

Conduct of re-examinations on appeal.

34. The provisions of regulations 9, 11 and 12(2) and of Schedules 2 and 3 shall, mutatis mutandis, apply to re-examinations on appeal as they apply to other examinations.

Determination of appeals

35. On receipt of the report of the appeal officer, the licensing authority shall make such determination in the matter as he may think proper and shall direct the appeal officer to issue a roadworthiness certificate or a notice of refusal, or to confirm or cancel the notice of defect, as the case may require.

Certificates, notices and records.

Particulars to be contained in test certificates and notices of refusal.

36. A test certificate or notice of refusal shall-

- (a) bear a serial number;
- (b) be signed by the examiner who carried out the examination;
- (c) contain-
 - (i) if it relates to a motor vehicle, the registration mark and the chassis number of the vehicle;
 - (ii) if it relates to a trailer, the identification mark allotted to it;

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- (iii) the make of the vehicle, its approximate year of manufacture and the mileage recorded by the odometer with which it is fitted, if any;
- (iv) the unladen weight of the vehicle specified in kilograms and also, in the case of goods vehicle, its gross vehicle weight specified in kilograms;
- (v) the date on *which* it was issued and, in the case of a roadworthiness certificate, the date on which it will expire.

Validity of roadworthiness certificates.

37.(1) Subject to sub-regulation (1A), a roadworthiness certificate issued in respect of a motor vehicle or trailer shall be valid for a period not exceeding 24 months.

(1A) Subject to subregulation (2) a roadworthiness certificate issued in respect of a motor vehicle or trailer shall be valid for the period stated on it not exceeding 24 months from the date of issue.

(2) Where the vehicle is an omnibus in respect of which more than 12 years have elapsed since the date of its manufacture, the roadworthiness certificate shall be valid for a period not exceeding 6 months.

(3) If an application other than an application in respect of an omnibus falling within sub-regulation (2) is made within the prescribed time for a biennial or other examination, the Chief Examiner may extend the validity of the certificate to cover the period between the application and the examination.

(4) The Chief Examiner may, at the direction of the Licensing Authority, extend the period of validity of a roadworthiness certificate which has not, at the time the extension is granted, expired.

Duplicate roadworthiness certificates.

38. If a roadworthiness certificate has been lost or defaced, the owner of the vehicle shall be entitled to receive a duplicate certificate if he applies therefor in writing to the Chief Examiner, remitting the prescribed fee.

Provisions as to notices.

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39. (1) Except as otherwise provided, every notice under these regulations shall be in writing.

(2) For the purpose of calculating the period of any notice, Saturdays, Sundays and public holidays shall be excluded.

(3) When giving a notice of appointment, the Chief Examiner shall have regard, so far as is reasonably practicable, to any preference expressed by the applicant as to the date and time at which an examination is to take place.

Records to be kept.

40. Each examiner shall retain at the Centre for at least 36 months, copies of all roadworthiness certificates and notices of refusal issued by him.

Fees.

Fees payable.

41. The fees to be paid under these regulations shall be as set out in Schedule 5.

Transfer or refund of fee.

42. An applicant who—

- (a) has, not less than three days before the day fixed for the examination of a vehicle, given notice to the Chief Examiner that he does not propose to submit the vehicle for examination on that day; or
- (b) satisfies the Chief Examiner that the vehicle cannot or, as the case may be, could not be submitted for examination on the day and at the time fixed because of exceptional circumstances which occurred not more than 3 days before that date and of which the applicant gave notice to the Chief Examiner within one day of the occurrence,

may, when giving notice or satisfying the Chief Examiner, as the case may be, or within 20 days thereafter –

- (i) apply to the Chief Examiner for another examination of the same kind of that vehicle or of another vehicle, to be carried out within 2 months of the date of the application, and in such case the fee paid on the first

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application shall be treated as having been paid in respect of or towards the second; or

- (ii) give notice to the Chief Examiner that he does not require any examination of the same kind, and in such case the fee, less the sum of £5 for administrative expenses, shall be refunded to the applicant.

Refund of fee paid in appeal.

43. (1) If, before the time appointed for the re-examination of a vehicle for the purpose of an appeal, the appellant gives the Chief Examiner not less than 2 clear days notice that he does not propose to submit the vehicle for re-examination at that time and no other time is then appointed, the fee paid on the appeal shall be repaid to the appellant.

(2) After the re-examination of a vehicle for the purpose of an appeal, the Chief Examiner, after considering the report of the appeal officer, may repay to the appellant the whole or any part of the fee paid in respect of the appeal, where it appears to him that there were substantial grounds for contesting the notice of refusal or notice of defect against which the appeal was brought.

*Offences.***Using a vehicle in breach of regulations.**

44. A person who uses, or causes or permits to be used on a road a motor vehicle or trailer-

- (a) for which under these regulations a roadworthiness certificate is required, without being in possession of a valid certificate;
- (b) to which any alteration has been made to which regulation 22 applies, and who has failed to comply with that regulation;
- (c) after being served with a notice under regulation 28, and not having remedied the defect,

is guilty of an offence and is liable on summary conviction to a fine up to level 1 on the standard scale.

Other offences.

