



Vehicle Inspectorate

**MOT
SPECIAL
NOTICE
9/98**

October 1998

All Authorised Examiners and Designated Councils in Classes V

The last Special Notice was: 6 /98 Class V

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Item 1 Revised fees / appeals poster

Enclosed with this Special Notice is a revised fees/appeals poster. This replaces the existing poster.

Please note a vehicle that has had a class IVA or VA examination and passed the seat belt installation check part of the test, but failed on other areas, may be re-tested **at the same test station** as if it were class IV or V. In other words, it is not necessary to carry out the seat belt installation check again on re-test, if, on

the first test, the vehicle passed the seat belt installation check part of the test. It also means that the re-test maximum fee is the class IV or V test fee, or free re-test, as appropriate.

You should ensure that the VT30 for the original fail is marked 'seat belt installation passed' or similar. Also enclosed is a new style VT26, (list of Nominated Testers), and Testing Hours poster. Please complete them and display on your notice board.

All Nominated Testers should sign below to confirm that they have read and understood the contents of this Special Notice relevant to NTs for the classes they test. AEs must keep a copy of the signed SN on their records.

Item 2 Seat Belt Checks Reminder

Special Notice 1/98 told you that from 1st August 1998 all seat belts fitted at the time of test will be subject to a condition and operation check. It is also stated in the relevant Inspection Manual page.

Please ensure that this check is being carried out.

Also, please note that when assessing whether a vehicle needs a seat belt installation check, you check first its total seating capacity, this will include all seats; forward, side or rear facing, even though side or rear facing seat belts do

not have their installations checked.

Also note that when completing a VT20 after a seat belt installation check MOT, it is the total number of belts fitted at the time of test that is entered on the VT20. This may not be the same as the number of belts checked.

The reason for this is that it will be easier to identify if further belts have been fitted when the vehicle is presented for its next MOT.

Item 3 Issuing replacement VT 20's

It is now acceptable for an Authorised Examiner to issue a replacement test certificate with a revised expiry date, if the previous certificate, or proof of date of first registration was not produced at

the time of test, but produced at a later date.

No fee is chargeable.

In no circumstances can a VT20 be issued for more than 13 months.

Item 4 2 Gas Exhaust Gas Analysers

Test stations that have a 1996 specification exhaust gas analyser may also continue to use an approved 2 gas exhaust gas analyser after Jan 1st 1999,

for testing vehicles that have been identified as not requiring a 'catalyst' test. Both machines must of course hold current calibration certificates.

Item 5 Class IVA and VA Testing

All class V Testing Stations have automatically had their authorisation extended to include classes IVA and VA (seat belt installation check MOT's).

You are required to carry out these classes of test when necessary.

By now all class V stations should have received the following:-

- A revised VT9 Authorisation notice to replace your existing one. (this will list classes IVA and VA as well as the other classes you are authorised for.)

- An invitation to attend a local seat belt installation check training seminar. At least one tester should have attended.
- At that seminar you should have been given, free, a set of amplification notes in an A4 ring binder.
- Updates to those notes.(sent with a covering letter).
- 3rd amendment pack to the Private Bus Inspection Manual, which included seat belt installation check criteria, and replaced the temporary manual pages sent with Special Notice 2/98)

- Video 'Sitting Safely' and booklet 'MOT Seat Belt Installation Check'

(both issued with S/N 2/98)

Item 6 'First test' vehicles

Testing staff should refuse to test any car presented for test that is unregistered and has no proof of date of first use. If evidence is produced, and it shows that the vehicle was first used abroad, the presenter should be made

aware that the vehicle may need an Single Vehicle Approval test, not an MOT test, before the vehicle can be registered for use in GB.

A record should be made of this.

Item 7 Office of Fair Trading statement

We have included this statement on behalf of the Office of Fair Trading.

An investigation by the Office of Fair Trading's Cartels Task Force has highlighted a lack of knowledge of UK competition legislation on the part of some Authorised Examiners. A large group of MOT AEs had agreed that they would charge the statutory maximum price for a Class IV MOT test. This constituted a restrictive agreement under the terms of the Restrictive Trade Practices Act 1976 (RTPA).

It should be remembered that the fees published by the DETR are statutory maximums and garages are free to charge any amount below it. There is nothing wrong with garage owners meeting to discuss matters of mutual concern provided that they do not discuss prices or market share. Each garage should reach its own commercial decisions independently. Accepting any restriction on commercial freedom, however seemingly innocuous, may breach the RTPA.

