



RSA

VINTAGE VEHICLES Public Consultation

Vehicle Standards
October 2014

Údarás Um Shábháilteacht Ar Bhóithre
Road Safety Authority

Action 59 of the government's 2013-2020 Road Safety Strategy contains a commitment to review the roadworthiness testing of vintage vehicles to determine the safety case and cost benefits if any for inclusion in roadworthiness testing.

Your comments are now invited on the proposals in this document concerning the future roadworthiness testing requirements for such vehicles in Ireland.

The Road Safety Authority (RSA) will consider feedback from stakeholders on these proposals in finalising recommendations on future policy in this area for the Minister for Transport, Tourism and Sport.

Summary

The vast majority of motor vehicles used on Irish roads are required to undergo compulsory roadworthiness testing. In Ireland this is the National Car Test (NCT) for passenger cars and Small Public Service Vehicles (SPSV's); and the Commercial Vehicle Roadworthiness Test (CVRT) for ambulances, motor caravans, buses, goods vehicles and their trailers.

For passenger cars and motor caravans, the first test is due on the fourth anniversary of first registration and thereafter every two years until the vehicle is 10 years old, after which annual testing applies. SPSV's are required to undergo testing annually and every six months on reaching the tenth anniversary of first registration whereas, ambulances, buses, goods vehicles & trailers must be tested annually on reaching the anniversary of first registration.

Cars and motor caravans first registered prior to 1st January 1980 are currently exempt from the requirement to undergo compulsory roadworthiness testing. However this is not consistent with the minimum requirements contained in current EU legislation. Ambulances, buses, goods vehicles and their trailers are not afforded any exemption based on age.

The Road Safety Authority (RSA) is now reviewing this area and is considering a number of options in providing an exemption from the requirement to undergo compulsory roadworthiness testing for vintage vehicles used for social and domestic purposes only¹ and first registered either:

¹ Within scope of the review are those vehicles for which roadworthiness testing schemes currently exist, i.e. passenger cars, ambulances, motor caravans, buses, goods vehicles and their trailers. Motor cycles, agricultural tractors and their trailers etc. are not within scope of this review.

1. Prior to 1st January 1960
2. Prior to 1st January 1980
3. On becoming 40 years old
4. On becoming 30 years old.

However all vehicles used for commercial² purposes (regardless of age) will continue to be required to undergo compulsory testing.

Furthermore the standards to which all pre 1980 registered vehicles are inspected will be reviewed to ensure they reflect those to which such vehicles were originally built.

Finally, the owners/operators of vintage vehicles who are not legally obliged to have them tested but who wish to submit them for voluntary testing for insurance / road safety purposes will be accommodated at both the network of NCT and CVRT Test Centres (as appropriate).

1. Background

All vehicles deteriorate in service and this can have an adverse impact upon safety and the environment. Every owner and driver is obliged to ensure that their vehicle is roadworthy and in compliance with the law³. However, not all do so.

Our policy, to save lives and prevent injuries by reducing the number and severity of collisions on the road, is to require as many vehicle categories as possible to undergo periodic roadworthiness testing. This is a preventative measure which helps ensure that vehicles using our roads are in sound working order.

² For the transport of either passengers or goods for hire and reward purposes.

³ This obligation is contained in both Articles 34 & 96 of the Road Traffic (Construction, Equipment & Use of Vehicles) Regulations 1963 ([S.I. No. 190 of 1963](#)) as amended.

Roadworthiness testing is a mandatory requirement throughout the EU and is currently governed by EC Directive 2009/40/EC which sets out the requirements for testing of motor vehicles and trailers and only provides Member States with the discretion to exempt from testing vehicles belonging to the armed forces, the forces of law and order and the fire service.

Testing exists to ensure that at least a minimum level of benefits in a vehicle's original design and manufacture are retained in service. However a detailed assessment of a vehicle's design and construction is not part of the test. The test is a minimum maintenance and condition check, albeit valid at the time the test is carried out. Nevertheless Road Traffic Law places the onus on the owner/driver of a vehicle to ensure it is maintained in a roadworthy condition at all times.