45. A person who-

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- (a) obstructs an examiner, a police officer or a Transport Inspector in the execution of his duty under these regulations;
- (b) gives false information in answer to a question lawfully put to him under these regulations;
- (c) fails to stop a motor vehicle for examination when required to do so; or
- (d) fails to submit a vehicle for examination when under a duty to do so,

is guilty of an offence and is liable on summary conviction to a fine up to level 1 on the standard scale.

Saving.

46. Notwithstanding the provisions of any of these regulations as, it shall not be an offence to use, or cause or permit to be used, on a road a motor vehicle or trailer—

- (a) when it is being submitted by appointment for, or is used in the course of or in connection with, any examination under these regulations;
- (b) following the refusal of a roadworthiness certificate, it—
 - (i) is being delivered to or being brought away from a place where work is to be or has been done on it to remedy the defects which caused the refusal; or
 - (ii) is being towed to a place where it is to be broken up;
- (c) where it is being driven or towed unladen by a vehicle driven under a dealer's licence issued under section 20 of the Act;
- (d) where it is being driven or towed, on first importation into Gibraltar, to the place where it is to be kept by the importer;
- (e) in the course of its seizure or detention or removal by a police officer acting in the course of his duty, or
- (f) in the course of its seizure, removal, detention, condemnation or forfeiture under the Imports and Exports Act.

SCHEDULE 1.

CLASSES OF VEHICLES TO WHICH THE REGULATIONS DO NOT APPLY.

1. Mobile cranes.
2. Road rollers.
3. Motor vehicles or trailers (not constructed primarily to carry loads) especially designed and constructed for the special purposes of engineering operations.
4. Road construction vehicles.
5. Vehicles designed for fire fighting purposes.
6. Works trucks, that is to say motor vehicles designed for use in private premises and used on a road only for delivering goods from or to such premises, to or from a vehicle on a road in the immediate neighbourhood or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works, straddle carriers used solely as works trucks, and works trailers.
7. Trailers which have no other brakes than a parking brake and brakes which automatically come into operation on the over-run of the trailer.
8. Vehicles used solely for the purposes of funerals.
9. Vehicles equipped with new or improved equipment or types of equipment and used solely by an importer of vehicles for or in connection with the test or trial of any such equipment.
10. Vehicles to which any of the prescribed construction and condition requirements to not apply by virtue of either of the following regulations of the Traffic (Licensing and Registration) Regulations namely—
 - (a) Regulation 21 (which relates to vehicles to be exported from Gibraltar)
 - (b) Regulation 22 (which relates to vehicles brought temporarily into Gibraltar)
 - (c) Regulation 25 (which relates to waiver for vehicles in transit from Spain)
 - (d) Regulation 26 (which relates to waiver for vehicles of visiting warships)
11. Track laying vehicles.
12. Steam propelled vehicles.
13. Three wheeled motor vehicles designed for the purpose of street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies.
14. Vehicles designed and used for the purpose of servicing or controlling or loading or unloading aircraft, while so used—
 - (a) on an aerodrome;

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- (b) on roads outside such aerodrome if, except when proceeding directly from one part of such an aerodrome to another part thereof, the vehicles are unladen and are not drawing a laden trailer.
- 15. Vehicles designed for use and used on an aerodrome solely for the purpose of road cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools.
- 16. Vehicles provided for police purposes and maintained in workshops approved by the licensing authority as suitable for such maintenance.
- 17. Pedestrian controlled vehicles.
- 18. Invalid carriages (including a cycle with an attachment for propelling it by mechanical power) which do not exceed 250 kilograms.
- 19. Motor vehicles brought into Gibraltar and displaying a registration mark specified in a period of twelve months not having elapsed since the vehicle in question was last brought into Gibraltar.
- 20. Hackney carriages in respect of which there is in force a licence granted under the provisions of the Transport Act 1998 to ply for hire.

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SCHEDULE 2.

Regulation 13

PRESCRIBED REQUIREMENTS.

1. The requirements contained in the following provisions of the Control of Traffic Regulations—

Item	Regulation	Affecting	Applicable to	
			Motor Vehicles	Trailers
1	11	Safe condition of the vehicle and its accessories, in particular—		
		(a) spare wheel carrier	Yes	No
		(b) Trailer coupling on vehicle	Yes	No
		(c) Coupling on trailer	No	Yes
		(d) the chassis	Yes	Yes
		(e) electrical wiring and equipment	Yes	Yes
		(f) landing legs		Yes
		(g) engine mountings	Yes	Yes
		(h) fuel tanks and systems	Yes	Yes
		(i) transmission shafts and associated equipment	Yes	No
		(j) battery and support	Yes	Yes
		(k) wheels and hubs	Yes	Yes
		(l) suspension systems	Yes	Yes
		(m) axles and steering gears	Yes	Yes
		(n) shock absorbers	Yes	Yes
		(o) bumpers	Yes	Yes
		(p) the cab	Yes	No
		(q) the driving seat	Yes	No
		(r) the body	Yes	Yes
		(s) driver's control	Yes	No
		(t) cab step or step ring	Yes	No
2	14	Direction indicators and stop lights	Yes	Yes
3	20	Front lamps	Yes	No

2. The requirements contained in the following provisions of the Public Service Vehicles Regulations—

Item	Regulation	Affecting	Applicable to	
			Taxis	Omni-buses
4	4	Seating capacity notice	Yes	Yes
5	25	Notice of fares	Yes	Yes
6	28	Taxi sign	Yes	No

3. The requirements contained in the following provisions of the Traffic (Licensing and Registration) Regulations—

Item	Regulation	Affecting	Applicable to	
			Motor Vehicles	Trailers
7	16	Registration marks	Yes	No

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8	18	Registration marks	No	Yes
8A	19	Rear registration plate lamp	Yes	Yes

4.The requirements contained in the following provisions of the Vehicles (Construction, Equipment and Maintenance) Regulations—

PART I.

