What future for classics? Views are sought on the way ahead...

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All classic vehicles may be affected by possible changes to legislation. The views of interested parties are sought... urgent action is required to make these known. (Photograph copyright Kim Henson).

Government consultation under way on DVLA/DVSA rules for classic vehicles – by Dave Moss

Speaking at a recent Historic and Classic Vehicles Alliance (HCVA) event, Secretary of State for Transport, Mark Harper, asked the classic car community and industry to help future-

proof historic vehicles by responding to a current Government consultation into how best to support Britain's classic car sector and industry. For its part, The HCVA says this consultation is the result of three years work involving ministers, the DVLA and the Historic Vehicle User Group – and it now needs the full support of the classic vehicle community to maximise its effect.

The Alliance is just one of many organisations and individuals which have been critical of the way in which the Government has administered rules governing classic vehicles over the years since the original so-called "Vehicle record" was closed by the then-DVLC in 1989. Various significant issues affecting historic and modified vehicles followed that move, compounded further by the closure of all 39 local vehicle licensing offices some time later.

The HCVA says it feels the current "Call for Evidence" is complex, claiming also that "most of the questions lead the respondent to acquiesce to the current arrangements and categories". Nonetheless, its Chairman, Mark Roper says: "We must all act on this hard-fought and welcome opportunity to respond, as classic vehicle owners and enthusiasts now have a unique opportunity to offer a clear response to Government and the DVLA on the challenges we face."

In summary, the "call for evidence" seeks views on how classic, historic, kit and modified vehicles can best be regulated and administered in future. The existing vehicle assessment and registration framework covering these areas emerged through sometimes tense negotiation after 1989, and has underpinned official thinking on regulation of all such vehicles ever since. Of course vehicles themselves and the scope and intensity of rules applying to them have expanded considerably since then, leading to some inevitable piecemeal development, adaptations and interpretations of regulations as applied to historic and modified vehicles. The arrival of electric vehicles has brought new issues, and views are being sought on effectively regulating this emerging area, which brings potential for far-reaching, major, and at present largely uncontrolled modifications to ageing vehicles.

The Department for Transport, DVLA and DVSA say they are now keen to tap into

experience and opinions in a search for expertise, knowledge and thoughts on updating various regulatory policies which make up parts of the basic framework needed to ensure legal conformity for vehicles used on the road, no matter what their age, or alterations made to them.

The consultation proper poses specific “Call for evidence” questions on wide-ranging subject headings, each with separate background explanations. While generally appearing quite straightforward, some questions have the potential to be controversial, and several raise points of concern, through potentially far reaching implications for the future of historic vehicles.

Call for evidence topics and questions

Historic and classic vehicles

Questions in this section begin with the innocuous… What do you consider to be a historic or classic vehicle? but quickly move into deeper, more complex and controversial waters… Should there be a separate registration process for historic and classic vehicles? If you regard original registration marks as both a distinct asset and an absolutely key part of vehicle history and provenance, think this through: “If you think there should be a series of registration numbers specifically for historic and classic vehicles, how do you imagine this would work? If you welcomed the abandonment of MoT testing for classics of a certain (rolling) age, the penultimate question may prompt some further head scratching… “Should there be a new type of safety check in place which takes into account the age of a historic or classic vehicle?

Reconstructed classics

This little known scheme, which the DVLA says is “intended to support restoration of classic vehicles that have not previously been registered” takes respondents into the ethically difficult world of “replica” classics, built to original specifications but using a mixture of used and genuine, in period, components, all of which (currently) must be over 25 years old.

This specialist world is presently populated by either age-related registrations linked to the age of the youngest component used…. or the murky world of infamous “Q” registrations.

Rebuilt and Restored vehicles

Consultees are asked here how they think vehicles in each category should be defined – through to whether, in the light of innovation and emerging technologies, current guidance is still relevant. Deeper questions explore how far changes should be permitted before the DVLA needs to be informed – and whether the main basis for assessing rebuilt vehicle status should remain on chassis or monocoque bodyshell (or motorcycle frame) modifications. A closely related but equally difficult question is also raised: At what point should such changes affect a rebuilt vehicle’s identity?

Kit-built and kit converted vehicles

The DVLA defines a “kit-built vehicle” as completely new, assembled from parts supplied by a manufacturer of such vehicles. Ordinarily, such vehicles presently receive a current registration number, as do Kit cars built using just one major component reconditioned to ‘as new’. In both cases these vehicles must have Individual Vehicle Approval (IVA) or Motorcycle Single Vehicle Approval (MSVA) from the DVSA. The world of what the DVLA calls “kit converted vehicles” is altogether more complicated. Several paragraphs of explanations lead to a group of questions on this vehicle type, ranging from whether the current guidance is still relevant, through to whether kit-built vehicles should be registered as new vehicles if they have more than one reconditioned or remanufactured component.