The test sets minimum inspection standards for:

- Vehicle Identification
- Braking Equipment
- Steering
- Visibility
- Lamps, reflectors and electrical equipment
- Axles, wheels, tyres and suspension
- Chassis and chassis attachments
- Other equipment such as seat belts and fire extinguishers (if fitted)
- Nuisance (noise and exhaust emissions).

2. EU legislative framework

Harmonised European requirements concerning vehicle roadworthiness testing were first introduced for buses, heavy goods vehicles and their trailers, taxis and ambulances in accordance with Directive 77/143/EEC which gave Member States until 1st January 1983 to comply.

In 1998, compulsory testing was extended to both passenger cars and light goods vehicles in accordance with Directive 96/96/EC. The current Directive (2009/40/EC) has applied since 2009, but will be replaced by 2014/45/EU from May 2018.

In line with the aforementioned EU requirements, the introduction of a compulsory roadworthiness testing scheme for heavy goods vehicles and buses in Ireland commenced in 1982, and for light goods vehicles in 1993. Testing of passenger cars commenced in January 2000.

The current Directive (2009/40/EC) requires that Member States introduce compulsory roadworthiness testing requirements for specific vehicle types, namely passenger cars, SPVS's, buses, goods vehicles and their trailers, taxis and ambulances. It also lists the minimum frequency at which tests must be carried out, the items which must be compulsorily checked during a test, the method to be used in checking them and finally the possible reasons for failure under each test item.

At a minimum passenger cars and light goods vehicles must be tested when four years old and thereafter every two years, whereas SPSV's, buses, ambulances, goods vehicles and their trailers must be tested when one year old and thereafter annually.

The Directive also provides that Member States may bring forward the date for the first compulsory roadworthiness test, shorten the interval between successive tests and extend the periodic test requirement to other categories of vehicles. For example, some Member States require motorcycles to undergo compulsory roadworthiness testing.

Member States also have the right to exclude from the requirement to undergo compulsory roadworthiness testing certain vehicles that are considered to be of historic interest. They may also establish their own

testing standards for such vehicles provided they do not lead to the application of stricter standards than those which the vehicles concerned were originally designed to meet.

3. Ireland's Legislative Framework

Ireland has transposed Directive 2009/40/EC into national law via the NCT Regulations⁴ in respect of passenger cars and SPSV's and via the Vehicle Testing Regulations⁵ in respect of ambulances, motor caravans, buses, goods vehicles and their trailers.

The only vehicle categories which benefit from a national exemption from the requirement to undergo mandatory roadworthiness testing based on age are passenger cars and motor caravans, i.e. vehicles in these categories with a date of first registration prior to 1st Jan 1980 are currently exempt.⁶

However, an exemption is not provided for other vehicle categories with a date of first registration prior to 1st January 1980 which are tested at the network of CVRT Test Centres. This includes ambulances, buses, goods vehicles and their trailers.

4. Definition of Vintage Vehicles

While Directive 2009/40/EC refers to 'vehicles of historic interest', the term is not explicitly defined. This has led to a situation whereby Member States have adopted differing policies with respect to the roadworthiness testing

⁴ The Road Traffic (National Car Test) Regulations 2014, (S.I. No. 322 of 2014) as amended.

⁵ The Commercial Vehicle Roadworthiness (Vehicle Testing) Regulations 2013, (S.I. No. 347 of 2013) as amended.

⁶ The 1980 exemption date applicable to both private passenger cars and motor caravans was introduced following public consultations carried out by the RSA in 2009 and 2010 respectively. These reviews concluded that both vehicle types registered from 1st January 1980 onwards would have no difficulty being tested using existing methods and test equipment, whereas modifications would be needed to the testing arrangements to cater for testing vehicles registered prior to this date.

requirements for such vehicles. Directive 2014/45/EU which applies from May 2018 contains the following definition of a 'vehicle of historical interest': *'vehicle of historical interest' means any vehicle which is considered to be historical by the Member State of registration or one of its appointed authorising bodies and which fulfils all the following conditions:*

- *it was manufactured or registered for the first time at least 30 years ago,*
- *its specific type, as defined in the relevant national or Union law, is no longer in production;*
- *it is historically preserved and maintained in its original state and has not undergone substantial changes in the technical characteristics of its main components;*

Under the new Directive, Member States may exclude such vehicles from the scope of compulsory roadworthiness testing if they wish. Nevertheless should they decide to test them, they have the right to both prescribe appropriate minimum testing standards and determine the frequency at which such testing is carried out.