Item	Regulation	Affecting	Applicable to	
			Motor Vehicles	Trailers
9	7	Oversize distinguishing marks	Yes	No
10	8	Markings	Yes	Yes
11	14	Springs	Yes	Yes
12	16	Tyres	Yes	Yes
13	17, 17A, 17B, 17C, 17F, 17H,	Brakes	Yes	No
14	17, 17E, 17H	Brakes	No	Yes
15	17G, 17H	Parking brake	Yes	Yes
16	19	Stop lights	Yes	Yes
17	20, 20A	Direction indicators	Yes	Yes
18	21, 22	Speed indicators	Yes	No
19	23	View to the front	Yes	No
20	24	Mirrors	Yes	No
21	25, 26	Maintenance of glass	Yes	No
22	27, 27A	Windscreen wipers	Yes	No
23	29	Warning instruments	Yes	No
23A	29A	Fuel tank and pipes	Yes	No
24	30	Silencers and exhaust pipes	Yes	Yes
25	31, 31A	Emission of smoke or vapours	Yes	Yes
26	32	Excessive noise from faulty adjustments, etc.	Yes	Yes
27	33	Wings	Yes	Yes
28	65, 67(1), 68, 70, 72, 73	Front lamps	Yes	No
29	65, 67(2), 68, 73, 74, 75	Rear lamps	Yes	Yes
30	76	Reversing lights	Yes	No
31	66, 77, 78, 79	Reflectors	Yes	Yes

PART II.

Item	Regulation	Affecting	Applicable to	
			Motor Vehicles	Trailers

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32	37	Exhaust fumes	Yes	Yes
32A	38	Wiring	Yes	Yes
33	39	Fire extinguisher	Yes	Yes
34	40	Luggage carrier	Yes	Yes
35	41	Cleanliness	Yes	Yes
36	42	Entrances and exits	Yes	Yes
37	43	Doors	Yes	Yes
38	44	Steps	No	Yes
39	45	Emergency exits	No	Yes
40	49	Seats	Yes	Yes
41	51	Ventilation	Yes	Yes
42	52	Interior lights	Yes	Yes
43	53	Signalling to driver	No	Yes
44	54	Direction board	No	Yes

SCHEDULE 3.

Regulation 13

MANNER OF CARRYING OUT EXAMINATIONS.

PART I.

The lighting requirements.

1. The vehicle shall be examined to ascertain whether—

- (a) it is equipped with lamps and reflectors which comply with the lighting requirements as respects their number, their operation and the position in which they are attached to the vehicle; and
- (b) the lamps are clean and efficient and the reflectors are unobscured and efficient; and
- (c) the vehicle is so equipped that the lamps can be used to show a white light to the front visible from a reasonable distance or a red light to the rear so visible, so as to comply with the lighting requirements.

2.(1) Where the vehicle is one which the lighting requirements require to be equipped with a headlamp, the vehicle and each of the headlamps with which it is fitted shall be examined in order to determine whether, if that lamp were to be used to show a light to the front while the vehicle was driven on a road during the hours of darkness, the beam of light emitted therefrom-

- (a) is or can be so deflected that it is incapable of causing such dazzle as is mentioned in regulation 72(2) of the Traffic (Construction, Equipment and Maintenance) Regulations; or
- (b) can be extinguished by the operation of a device which at the same time causes-
 - (i) a beam of light to be emitted from that lamp; or
 - (ii) deflects the beam of light from another lamp; or
 - (iii) brings into operation another lamp which emits a beam of light

in such a manner that in no case is the beam of light so emitted or deflected capable of causing such dazzle as aforesaid.

(2) For the purpose of the examination of a headlamp in accordance with sub-paragraph (1) the direction of the beam of light which would be emitted from that lamp if it were to be used to show a light to the front in the circumstances specified shall be tested by causing the lamp to show a light and ascertaining what the direction is in relation to the vehicle of the beam of light emitted therefrom by the use of apparatus designed and constructed for the purpose of ascertaining within reasonable limits of precision the direction of the beam of light emitted from such a lamp.

PART II.

THE STOP LAMP REQUIREMENTS.

3. The vehicle shall be examined to ascertain whether—
- (a) it is equipped with stop lamps which comply with the stop lamp requirements as respects their number, their operation and the position in which they are attached to the vehicle, and
 - (b) the lamps are clean and efficient, and
 - (c) the vehicle is so equipped that the lamps show a steady red light when the brakes which operate the lamps are applied, and, that the light is emitted by the lamps at the same time.

PART III.

The Direction Indicator Requirements.

