

DEPARTMENT OF ENVIRONMENT HOUSING AND NEIGHBOURHOODS**ORIGINATING SECTION : PUBLIC PROTECTION SERVICE****REPORT TO : LICENSING COMMITTEE****03.02.10****TITLE : REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE TESTING REGIME****1. PURPOSE**

To inform Members of proposed changes to the private hire and hackney carriage vehicle testing regime.

2. RECOMMENDATIONS

That Members note the report and forward comments in respect of the proposed testing regime to the Executive Member

3. KEY ISSUES

The current testing regime was introduced in April 2007, and with the current economic climate, it is considered an appropriate time for a review of the regime.

The main issues raised by the trade were the:

4 monthly tests. (4 month certificates are issued to vehicles over 7 years of age that fail on two or more safety related items).

The bodywork items that can constitute a fail in the supplement testing manual (the manual is the standard that all private hire and hackney carriage vehicles are tested to over and above the national M.O.T standards).

Requests were also made for free retests and an extension of the age limits that are currently in place.

4. RATIONALE

A focus group consisting of members of the trade, council officers and the Chair and Vice Chair of Licensing met in November 2010 to discuss the concerns of the trade with the current system and their requests. A letter of consultation was sent to all the operators and trade representatives requesting their proposals for the manual and the frequency of testing.

The responses to the consultation can be found at appendices 1a – 1b

The draft proposals that can be found at appendix 2a and 2b and were placed before the Taxi forum on 25th January 2011 and their comments will be presented to Members at the committee meeting.

The main proposal is to abolish the 4 monthly tests for all vehicles over 7 years of age and to relax the bodywork standards in the supplement testing manual.

In order to maintain public safety standards it is proposed to introduce a periodic system of safety checks, whereby vehicle owners will be requested to present their vehicles for a full safety inspection at a specified date and time at the motor vehicle testing station. Vehicles will be selected at random by using the public protection's licensing database.

5. POLICY IMPLICATIONS

The review of the testing regime is a policy matter and should therefore be considered by the Executive Member.

The expertise of the Licensing Committee in this area of work is recognised, The Licensing Committee should consider the proposed the testing regime their observations will be forwarded to the Executive Member as part of the consultation process.

6. FINANCIAL IMPLICATIONS

The proposals have been considered as part of the budgetary process, the abolition of the 4 monthly tests would benefit the vehicle owners who have vehicles over 7 years old.

7. LEGAL IMPLICATIONS

There are no legal implications of introducing the guidelines, provided the correct procedures are followed

8. RESOURCE IMPLICATIONS

None

9. CONSULTATIONS

As detailed in the body of the report, the trade have been consulted via letter and the taxi forums held in October 2010 and January 2011.

10 . CONTACT OFFICER

Donna Riding – Principal Licensing Officer
Telephone 01254 222505

Appendix 1a

Hello Donna,

As you know, My opinions are as an owner driver and I have asked some other owner drivers their opinions for the feedback that you requested. I do NOT represent any operator's views!

1. The age limit.

It seems to be a general view that very few owner drivers would keep their cars more than 10 years even if it was introduced. We like to drive decent cars for ourselves and our families.

The problem would be with Operators who only buy cars as private hire cars. Their thought would only be profit, so would tend to buy the cheapest cars possible.

This would, in my opinion, would lead to "Rattletrap Taxis" headlines in the Telegraph.

If, however, it is brought in, I think that at initial test a car should be less than ten years old and 4 month tests to make sure that they are safe for the public.

2. The 4 plus 2 Test.

I've never seen the point for this, so I think it should be dropped to make it a straight 6 months.

3. Appearance i.e. scratches and rust scabs etc.

In 2007 I think that we did enough concessions on this. Any more concessions will only be a backwards step. The present fleet of private hire cars in Blackburn look the better than I can

remember. Do we really want it to go back to the 90's or 80's. I don't think so.

Regards.

Ian Goodliffe.

Donna Riding
Blackburn with Darwen Borough Council
Town Hall
Blackburn
BB1 7DY
11th November 2010

Dear Donna Riding,

Further to the focus meeting that was held and the recommendations that we made. We would like to formally ask to consider that there should only be 6 Monthly licenses and that there should not be a charge for a retest.