5. Vintage Vehicle Usage – An Overview

The RSA is cognisant of the fact that vintage vehicles are used very infrequently on public roads. They typically only cover 1,500-2,000km⁷ per year, whereas in 2012 the average distance travelled by a petrol-engine vehicle was 15,000km⁸. Therefore based on these stats; vintage vehicles typically only cover between 10-13% of the distance per annum that a non-vintage vehicle used for social and domestic purposes does.

An indication of the number of vintage vehicles currently being used on Irish roads is provided in Sections 5.1 to 5.3 below.

⁷ Source: Research carried out in 2006 by the Irish Vintage and Veteran Car Club (IVVCC) indicating that 88% of vintage vehicles in Ireland are used less than three times a week, while 78% travel no more than 2,000km a year.

⁸ Source: National Mileage Register www.nmr.ie

5.1 NVDF Data

Records exist on the National Vehicle & Driver File (NVDF) for approximately 18,000 vehicles with a date of first registration prior to 1st January 1980 which are still in use, i.e. currently taxed. Of these approximately 16,500 were first registered between 1960 and 1980 and 1,500 were first registered prior to 1st January 1960.

Of the 18,000 pre 1980 vehicles still in use, approximately 3,500 are passenger cars, 350 are goods vehicles and 25 are buses. The remainder are vehicle types for which currently no compulsory roadworthiness testing regimes exist, i.e. agricultural tractors, motorcycles etc.

Note also that statutory off road declarations have also been made in respect of approximately a further 4,000 pre 1980 passenger cars.

5.2 NCT Data

In 2012, 175 vehicles (mainly SPSV's) with a date of first registration prior to 1st January 1980 were tested at NCT. In 2013, 198 pre 1980 registered vehicles were tested; with the first time pass rates being 36% and 42% respectively. In the period from 1st January until 30th Sept 2014, 172 vehicles with a date of first registration prior to 1st January 1980 were tested with the first time pass rate recorded being 56%.

Of these, in the years 2012 and 2013, 87 and 79 vehicles respectively had a date of first registration prior to 1st January 1960. First time pass rates for these pre 1960 vehicles in 2012 and 2013 were 39% and 49% respectively. In the period from 1st January until 30th Sept 2014, 72 vehicles with a date of first registration prior to 1st January 1960 were tested with the first time pass rate recorded being 65%.

Note that the average first time pass rates in 2012, 2013 and from 1st January to 30th Sept 2014 were 48.3%, 46.6% and 50% respectively for the total population of vehicle tested at NCT.

5.3 CVRT Data

In 2012, 61 vehicles with a date of first registration prior to 1st January 1980 were tested at the CVRT network of test centres. This comprised 18 goods vehicles, 7 Large Public Service Vehicles (LPSV's) and 36 goods trailers. First time pass rates for these individual vehicle types were 44%, 86% and 61% respectively.

In 2013, 55 pre 1980 vehicles were tested; comprising 9 goods vehicles, 4 LPSV's and 42 goods trailers. First time pass rates recorded for these individual vehicle types were 56%, 75% and 60% respectively.

In the past 12 months (i.e. from 1st October 2013 until 30th Sept 2014), 161 pre 1980 vehicles were tested; comprising 20 goods vehicles, 16 LPSV's, 123 goods trailers and 2 motor caravans. First time pass rates recorded for the goods vehicles, LPSV's and goods trailers were 58%, 69%, and 67% respectively.