4. The vehicle shall be examined to ascertain whether its direction indicators comply with the direction indicator requirements and in particular to ascertain whether-
- (a) it is equipped with direction indicators which comply with the direction indicator requirements as respects their number, type and the position in which they are attached to the vehicle, and
 - (b) the indicators are clean and efficient, and
 - (c) the colour of each of the indicators-
 - (i) if it shows to both front and rear, is amber;
 - (ii) if it shows only to the front, is amber or white; and

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- (iii) if it shows only to the rear, is amber or red,
- (d) each of the indicators is visible from a reasonable distance, and
- (e) where the vehicle is fitted with electric fighting equipment, each of the indicators show a steady or flashing light, and
- (f) where the indicators are equipped to show a flashing light, the rate of such flashing is not less than 60 nor more than 120 flashes per minute; and
- (g) the vehicle is so equipped that the driver when in his seat is readily aware that a direction indicator is in operation.

PART IV.**THE BRAKING REQUIREMENTS.**

5. The vehicle shall be examined to ascertain whether it is equipped with such a braking system or systems that the braking requirements are complied with, and in particular to ascertain whether-

- (a) the braking systems are in good mechanical condition and are free from evident defects;
- (b) the braking systems are properly adjusted and operate as intended by their design;
- (c) there is any such lack of balance in the application of the brakes to the wheels as to cause, or be likely to cause, serious deviation of the vehicle from its course when being driven on a road; and
- (d) there is any other evident defect in the vehicle or in equipment by reason of which the braking requirements are not complied with.

6.(1) Subject to regulation 18 the examination of the braking system or systems of the vehicle shall include a test of the braking efficiency of its brakes to ascertain whether they have; the braking efficiency required by the braking requirements.

(2) If the vehicle is a motor cycle the said test shall be carried out in such one or more of the following ways as the examiner may think fit-

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- (a) by using suitable apparatus to measure the force required to pull the vehicle along the ground while a person seated in its saddle is applying the brakes and determining by reference to that force when expressed as a percentage of the weight of the vehicle and its rider and any load carried thereon at the time whether the brakes have the requisite braking efficiency;
- (b) by the vehicle being placed with a person seated on its saddle on a sloping platform and determining by reference to the steepness of the slope of the platform at which the brakes of the vehicle when applied by that person will hold the vehicle and its rider on the platform whether the brakes have the requisite braking efficiency;
- (c) by using such a brake testing apparatus as may be suitable in relation to the vehicle to measure the braking force which is developed when the brakes of the vehicle are applied and determining by reference to that force when expressed as a percentage of the weight of the vehicle, including any person or load carried thereon at the time, whether the brakes have the requisite braking efficiency.

(3) If the vehicle is a vehicle other than a motor cycle, the test of the braking efficiency of its brakes shall be carried out by placing the vehicle on a suitable brake testing apparatus and using it to measure the braking force developed when the brakes are applied and determining by reference to that force when expressed as a percentage of the weight of the vehicle (including any person or load carried in the vehicle at the time) whether the brakes have the requisite braking efficiency.

(4) Subject to regulation 18 a test of the brakes of a vehicle carried out in accordance with any of the foregoing provisions of this paragraph may, if the examiner thinks fit, be supplemented by a further test by the vehicle being driven on a road or any other suitable place and by its brakes being applied while it is being so driven for the purpose of determining by observation of the effects of such application whether any one or more of the braking requirements are complied with.

(5) In this paragraph—

- (a) references to the brakes of a vehicle being applied are references to its brakes being applied by the means of operation provided for that purpose and, where a vehicle has more than one means of operation, are references to its brakes being applied by each of those means of operation being used separately to apply the brakes;

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- (b) "brake testing apparatus" means apparatus designed and constructed to measure the braking force developed when the brakes of a vehicle are applied.

PART V.

THE STEERING REQUIREMENTS.

7. The vehicle shall be examined to ascertain whether its steering gear complies with the steering requirements and in particular to ascertain whether-

- (a) the steering gear is in good mechanical condition and free from evident defects;
- (b) the steering gear is properly adjusted and operates as intended by its design;
- (c) the front road wheel bearings are in good mechanical condition and are properly adjusted;
- (d) in the case of a motor cycle, the wheels and the sidecar (if fitted) are properly aligned; and
- (e) there is any other evident defect in the vehicle or its equipment by reason of which the steering requirements are not complied with.

PART VI.

THE TYRE REQUIREMENTS.

8. The vehicle shall be examined to ascertain whether its tyre comply with the tyre requirements and in particular to ascertain whether-

- (a) any tyre is a recut pneumatic tyre;
- (b) any tyre is unsuitable having regard to the type of tyres fitted to its other wheels;
- (c) any tyre has a break in its fabric, or has a cut in excess of 25mm. or 10 per cent of the section width of the tyre, whichever is the greater, and deep enough to reach the body cords;

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- (d) any tyre has any lump or bulge (caused by separation or partial failure of its structure) or any exposure of the ply or cord structure;
- (e) there is any other defect in any tyre or any defect in any roadwheel by reason of which the tyre requirements are not complied with.

PART VII.

THE WINDSCREEN CLEANING REQUIREMENTS.