Radically altered vehicles

These are currently defined as “substantially changed from their original specification, but a manufacturer supplied kit of parts has not featured in the alterations”. An example is quoted of a car that has been “stretched” into a limousine – which has in the past proved a controversial modification. Currently, achieving registration of such vehicles requires a complex point-scoring assessment/examination, and likely to involve a new VIN and

registration. Consultation questions seek views on how these vehicles should be defined, whether the current guidance is still relevant, and whether the main assessment of modifications should still be based around the chassis, bodyshell or motorcycle frame – or if other components should be considered.

Electric Vehicle conundrums

In coming years, the DVLA and DVSA will face the new challenge of administering a changing world of historic and altered vehicles powered wholly or partly by electricity – as internal combustion engines disappear from sale. Although as yet the oldest modern EVs and hybrids are still only approaching “historic” status, already some classic, internal combustion-engined vehicles are being converted into something which remains near-identical looking – but is powered solely by batteries and electric motors.

From the perspective of enthusiasts and the classic vehicle movement in general, this raises serious questions about ethics, originality, conscience – and ultimate value. Yet for regulators it also brings new concerns over vehicle safety, springing from potential design issues and quality of mechanical and electrical conversion work, suspension modifications, and braking ability. There is also the structural integrity of an ageing bodyshell to consider… carrying heavier loads, in different locations and distributed in completely different ways from its original designers’ intentions.

There are just three EV-related consultation questions, but, unsurprisingly given the issues arising, they cover a lot of ground. They range from whether consultees feel a separate assessment policy would be appropriate for EV converted vehicles – and what that policy might look like, through to whether there should be specific safety tests for them – and if so, what those tests should involve…

VIN numbers and age-related, Q and Q NI registrations

Much text is devoted to describing the procedures for issuing replacement or new VIN numbers, and the labyrinthine rules which currently decide how, and whether, “age related”

or Q registration plates are required and when. While too complex for detailed examination here, those interested in changing the status quo in these areas will find full details in the notes, with consultation questions hinting that the DVLA may be willing to consider some simplification.

Establishing independent advisory groups

Notes for this final section indicate that DVLA has been asked by members of the Historic Vehicle User Group to consider setting up advisory groups to try and improve processes for dealing with historic vehicles. DVLA feels groups could deliver independent advice and constructive, considered challenge to registration policies – on what it carefully describes as "certain" historic vehicles. It also sees a possible route to "advice on some of the complex and often disputed applications it receives for rebuilt and radically altered vehicles". It stresses, however, that "the final registration decision would remain with DVLA, acting on behalf of the Secretary of State for Transport.".

Burning issues?

This is a lengthy consultation covering a lot of ground, and it's surely encouraging to find that officialdom is still prepared to hear from consultees on issues outside those covered by the formal questions. Given that some of the rules under discussion have been in place and little changed for over 30 years, there are inevitably matters arising on which individuals will feel change would be welcome, which brings respondents to the sort of closing invitation that officialdom really doesn't make very often…"If you wish to put forward any evidence, suggestions or ideas not already mentioned around the registration processes, please provide your thoughts around how these might work…".

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Further information and references

The Government news release is here:

https://www.gov.uk/government/calls-for-evidence/registering-historic-classic-rebuilt-vehicles-and-vehicles-converted-to-electric-call-for-evidence

The full consultation background document is here:

https://assets.publishing.service.gov.uk/media/66336a421834d96a0aa6cfc7/call_for_evidence_-_registering_historic_classic_rebuilt_vehicles.pdf

The call for evidence runs until 23.59 on General Election day, July 4th 2024, and you can respond in various ways:

The electronic response form is here in PDF format:

https://assets.publishing.service.gov.uk/media/663b605b1c82a7597d4f32a1/call_for_evidence_-_registering_historic_classic_rebuilt_vehicles_-_response_form.pdf

Or you can respond to the call for evidence by following this online link:

https://online1.snapsurveys.com/classicvehicles

Respond by e-mail to: cfe.vehicles@dvla.gov.uk

Or by post to: Vehicle Registration Policy Call for Evidence C2 East DVLA Swansea SA6 7JL

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The HCVA published its own draft detailed response on Friday 24th May. It can be found at:

www.hcva.co.uk

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Legislation

The relevant legislation under which the DVLA and DVSA operate in relation to this consultation is available online at www.legislation.gov.uk The principal regulations are enshrined in these acts…

The Vehicle Excise and Registration Act 1994 and The Road Vehicles (Registration and Licensing) Regulations 2002 outline the specific obligations of a vehicle keeper and the Secretary of State for Transport regarding vehicle registration, licensing and keeping a vehicle.

The Road Vehicles (Approval) Regulations 2020 and The Motor Cycles Etc. (Single Vehicle Approval) Regulations 2003 outline the requirement for Individual Vehicle Approval (IVA) and Motorcycle Single Vehicle Approval (MSVA) respectively.

The Road Vehicles (Construction and Use) Regulations 1986 cover the design, manufacture, maintenance and use of motor vehicles. These standards need to be met before a vehicle can be registered.