6. Situation in other Member States

The RSA surveyed Member States on their approach to the roadworthiness testing requirements for vintage vehicles. Thirteen Member States responded; namely Austria, Croatia, Finland, Germany, Hungary, Italy, Latvia, Netherlands, Poland, Slovakia, Spain, Sweden and the UK, a summary of which is as follows:

- Of the 13 countries that responded, 12 require vehicles first registered prior to 1st January 1980 to undergo compulsory roadworthiness testing. Poland is the exception and, like Ireland, only requires vehicles first registered since 1st Jan 1980 to undergo mandatory testing.
- The UK and the Netherlands exempt vehicles first registered prior to 1960 and Sweden exempts vehicles first registered prior to 1950.
- Testing frequencies vary between bi-annual and annual testing for vintage vehicles. Austria has a maximum 60 day usage limit for vintage motorcycles and a 120 day usage limit for other vintage categories such as cars, good vehicles and tractors.
- Voluntary testing of pre 1960 vehicles is permitted by the UK and Netherlands.

The Department for Transport (DfT) in the UK has recently set up a website⁹ for people to discuss and make suggestions about changes to roadworthiness testing for classic vehicles, i.e. they are currently seeking the views of interested parties on future policy in this area to ensure that their national measures align with the minimum requirements contained in the recently published Directive (2014/45/EU) which will apply from May 2018.

7. Conducting Tests on Older Vehicles

The RSA is aware that difficulties may be encountered in carrying out roadworthiness tests on some vintage vehicles using existing methods/equipment; and therefore it may be necessary to modify the tests currently carried out at both the NCT and CVRT Test Centre networks to specifically cater for such vehicles.

Should the review conclude that vehicles first registered between 1960 and 1980 used for social and domestic purposes be subjected to compulsory

⁹ <http://www.dft.gov.uk/classic-mot/>

testing; changes to the tests (including guidance manuals issued to the testers) may be required to ensure that such vehicles are tested against the standards to which they were originally built and not against the standards applicable to more modern vehicles. However vehicles registered from 1st January 1980 onwards will be inspected against the standards currently in force today.

Some of the issues flagged with us to date in relation to testing pre 1980 registered vehicles include:

- Satisfying recognised glazing standards, headlamp aim and tyre specification requirements.
- The presence of transmission oil leaks which cannot be eradicated due to the vehicle's design characteristics.
- The absence of exterior rear view and cyclops mirrors¹⁰ including reflective markings which were not mandatory at the time of manufacture.
- Conducting brake performance testing on the basis of Design Gross Vehicle Weight (DGWV) as opposed to presented weight.

While the list above is indicative of the main difficulties encountered by the owners/operators of some pre 1980 vehicles presented for testing in the past, it may not be exhaustive and the RSA is interested in stakeholder feedback in this regard.

8. Options

The RSA believes that any changes to current policy in Ireland must ensure that the right balance is struck between road, vehicle and environmental standards on the one hand; and the burden of legislation on the other.

¹⁰ Fitted to the front of large HGVs 'cyclops' or front blind spot mirrors are designed to eliminate the blind spot immediately in front of the vehicle.

Notwithstanding the general requirements of EU legislation previously outlined in Sections 2 and 4 of this document, we have set out a number of proposals below which are consistent with the discretions afforded to Member States in both the current and future Directives on vehicle roadworthiness testing.

We welcome views on each, especially where potential risks and/or benefits can be cited. Supporting data will also be very welcome.

The proposals are as follows:

1. All vehicles used for commercial purposes (regardless of age) will continue to be required to undergo compulsory testing at either the NCT or CVRT Test Networks (as appropriate) at the current test frequencies/fees applicable.
2. The standards to which all pre 1980 registered vehicles are inspected will be reviewed to ensure they reflect those to which such vehicles were originally built as opposed to the standards applicable to more modern vehicles.
3. Finally, the owners/operators of vintage vehicles who are not legally obliged to have them tested but who wish to submit them for voluntary testing for insurance / road safety purposes will be accommodated at both the network of NCT and CVRT Test Centres (as appropriate) and their vehicles (if registered prior to 1980) will also be inspected against the revised standards resulting from the review carried out under '2' above.

