



**RESPONSE TO
DEPARTMENT FOR TRANSPORT CONSULTATION PAPER
HISTORIC VEHICLES MOT EXEMPTION REVIEW**

23 January 2012

This is the response of the Royal Society for the Prevention of Accidents (RoSPA) to the consultation paper, "Historic Vehicles MoT Exemption Review". RoSPA welcomes the invitation to comment, and our response has been prepared following consultation with RoSPA's National Road Safety Committee.

INTRODUCTION

There are an estimated 162,000 motor vehicles in Great Britain that were manufactured before 1960 (less than 0.5% of the vehicles that are required to have an MoT test). The government considers these vehicles to be of historic interest and is proposing to exempt them from the requirement to have an annual statutory MoT test, as allowed under Article 4(2) of the EU Directive 2009/40/EC. The government also proposes to bring the age of vehicles requiring the statutory MoT test in line with the Goods Vehicles (Plating and Testing) Regulations 1988, which already exempt unladen Heavy Goods Vehicles (HGVs) manufactured before 1960 from the roadworthiness test.

The purpose of the MoT test is to ensure that motor vehicles over a prescribed age are checked at least once a year to ensure that they comply with key roadworthiness and environmental requirements, as set out in the Road Vehicle Construction and Use Regulations 1986 and the Road Vehicle Lighting Regulations 1989 (both as amended). Currently, both the age and the categories of vehicles requiring the MoT test in Britain go further than the EU Directive 2009/40/EC, which only subjects vehicles manufactured from 1960 onwards to a compulsory roadworthiness test and does not require motorcycles of any age to do a statutory roadworthiness test.

Registered vehicles manufactured before 1960 are, on average, driven 1,300 miles per year in Britain, compared with 9,000 miles per year driven by all registered vehicles. Two-thirds of pre-1960 vehicles are driven less than 500 miles a year. The government also believes that these vehicles are largely well maintained by their owners, as evidenced by their lower MoT failure rates. The initial MoT test failure rate for these vehicles in 2009 was less than 10%, compared with an initial MoT test failure rate of over 30% for vehicles manufactured from 1960 onwards.

Therefore, the government believes that having to do an annual MoT test for these vehicles may be unnecessarily excessive, and is seeking views on the following three options, each of which would apply to all vehicle categories (cars, vans, motorcycles, goods vehicles and passenger carrying vehicles):

Option 1

Exempt all pre-1960 manufactured vehicles from the statutory MoT test as allowed under Article 4(2) of the EU Directive 2009/40/EC. The inclusion of all categories of vehicles will make the MoT test requirement match the unladen pre-1960 manufactured HGVs, which are already exempted from the roadworthiness test under The Goods Vehicles (Plating and Testing) Regulations 1988. This is our preferred option.

Option 2

Exempt all pre-1945 manufactured vehicles from the statutory MoT test as allowed under Article 4(2) of the EU Directive 2009/40/EC. Under this option, vehicles manufactured between 1945 and 1959 will still be subject to statutory MoT test.

Option 3

Exempt all pre-1920 manufactured vehicles from the MoT test as allowed under Article 4(2) of the EU Directive 2009/40/EC. Under this option, Vehicles manufactured between 1920 and 1959 will still be subject to statutory MoT test.

Question 1

Do you agree that the Government should review the MoT test requirement for vehicles of historic interest (vehicles manufactured prior to 1 January 1960)? If not, why not?

RoSPA Response

RoSPA agrees it is reasonable to review the MoT test requirement for vehicles of historic interest, but as the government intends to conduct a wider review of the MoT requirements "in the near future"¹, it would seem more sensible to incorporate this consultation into that wider one.

RoSPA is not in favour of exempting vehicles from the MoT Test, although we accept that vehicles that were manufactured before 1960 form a very small proportion of the vehicles on Britain's roads, and are driven less frequently, and for shorter distances. We also accept that they are generally likely to be better maintained by their owners and note that they have a lower MoT failure rate than vehicles manufactured from 1960 onwards.

Therefore, we agree that exempting such vehicles from the annual MoT Test would create only a small increase in risk on the road. Nevertheless, this increased risk, and the costs of any associated accidents and casualties, would be faced by everyone, not just the owners of these vehicles, whereas the financial benefits of exempting the vehicles would accrue just to their owners.

Q2. If you agree to Q1 above, which of the above three options do you prefer? Please say why.