9. The vehicle shall be examined to ascertain whether it is so equipped that the windscreen cleaning requirements are complied with and in particular to ascertain whether-

- (a) the windscreen wiper or wipers which are required to be fitted are in a good and efficient condition and capable of clearing the windscreen so that the driver has an adequate view of the road in front of the near and off sides of the vehicle in addition to an adequate view to the front of the vehicle; and
- (b) in relation to the windscreen wiper or wipers, the vehicle is equipped with a windscreen washer or washers in a good and efficient condition and capable of clearing, in conjunction with the windscreen wiper or wipers, the area of windscreen swept by the wiper or wipers.

PART VIII.

THE EXHAUST REQUIREMENTS.

10. The vehicle shall be examined to ascertain whether its exhaust system complies with the exhaust requirements and in particular to ascertain whether-

- (a) where the vehicle is propelled by means of an internal combustion engine, it is equipped with a silencer, expansion chamber, or other contrivance suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of the exhaust gases from the engine;
- (b) all parts of the exhaust system with which the vehicle is equipped as aforesaid are in a good and efficient condition; and

PART IX,

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THE AUDIBLE WARNING INSTRUMENT REQUIREMENTS.

11. The vehicle shall be examined so as to ascertain whether it complies with the audible warning instrument requirements.

PART X.

THE BODY-WORK AND SUSPENSION REQUIREMENTS.

12. The vehicle shall be examined to ascertain whether any part of its bodywork or suspension is so affected by rust, or has otherwise been so damaged, that the proper function of the braking system or steering gear of the vehicle is likely to be prejudicially affected by reason thereof. That examination shall not entail any dismantling of the vehicle or of any part of it.

PART XI.

THE PUBLIC SERVICE VEHICLE REQUIREMENTS.

13. Public service vehicles shall be examined to ascertain whether the public service vehicle requirements are complied with.

PART XII

**THE VEHICLE RECORDING EQUIPMENT (TACHOGRAPH)
REQUIREMENTS**

If the vehicle is a vehicle to which section 46A(3) of the Traffic Act applies it shall be examined to –

- (a) check the presence of the tachograph and the integrity of the seals;
- (b) check the validity of the tachograph plate if required by Council Regulation (EEC) No. 3821/85;
- (c) check whether the nominal circumference or size of type matches the data given on the tachograph plate; and
- (d) where practical, check that the seals of the tachograph and, where appropriate, any other means of protecting the connections against fraudulent manipulation are intact.

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SCHEDULE 4.

Regulations 4(2)8, 9(1), 16, 17,22(1),30(2) and 32

FORMS

FORM MVT/1.

Motor Vehicles Test Regulations 1987.

Regulation 4.

CERTIFICATE OF TEMPORARY EXAMINATION.

Serial No.

E

It is hereby certified the vehicle of which the registration number/plate number is is temporarily exempted from the provisions of the test regulations.

CLASS OF VEHICLES

MAKE

CHASSIS No

TRAILER SERIAL NO.

This certificate is valid from until
. . . . inclusive of both dates.

SIGNATURE

Chief Examiner

DATE OF ISSUE

(See notes overleaf)

NOTES:

1. During the period of this certificate, the vehicle described therein is temporarily exempted from the provisions of the Motor Vehicle Test Regulations 1978 which makes it an offence to use on a road any vehicle which is subject to testing unless there is in force for the vehicle a valid roadworthiness certificate.

2. You are advised to keep this certificate readily available. It need not be carried on the vehicle but it must be produced if required by a Police Officer.

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Subsidiary 1987/067

Form MVT/2

Motor Vehicles Test Regulations 1987.

Regulation 8

APPLICATION FOR THE EXAMINATION OR RE-EXAMINATION OF A MOTOR VEHICLE OR TRAILER.

PLEASE READ ALL THE NOTES BEFORE COMPLETING THE FORM | PLEASE USE BLOCK LETTERS

- 1.REGISTRATION NO/PLATE NO
2.CLASS OF VEHICLE
3. TYPE OF BODY
4.MEANS OF PROPULSION
5. MAKE
6. MODEL
7. CHASSIS NO
8. SERIAL NO
9. DATE OF FIRST REGISTRATION
10. DATE OF MANUFACTURE
11. NO OF AXLES
12. UNLADEN WEIGHT
13. GVW
14. TYPE OF BRAKING SYSTEM: (a) Service Brake (b) Secondary brake (c) Parking brake

*I hereby declare that to the best of my knowledge and belief all the statements in this application are true.

TELEPHONE No Signature During normal working hours

DATE

* NAME OF OWNER

The above vehicle was at the date of its examination found to comply with the statutory requirements relating to the construction and condition of the motor vehicle/trailer or their accessories and equipment and was issued with a roadworthiness certificate which expires on

SIGNATURE

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Examiner

The above vehicle was at the date of its examination
. found NOT to comply with the statutory requirements relating to the
construction and condition of the motor vehicle/trailer or their accessories
and equipment and was issued with a Notice of Refusal of a roadworthiness
certificate serial No

SIGNATURE
Examiner

I hereby apply for a re-examination
of the above vehicle

DATE SIGNATURE

The above vehicle was at the date of re-examination found NOT to comply
with the statutory requirements

SIGNATURE
Examiner

I hereby apply for a further re-
examination of the above vehicle

DATE SIGNATURE

The above vehicle was at the date of the re-test found
NOT to comply with the statutory requirements

SIGNATURE
Examiner

NOTES:

- 1.Registration number of motor vehicle or trailer plate number.
- 2.State whether the vehicle is a Motor Cycle, Private Motor Vehicle, Goods Vehicle, Public Service Vehicle, Self Drive Vehicle, Industrial Vehicle or Trailer
- 3.State whether the type of body is Articulated, Bowser, Camper, Convertible, Dumper, Estate, Flat Lorry, Fork Lift, Hatchback, Motor Cycle, Omnibus, Pick-up, Refrigerated, Refuse Collector, Saloon, Sided Lorry, Skip Lorry, Taxi, Tipper, Tractor, Van, Drawbar Trailer, Semi Trailer, etc.