Notwithstanding the three proposals outlined above, a decision is required regarding the age at which an exemption should be provided from the requirement to undergo compulsory testing for those vehicles **used for**

social and domestic purposes only. In this regard, the RSA has identified four possible options. These are outlined below:

8.1 Option 1 – Exempt Vehicles Used for Social and Domestic Purposes which were First Registered Prior to 1st January 1960 from Compulsory Roadworthiness Testing

Under this Option, all vehicles first registered prior to 1st January 1960 (with the exception of those used for commercial purposes) would be exempt from the requirement to undergo compulsory roadworthiness testing. This would bring Ireland into line with both the minimum requirements contained in the current Testing Directive (2009/40/EC) and the arrangements in place in the vast majority of other Member States who responded to our survey.

It would also be permissible under Directive 2014/45/EU which is effective from May 2018, which affords Member States discretion in this regard.

Records held on the NVDF indicate that implementing this option would result in a maximum of an additional 3,500 passenger cars which are currently taxed at the vintage/veteran rate being brought within scope of the NCT test regime. Furthermore an additional 4,000 vehicles in which statutory off-road declarations have currently been made would also be in scope, i.e. their owners would have to present them for compulsory testing before taking them back on the road.

Should the review conclude that this is the preferred Option, the standards against which vehicles first registered between 1960 and 1980 are inspected against will be reviewed. The test frequency/fee structure applicable to such vehicles used for social and domestic purposes will also be examined.

8.2 Option 2 – Exempt Vehicles Used for Social and Domestic Purposes which were First Registered Prior to 1st January 1980 from Compulsory Roadworthiness Testing

Under this Option, all vehicles first registered prior to 1st January 1980 (again with the exception of those used for commercial purposes) would be exempt from the requirement to undergo compulsory roadworthiness testing. While the implementation of this Option is consistent with a discretion afforded to Member States in the future EU vehicle roadworthiness testing Directive; it does not align with the minimum requirements contained in the current Directive.

However, as the 1980 date already aligns with the exemption currently provided for both private cars and motor caravans, this option would involve extending this exemption to ambulances, buses, goods vehicles & their trailers used for social and domestic purposes only.

Records held on the National Vehicle & Driver File (NVDF) indicate that implementing this option would result in approximately 350 goods vehicles and 25 buses which are currently taxed at the vintage/veteran rate being exempt from the requirement to undergo compulsory roadworthiness testing.

8.3 Option 3 – Exempt Vehicles Used for Social and Domestic Purposes which are 40 years old or more from Compulsory Roadworthiness Testing

This Option proposes exempting vehicles used for social and domestic purposes which are more than 40 years old. Directive 2014/45/EU which is effective from May 2018 obliges Member States to test vehicles within its ambit which are less than 30 years old. It also gives Member States discretion in respect of vehicles which are more than 30 years old.

Prior to 2010, passenger cars tested at the NCT became exempt from testing on reaching the 30th anniversary of first registration. At the time, this was changed to pre-1980 vehicles to gradually bring Ireland more in line with the current roadworthiness Directive, and also because the RSA believed that vehicles which were 30 years old were still relatively modern and in frequent use on Irish roads. Therefore they should be subject to testing.

It is still the RSA view that aligning with the minimum requirements of the new Directive could result in too many modern vehicles which are still in regular use being exempt from testing, leading to an increase in the number of vehicles with potentially dangerous defects using Irish roads.

However, by providing an exemption based on a rolling period of 40 years, this Option recognises that as vehicles become older they are used less on public roads, other than for the purposes of taking part in vintage rallies or display.

Based on current NVDF records, granting an exemption to vehicles on reaching the 30th anniversary of first registration from the scope compulsory testing today would result in approximately 2,000 vehicles not having to undergo compulsory testing. This figure would increase year on year. For example, based on current stats another 100 vehicles would drop outside the scope of compulsory testing in 2015.

Therefore, under this Option, the RSA is instead proposing to only exempt those vehicles used for social and domestic purposes from the scope of compulsory testing on reaching the 40th anniversary of first registration.