RoSPA Response

If the government does decide to exempt some historic vehicles from the MoT requirement, RoSPA would prefer Option 2, to exempt all pre-1945 manufactured vehicles from the statutory MoT test. Under this option, vehicles manufactured between 1945 and 1959 would still be subject to statutory MoT test.

Table 4 of the Impact Assessment shows that in 2010, four people were killed, 24 were seriously injured and a further 42 slightly injured in road accidents involving vehicles manufactured before 1960. Of these casualties, all four deaths, 22 of the 24 serious injuries and 32 of the 42 slight injuries occurred in accidents involving vehicles manufactured between 1945 and 1959. Therefore, the vast majority of the casualties, including all of the fatalities, involved vehicles manufactured from 1945 onwards.

In view of this, RoSPA believes that Option 2, exempting vehicles manufactured before 1945, rather than before 1960, is a better compromise between the benefits of deregulation and the risks of increased road casualties, and one which should remove almost all of the increased risk.

¹ Page 11 of the DfT Impact Assessment, IA No. DfT00118

Question 3

Should motorcycles be included for exemption from the statutory MoT test under each of the options? If not, why not?

RoSPA Response

Three of the four people who were killed in 2010 in road accidents involving vehicles manufactured before 1960 died in accidents involving motorcycles, and 18 of the 24 seriously injured people were also injured in accidents involving pre-1960 motorcycles. In other words, the bulk of the casualty risk involving these historic vehicles is associated with motorcycles.

Given that the forthcoming wider review of the MoT will specifically consider motorcycles manufactured from 1960 onwards, RoSPA believes that it is more sensible to cover all motorcycles, irrespective of when they were manufactured, in the wider review.

Question 4

Do you agree that all vehicle categories subject to MoT testing be treated equally under each of the options? If not, why not?

RoSPA Response

No; see RoSPA's response to questions 3, 5 and 6.

Question 5

If you disagree with Q4, please state which type of vehicle(s) you would like to be excluded from the proposed MoT test exemption.

RoSPA Response

RoSPA believes that motorcycles should be excluded from this proposed exemption and included in the forthcoming wider review of the MoT, for the reasons outlined in our response to question 3 above. We also believe that historic vehicles used for commercial purposes should be excluded for the reasons outlined in our response to question 6 below.

Question 6

Should vehicles used for commercial purposes be included in the options? If not, why not?

RoSPA Response

Where vehicles manufactured before 1960 are used to carry passengers who have paid to be carried, such as cars used for weddings, buses and coaches used for special occasions, the additional duty of care to ensure the safety of those passengers means that such vehicles should continue to be subject to an annual MoT. People who have entrusted their safety to a service provider, and paid to do so, have a right to expect an additional level of safety from the person or company that accepts their money to provide the service.

Vehicles, such as buses and coaches, that carry multiple passengers, should also be excluded due to the risk (albeit, a very low risk) that a single accident could result in many casualties.

Goods vehicles should also be excluded, RoSPA's view, because accidents involving these larger, heavier vehicles could potentially cause more damage.

Question 7

Do you have any comments on the consultation-stage impact assessment, or any data or analysis that would enable the Department to refine its analysis of costs, benefits and other impacts likely to arise from the options?

RoSPA Response

RoSPA has no comment on the Impact Assessment.

Question 8

Would the insurance premiums for pre-1960 manufactured vehicles be likely to rise if these vehicles were to be exempted from the MoT test?

RoSPA Response

The Impact Assessment notes² that there is anecdotal evidence to suggest that the insurance premiums for vehicles manufactured between 1945 and 1959 may rise if they are exempted from the MoT test, although no indication that they would increase for vehicles manufactured prior to 1945. RoSPA is not in a position to judge whether insurance premiums would rise if these vehicles were exempted from the need to pass an annual MoT, but logic suggests that they would do so if the insurance industry felt such an exemption increased the risk of such vehicles being involved in accidents.

Question 9

If the answer to Q8 is yes, please indicate by how much the insurance premiums may rise for each of the three proposed options. If the rise in insurance premium is likely to differ according to vehicle category, please provide a breakdown of the likely rise by vehicle category for each option as best as possible.

RoSPA Response

RoSPA is not in a position to comment on this question.

RoSPA thanks the Department for Transport for the opportunity to comment on the proposals. We have no objection to our response being reproduced or attributed.

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² Page 26 of the Impact Assessment, IA No. DfT00118