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4.State whether means of propulsion runs on Diesel, Electricity, Petrol, Petrol Mixture.

8.Trailer Manufacturer's Serial Number.

13. Gross vehicle weight means the weight the vehicle is designed or adapted not to exceed when travelling on the road laden.

14. State whether braking system is a split-system, Hydraulic, Air, Vacuum, Air/Hydraulic, Mechanical, Servo Motors, Power Assisted, Multi-Pull etc.

FOR OFFICE USE ONLY

NAME OF PERSON MAKING APPOINTMENT

DATE TIME

DATE OF EXAMINATION	
TIME	
FEE PAID	
DATE OF RE-EXAMINATION	
TIME	
FEE PAID	
DATE OF FURTHER RE-EXAMINATION	
TIME	
FEE PAID	

FOR COMPLETION AT THE CENTRE

For the purpose of the test the vehicle must/may*

*Be presented without a load

*Carry a load or have a load superimposed upon it such that the gross weight of the vehicle is not less than KG.

*Be fully and uniformly laden to the maximum authorised gross vehicle weight.

*The vehicle must be accompanied by a trailer of the type it is to draw on the road.

*Delete as necessary.

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1987/067**Form MVT/3***Motor Vehicles Test Regulations 1987.**Regulation 9.*

NOTICE OF APPOINTMENT.

An appointment shown below has been made for your motor vehicle/trailer. Make sure that you can keep it, if you cannot, telephone 79009 or 79034 or call at the Motor Vehicle Test Centre right away.

Cancellation made within 3 days of the appointment date will involve forfeiture of fees except in certain specified exceptional circumstances which are reported to the centre within 1 day of their occurrence.

The Centre will be prepared to arrange a fresh appointment on receipt of, where it is appropriate, a fresh fee.

DAY	DATE	MONTH	YEAR	TIME	REGISTRATION NUMBER PLATE No.

BEFORE THE DAY OF THE TEST

- A. Ensure that the vehicle is roadworthy in every respect. If it fails the test in any one requirement it will have to be re-submitted for examination. Details of the test and the standard it sets appear in the Tester's Manual and in the Motor Vehicles Test Regulations.
- B. The vehicle should be sufficiently clean to enable all parts included in the examination to be readily seen.

ON THE DAY OF THE TEST

- C. Provide the vehicle with sufficient fuel and oil to see it through the test.
- D. Make sure the driver leaves in good time to get to the Centre by the appointed time. If he is late it may not be possible to carry out the test.
- E. Instruct the driver to follow the instructions of the Centre's staff.
- F. If this Notice requires it, ensure that a Trailer is taken to the Centre.
- G. Make sure the vehicle carries the weight of load stipulated in paragraph I of this Notice.
- H. On reporting at the Centre the driver must produce this notice and any provisional weights inserted at paragraph I. Without these the test may be refused.

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Form MVT/4

Motor Vehicles Test Regulations 1987.

Regulation 16.

Serial No.
TC
TEST CERTIFICATE.

The vehicle, of which the registration number/plate number is Having been examined under the Motor Vehicle Test Regulations, it is hereby certified that at the date of the examination thereof the statutory requirements prescribed by the regulations were complied with in relation to the vehicle.

CLASS OF VEHICLE
MAKE
CHASSIS NO
TRAILER SERIAL NO
UNLADEN WEIGHT
GROSS WEIGHT
RECORDED MILEAGE
YEAR OF MANUFACTURE

DATE OF ISSUE DATE OF EXPIRY

Signature
Examiner

Warning:
A roadworthiness certificate should not be accepted as evidence of the satisfactory mechanical condition of the used vehicle offered for sale.

(See notes overleaf).

NOTES:

1.It is an offence under Section 7 of the Traffic Act to use on a road any motor vehicle or trailer which is subject to a periodical test under the Motor Vehicles Test Regulations 1978 unless a Test Certificate is in force for the vehicle. This certificate must be renewed on or before its expiry date. You cannot be issued with a vehicle licence unless a valid roadworthiness certificate in respect of it is produced.

An application for a periodical test should be made at least 60 days before the certificate expires.

2005-26

Traffic

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2. You are advised to keep this certificate readily available. It need not be carried on the vehicle but it must be produced if required by a Police Officer and on renewal of the vehicle licence.

3. If this certificate is lost or defaced an application for a duplicate may be made to the Chief Examiner.

Anyone finding this certificate is requested to send it to the Motor Vehicle Test Centre.

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MVT/5

Motor Vehicles Test Regulations 1987.

Regulation 17.

Serial No.