8.4 Option 4 – Exempt Vehicles Used for Social and Domestic Purposes which are 30 years old or more from Compulsory Roadworthiness Testing

Under this Option vehicles used for social and domestic purposes which are more than 30 years old would be exempt from testing. This Option is in line with the minimum requirements of Directive 2014/45/EC effective from May 2018. However, it would not be in line with the current approach in other Member States, and as set out in 8.3 above, the RSA has concerns that this Option could lead to increased numbers of older vehicles being used for purposes other than taking part in vintage rallies or display.

9 Enforcement

Implementing any of the proposed options outlined in Sections 8.1 to 8.4 above may require changes to current systems to ensure that vehicles used for commercial purposes comply with the obligation to be tested.

Currently, the owners/operators of Public Service Vehicles (PSV's) must present proof that their vehicle(s) have passed a statutory roadworthiness inspection at either the NCT or CVRT (as appropriate) before being licensed for use for hire and reward purposes.

A positive check is also carried out that the vehicles owned/operated by prospective applicants for a Road Passenger Transport Operators Licence (RPTOL) are in receipt of a valid Certificate of Roadworthiness (CRW). The same applies in respect of vehicles owned/operated by prospective applicants for a Road Transport Operators Licence (RTOL).

However, the obligation to hold either a RPTOL or an RTOL (as appropriate) does not apply to the owners/operators of vehicles used for the transport of their own passengers / goods.

Furthermore the vintage/veteran motor tax classification does not contain a 'use' aspect, i.e. it is awarded provided the applicant satisfies the licensing authority that the vehicle in respect of which the licence is sought was

constructed more than 30 years prior to the commencement of the period in respect of which the licence is sought.

Effective enforcement is key to ensuring that all owners / operators of vintage vehicles used in a commercial capacity comply with the obligation to undergo compulsory roadworthiness testing.

The following options to support effective enforcement are being considered:

1. Modifying the description of the vintage/veteran tax classification in motor tax legislation to ensure that a 'use' aspect is inserted, i.e. the rate payable would apply to vehicles which are more than 30 years old being used for social and domestic purposes only. Vehicle owners would have to declare this when applying for the vintage/veteran tax classification. It would cover use relating to taking part in vintage rallies or display etc. However vintage vehicles used for commercial purposes (even on a part time basis) would be required to be taxed at the equivalent public service/goods vehicle rate as appropriate.
2. Requiring owners of vintage vehicles to declare that they are used for social and domestic purposes only. This information would be recorded on the NVDF database which is accessible to enforcement officers conducting roadside checks.

As part of the review the RSA will further investigate these proposals as a means of ensuring that effective enforcement can take place.

10. How to Respond

The RSA would welcome your views on the proposals contained in this document and ask you to complete the separate Response Form provided. Please click on the link below to download a copy of this form.

[RSA.ie - Active Consultations](#)

The consultation period begins on 15th October 2014 and will run until 14th November 2014. Please ensure that your response reaches us by Friday 14th November 2014.

Please send consultation responses to:

Vintage Vehicles Consultation,
RSA Vehicle Standards Division,
Moy Valley Business Park
Primrose Hill
Ballina
Co. Mayo

E-mail to: vintagevehicles@rsa.ie

Tel No: 096 25014

When completing the Response Form, please ensure that you complete Part I of Annex A and answer the questions posed in Part II. Note that if you are responding on behalf of a club or organisation, please indicate who it represents, and where applicable, how the views of members were assembled.

Working To Save Lives

Údarás Um Shábháilteacht Ar Bhóithre Road Safety Authority

Páirc Ghnó Ghleann na Muaidhe, Cnoc an tSabhaircín, Bóthar Bhaile Átha Cliath, Béal an Átha, Co. Mhaigh Eo
Moy Valley Business Park, Primrose Hill, Dublin Road, Ballina, Co. Mayo
local: 1890 50 60 80 fax: (096) 25 000 email: info@rsa.ie website: www.rsa.ie