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# MoT Test Confusion Ahead – If You Drive an Older Car You Need to Read this and act NOW!!!

Published: October 11, 2016

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Online version:

<https://www.wheels-alive.co.uk/mot-test-confusion-ahead-if-you-drive-an-older-car-you-need-to-read-this-and-act-now/>

Have your say on changes to MoT Testing of older vehicles – **but act NOW to make your views heard...** by Dave Moss.



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Testing of vehicles of historical interest (VHIs) is a part of the new, innocuously titled European Directive 2014/45/EU which sets changed and updated rules on vehicle and trailer roadworthiness testing generally, repealing a directive dating from 2009.

The obvious question is... having voted to leave the EU, why does this concern the UK? Transport Minister John Hayes says: "Until exit negotiations are concluded, the UK remains a full member, and all the rights and obligations of EU membership remain in force. During this period the Government will continue to negotiate, implement and apply EU legislation.



The outcome of the negotiations will determine what arrangements apply in relation to EU legislation in the future...”

The new Directive sets out minimum requirements for “Periodic roadworthiness testing of vehicles used on public roads...” Rules differ for each vehicle type category, with probably the biggest change being a minimum requirement for non-exempted cars and vans to be tested at least every two years from four years old. Non-exempt heavy goods vehicles, buses and coaches must be tested annually from new.

Existing GB and EU laws exempt all vehicles made before 1960 from compulsory annual roadworthiness testing. The new Directive however, requires that for exemption vehicles must be manufactured or registered at least 30 years ago – and no longer be in production. Also, they must not be “substantially changed” – to ensure exempt vehicles are genuinely in original condition, with drivers of heavily altered vehicles unable to profit from the exemption.

If you own an older vehicle, the new EU directive isn’t necessarily all good news... The Department for Transport is not intending to simply accept the new Brussels diktat as it stands, and as far back as 2014 ran a limited informal consultation seeking views on various matters relating to implementation of the new directive. From this has emerged a range of five options currently open for full public consultation, amongst which the cynic might argue that government gold plating is apparent, potentially landing historic vehicle owners with extra costs – and even mileage restrictions.

The DfT takes as its starting point the ending of the current exemption for vehicles made before 1960, because it will be inconsistent with the new EU laws. Thus the first consultation option is to simply remove the current exemption, making all the 191,577 pre-1960 vehicles registered in 2016 subject to full annual roadworthiness testing... as, of course, they once were.

Option 2 is to introduce an annual or two-yearly historic vehicle roadworthiness ‘safety’ test



- required when a vehicle reaches 40 years old. Option 4 is similar, but with biennial testing - and HGVs, buses and coaches requiring certification that they remain substantially unaltered. In both cases the proposed procedure is described as a “basic” test, in which existing MOT garages would check vehicle identity, brakes, steering, tyres and lights as a minimum. Inexplicably however, despite the clear implication this would be less comprehensive than today’s increasingly complex annual “standard” private car MoT,” mysteriously the DfT suggests the cost should be similar. A class 4 private car MoT test currently costs a maximum of £54.85.

The Department’s preferred option is number 3: a rolling exemption for 40 year old vehicles, neatly fitting with the existing rolling Vehicle Excise Duty exemption. If it had been applied this year, over 277,000 registered vehicles would have been exempted from tax and testing. With this option, instead of annual testing, VHI’s would undergo a certification process at unspecified intervals to ensure there were no substantial alterations. The DfT view is that this could be by self-certification, or independent inspection - or a combination of both. The spectre of inevitable charges hovers in the background....

Option 5 is similar to the above, but with a 30 year age limit. The DfT really doesn’t like this idea, because its statistics database shows vehicles registered between 1978 and 1987 - thus 30 to 40 years old when the regulation change occurs by May 2018 - have a worrying safety record, with 33.7% currently failing MoT tests. There’s also concern that approximately twice as many 1978-87 vehicles are involved in personal injury road accidents compared with 1960-1977 vehicles. Things improve noticeably with age, helping to justify the preferred 40 year limit: 25.3% of vehicles registered between 1960 and 1977 fail, while for pre-1960 vehicles the failure rate is just 14.8%.

These are the key issues currently out to consultation, but the DfT also wants thoughts on other topics, two of which may raise concerns - for very different reasons. The EU directive doesn’t define the words ‘substantial change,’ so the DfT suggests utilising the established Driver and Vehicle Licensing Agency’s 8-point scoring system applied for registering radically altered vehicles. Owners of heavily modified vehicles such as “dune buggies,” low



volume sports cars and other specialist vehicles heavily reliant on mechanical components from donor vehicles ranging from long extinct VW's to the BMC 1100/1300 range might feel representations worthwhile.

The EU Directive also refers to VHIs as being 'hardly used on public roads,' so thoughts are being requested on whether an annual mileage limit for VHIs exempted from testing should also be introduced.

Motorcycles and 3-wheelers are included in this consultation as they will be affected, though any specific changes won't come into force until January 1st 2022.

If you are running or restoring a two- three- or four-wheeled vehicle of a certain age in original or modified condition - or strong thoughts on how exemptions from testing should be enacted in coming years, now is the time to have a say. The consultation closes on November 2nd 2016.

## References

The complete consultation document is at:

[Gov.UK Consultations vehicles of historic interest](#)

A list of current MoT test fees is here:

[Gov.UK MoT test fees and appeals](#)

Details of the rolling 40 year Vehicle Excise Duty exemption details are here:

[Gov.UK 40 year tax exemption for classics](#)

The points scoring system for radically altered vehicles is described here:



Gov.UK Radically altered vehicles

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