R

NOTICE OF REFUSAL OF A TEST CERTIFICATE.

The vehicle of which the registration number/plate number is
. Having been examined under the Motor Vehicles Test Regulations, it is
hereby notified that a roadworthiness certificate in respect of the vehicle is
refused on the grounds that:

- (a) A full examination of its braking system or systems as required by the
regulations could not safely be carried out because at the date of the
examination there were the following defects:-

.....
.....
.....

- (b) In so far as the examination of the vehicle was carried out it was
found that the statutory requirements prescribed by the regulations
were not complied with for the following reasons-

.....
.....
.....
.....
.....

CLASS OF VEHICLE
MAKE
CHASSIS NO
TRAILER SERIAL NO

DATE OF ISSUE DATE OF EXPIRY

Signature

Examiner

(See notes overleaf)

Keep this Notice save you may need it when your vehicle is re-tested.

NOTES:

1. Your vehicle has been refused a roadworthiness certificate for the reasons shown overleaf. If you intend to continue to use it on the road you should have it repaired without delay. As soon as the necessary repairs have been carried out, you should have your vehicle re-tested. You are permitted to drive the vehicle without a roadworthiness certificate when submitting it by previous arrangement for or bringing it away from an examination, or taking it or bringing it away from a place where repairs are to be or have been done to remedy the defects for which the vehicle was failed. You are advised that if you use a defective vehicle on a road for any other reason you could be prosecuted. It is also an offence to use on a road a vehicle which is ten or more years old that does not have a current roadworthiness certificate.

2. If your vehicle is returned for a re-test within 14 days of the date on this notice, half the current fee will be payable. If it is brought after 14 days of the date of failure, a full current fee is payable.

3. If you do not agree with the refusal notice, you may appeal. If you wish to appeal against all or any of the grounds for refusal you must use a special form which you can obtain from the Motor Vehicle Test Centre. The completed appeal form with the current appeal fee must be received within 14 days of the date of the Refusal Notice. If your appeal is successful, the fee or, if appropriate, part of it may be returned to you. Do not have your vehicle repaired before the appeal test is carried out since any change in the condition of the vehicle may preclude the successful outcome of the appeal.

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Form MVT/6.

Motor Vehicles Test Regulations 1987.

Regulation 22.

PARTICULARS OF ALTERATIONS.

CLASS.....
TYPE.....
MAKE.....
MODEL.....
CHASSIS NO.....
TRAILER SERIAL NO.....

The following alterations, and no others, have been made to the above vehicle since the issue of the latest roadworthiness certificate-

.....
.....
.....

I/We..... being the owner of the above vehicle declare that to the best of my knowledge and belief all the statements in this application are true.

SIGNATURE..... DATE.....
TELEPHONE NO..... During normal working hours

Give details of any notifiable alterations which have been made. Normal replacement of worn, defective or damaged parts or components on a "Like for Like" basis are NOT notifiable.

- (a) Alterations to the structure or fixed equipment of a vehicle which vary its carrying capacity:
(i) Chassis Frame or Structure
(ii) Steering, Suspension, Wheels and Axles
(iii) Bodywork
(b) Alterations to Braking System
(c) Other alterations to the structure or fixed equipment

(See Notes Overleaf)

MOTOR VEHICLES TEST REGULATIONS

This version is out of date

Subsidiary
1987/067

OFFICIAL USE ONLY

ALTERATIONS
ACCEPTED

NOTICE OF REFUSAL OF A TEST
CERTIFICATE ISSUED

AMENDMENT OF
TEST CERTIFICATE
REFUSED

LICENCE SUSPENDED

TEST CERTIFICATE
WITHDRAWN

SIGNATURE
Examiner

DATE

NOTES:

1.Alterations to the structure or fixed equipment of a vehicle which vary its carrying capacity. These include alterations to any of the following items—

(a) Chassis, frame or structure.

Any alteration which increases or decreases the front or rear overhang; any structural alteration (other than normal adjustment of an extensible structure) which reduces or extends the wheelbase (or in the case of a semi-trailer, the equivalent distance); any other extension, deletion or alteration, including cutting, welding, riveting, etc., which materially weakens the chassis, frame or structure or changes its torsional stiffness.

(b) Steering, suspension, wheels and axles (including stub axles and wheel hubs).

The fitting of steering gear, axles, hubs or road springs of a different design or load bearing capacity; the fitting of additional wheels and axles or the removal of such items; any addition, deletion or alteration which reduces the inherent strength of the above components.

(c) The fitting of an alternative body of different design, construction or type: any alteration which reduces materially the strength of the body structure or the means by which it is attached to the chassis; any alteration which causes the body to extend beyond the rear of the chassis frame; any alteration which reduces or increases the unladen weight of the vehicle.

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2. Alterations to braking system.

These comprise alterations which adversely affect either the braking system or the braking performance of the vehicle: they include the addition or deletion of components such as reservoirs, servo motors, brake actuators, exhausters and compressors; they would also include the addition of any equipment which is necessary to connect to any part of the braking system and the fitting of different brake drums or shoes or liners of a smaller contact area.