Agreements which limit or remove competition mean that consumers whether corporate or individual, pay higher prices for their goods and

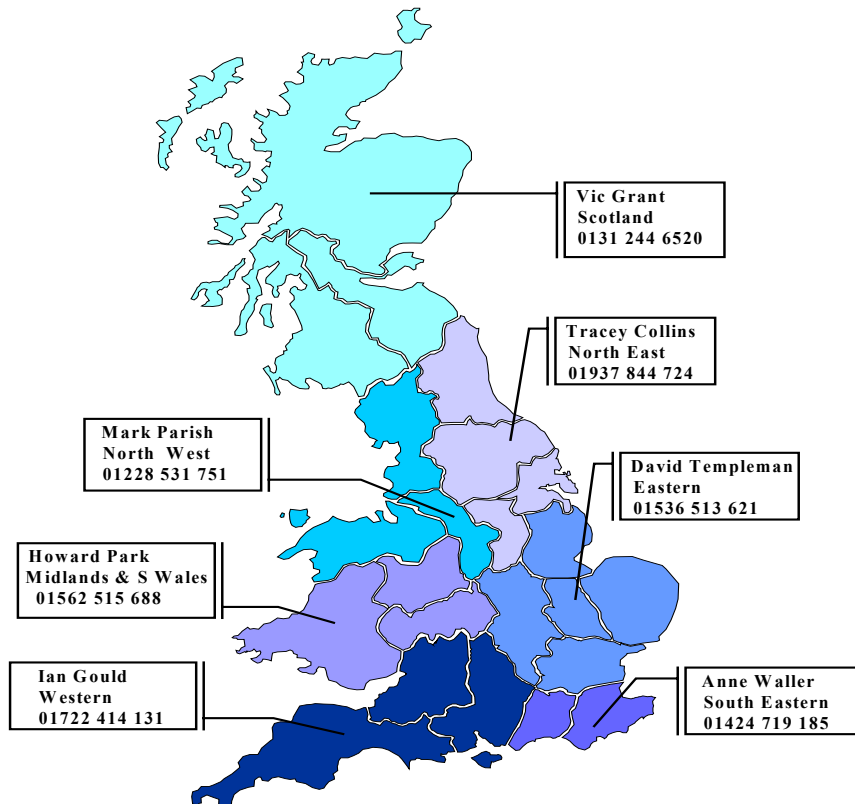
services than they might otherwise do. In severe cases, cartels can lead to firms outside of the cartel being forced out of business. Anyone who has been adversely affected by unlawful restrictive agreements may seek damages from anyone who was a party to those agreements. On this occasion the Director General of Fair Trading took the exceptional step of accepting that what had been done was by error rather than a deliberate attempt to disadvantage customers. The garages in this case are not being taken to court. Any similar agreements discovered now are almost certain to result in legal action against the offenders. New competition legislation will take effect in 1999. The Competition Act 1998 will introduce a much tougher competition regime with a wide range of powers and penalties to use against offenders.

If you have any concerns about what you suspect to be cartel activity or would like further information on this issue then please contact the Cartels Task Force on 0171 211 8888 (answerphone/fax) or in writing to Room 106a, Office of Fair Trading, Field house, 15-25 Breems Buildings, London, EC4A 1PR.

Item 8 Intelligence Unit

VEHICLE INSPECTORATE INTELLIGENCE UNIT

Authorised Examiners and Nominated Testers should be aware that the Vehicle Inspectorate has a dedicated Intelligence Unit which is intended to help improve effectiveness and maintain the standards and reputation of the MOT Testing Scheme. The Intelligence Unit provides national coverage via regional contacts



In particular, the Unit is keen to receive any information which may lead to the successful targeting of Authorised Examiners or Nominated Testers who are undermining road safety and/or the reputation of the MOT Testing Scheme. For example, where MOT testing is not carried out to the correct standards or procedures; having convictions which have not been reported to the Vehicle Inspectorate; or serious administrative malpractice. We all have a part to play in maintaining the reputation of the MOT Testing Scheme, as well as a responsibility for its impact on road safety and environmental protection. Any information provided will be treated in the strictest of confidence.

JANICE JAMES
VI Intelligence Unit Co-ordinator

Item 9 Seat Belt Requirement Chart

Enclosed is a revised Private Bus Inspection Manual Page 16, section 5. 'Seat Belt Requirements'. You must

base your decisions on the statutory seat belt requirements on this.

A permanent page for your manual will be issued in due course.

David Lees
MOT Scheme Manager