3. Other alterations to the structure or fixed equipment.

Any other alteration made in the load bearing structure or fixed equipment of the vehicle, e.g. the coupling gear which could make the vehicle unsafe to travel on roads at any weight equal to any gross weight shown on a certificate; in the case of a motor vehicle, this could include such alterations as changing the type of engine or repositioning the engine or its mounting (e.g. petrol to diesel, normal control to forward control, etc.).

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FORM MVT/7

Motor Vehicles Test Regulations 1987.

Regulation 30.

NOTICE OF APPEAL.

BEFORE COMPLETING THIS NOTICE PLEASE READ THE NOTES OVERLEAF PLEASE USE BLOCK LETTERS

Name and Address of Appellant Telephone Number During normal working hours

Indicate day of the week on which it will be convenient for the vehicle to be submitted for the appeal test.

PARTICULARS OF VEHICLE Registration No/Plate No Class Type Make Model Chassis No Trailer Serial No

I/We, being aggrieved by the refusal of a roadworthiness certificate, or the grounds upon which the certificate was refused, or the suspension of a licence, in respect of the vehicle, particulars of which are given above, hereby appeal to the Licensing Authority against such refusal or suspension.

The grounds on which the appeal is made are:

The Notice of Refusal or a Roadworthiness Certificate Serial No. TC was issued on

I have read Note 6 overleaf and declare that the following changes have taken place in the condition of the vehicle since that date:- (If the vehicle's condition has remained unchanged since the test please write unchanged):

DATE SIGNATURE

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1. An appeal against the refusal to grant a test certificate or against the suspension of a licence cannot be considered unless this form is completed and signed and is received by the Licensing Authority within 14 days from the date of the Notice of Refusal of a roadworthiness certificate.
2. The Form must be accompanied by your remittance for the Appeal Fee.
3. DO NOT send the Notice of Refusal of a roadworthiness certificate with this form.
4. The vehicle will be examined by an Appeal Officer appointed by the Licensing Authority, probably, but not necessarily, at the Motor Vehicle Test Centre.
5. Every effort will be made to arrange the examination day in accordance with the preference expressed, but no guarantee can be given that this will be possible.
6. It is important that the Appeal Officer should see the vehicle in the same condition in which it was examined at the Test Centre. Any changes in the condition of the vehicle or its equipment which may have occurred by reason of repairs, adjustments, accidents or other events must therefore be declared. Such changes, if they directly or indirectly affect the condition of the particular items on which the appeal is based, may preclude the successful outcome of the appeal.

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Form MVT/8.

Motor Vehicles Test Regulations 1987.

Regulation 32.

NOTICE OF APPOINTMENT FOLLOWING APPEAL.

Registration No/Plate No
Class Type
Make Model
Chassis No Trailer Serial No

Dear Sir/Madam

With reference to your appeal against the refusal of a roadworthiness certificate or the suspension of a licence in respect of the above vehicle arrangements have been made for a further examination of the vehicle to be carried out by an Appeal Officer at

.
at hours at

2. You or the person submitting the vehicle on your behalf, should bring:-

- (a) This appointment Notice.
(b) The Notice of Refusal of a roadworthiness certificate or the Notice of Suspension of a licence in connection with which the appeal is made.

3. Please be prompt for the appointment.

4. If it is impossible to submit the vehicle at the time or date stated, please notify this office immediately and say if you wish:

- (a) To withdraw the appeal, or
(b) For arrangements to be made, if practicable, for the appeal examination to be carried out at another time or date.

If the later, please suggest two alternative times or dates for another appointment.

IF THE VEHICLE IS NOT SUBMITTED AT THE PLACE AND TIME STATED ABOVE THE FEE CANNOT BE REPAID unless notification that it is not proposed to keep the appointment is given not less than two clear days (excluding Saturdays, Sundays and Public Holidays) before that time.

6. NO GUARANTEE can be given that arrangements can be made for the examination to be carried out at another time.

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Yours faithfully

Licencing Authority

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SCHEDULE 5.**FEES**

1. On application for the examination of a motor vehicle, or trailer which is–	£
(a) a private motor vehicle	20.00
(b) a motor cycle	15.00
(c) a public service vehicle with seating capacity for more than 8 passengers	45.00
(d) a public service vehicle with seating capacity for not more than 8 passengers	20.00
(e) a goods vehicle the unladen weight of which exceeds 1,525 kilograms	40.00
(f) a goods vehicle the unladen weight of which does not exceeds 1,525 kilograms	20.00
2. On application for the examination of a trailer	25.00
3. On application for the re-examination of a motor vehicle or trailer, where the application for re-examination is made more than 14 days of the last examination	<small>The fee payable under item 1 or 2 for a vehicle of the same category</small>
4. On application for the re-examination of a motor vehicle or trailer, where the application for re-examination is made within 14 days of the last examination	<small>50% of the fee payable under item 3</small>
5. On application for re-examination when–	
(i) the vehicle is submitted for re-examination on the day of the examination; or	
(ii) the re-examination was caused by failure to comply with the Lighting Requirements, the Direction Indicator Requirements, the Windscreen Cleaning Requirements or the Audible Warning Requirements	Nil
6. For re-examination of a vehicle under regulation 23	25.00
7. On lodging an appeal under regulation 30	<small>The fee that would be payable under item 1 for examination of the vehicle plus 25%</small>
8. For the issue of a duplicate roadworthiness certificate	£10.00