As per the discussions there a lot of referring to other cities and their testing procedure. However, we would like to take this opportunity to point that the Manchester City Council was one that was referred to about different way they carry out procedures and tests. In the discussions Preston City Council was mentioned but neither of the Councils has 4 months license but only 6 months licenses and a free re-tests. At this current very difficult financial time nationally and also the redevelopment of the town centre it is very difficult to sustain ourselves if there is no help or a fairer way for our trade.

We would like to make it very clear that we would not compromise our safety and especially the safety of our customers but what we are saying is that the hackney carriage trade is very different to private hire as each of the 60 plus drivers own their little business and each driver drives their own unique vehicle so there is more passion, pride and commitment towards their work.

I hope that you will consider our points with sympathy and take this forward favorably, please do not hesitate to contact me if you need any further information and assistance.

Yours faithfully,



Mohammed Younis
Chairman
Blackburn with Darwen Hackney Carriage Association

Draft Proposals for the Private Hire and Hackney Carriage Testing Regime.

Current Testing Regime :

Vehicles aged 1-3 years require 1 test per year.

Vehicles aged 3-7 years require 2 tests per year.

Private hire vehicles aged 7-10 years require 3 tests per year (unless vehicle passes 1st test with less than 2 safety related faults)

Hackney Carriage vehicles aged 7-15 years require 3 tests per year (unless vehicle passes 1st test with less than 2 safety related faults)

Proposed Testing Regime

Abolish the 4 monthly tests for all vehicles aged over 7 years

Private hire vehicles aged 7-10 years will require 2 tests per year

Hackney Carriage Vehicles aged 7-15 years will require 2 tests per year.

A scheme of "periodic inspections" will be introduced, whereby; vehicle owners will be required to take their vehicles to the testing station for a full safety inspection.

The vehicles will be chosen randomly by our IT system. No Vehicles will be requested for more than one periodic inspection in any one year.

It is proposed that vehicle owners will be given 48 hrs notice of the periodic inspection, and failure to present the vehicle without genuine reason may result in formal action being instigated against the vehicle owner.

NB. The request for free retests cannot be accommodated at this time with the current economic climate.

The request to extend the age limit for private hire vehicles is not consistent with the Councils overall aims to improve the quality of vehicles operating within the borough.



The Licensing of Hackney Carriages & Private Hire Vehicles

Supplement Testing Manual 3rd Amendment

Elements of the vehicle Test in addition to M.O.T standards

First approved at a meeting of the Licensing Sub Committee held on 11th April 1991
1st amendment approved at a meeting of the Licensing Sub Committee held on 30th September 1993
2nd amendment approved at a meeting of the Licensing Sub Committee held on 24th March 1997
3rd amendment / revision approved by Executive Member on 10th April 2007 (revised 1/4/10 re door signage)

Adam Scott
Director of Regeneration, &
Environment

1. EXTERIOR OF THE VEHICLE	METHOD OF INSPECTION	REASON FOR REJECTION	NOTES
1.1	The exterior of the bodywork, the underside of the vehicle and the engine compartment must be in a suitable clean condition to allow for proper inspection of these areas (see Notes).	1. Contamination preventing proper inspection.	If the vehicle is presented for inspection in such a condition to prevent a full examination of items for inspection, the test will not be carried out.
1.2	Check all door check straps to ensure that doors are held in place when fully opened.	2. Door check straps which fail to hold the doors in place when fully opened.	a) Visibly poor or shoddy repairs constitute a fail
1.3	Examine the external body panels and structure for evidence of corrosion, damage and/or unsatisfactory repairs.	3. b) A dent on a panel over 65mm diameter at its widest point and over 4mm deep, constitutes a fail	c) Obvious Signs of filler or paint runs would constitute a poor or shoddy repair.
1.4	Examine the external paintwork for damage which adversely affects the appearance of the vehicle.	4. c) Multiple dents – More than 3 dents up to 65mm in diameter and 4mm deep on the whole of the vehicle constitutes a fail d) An obvious mismatch of paint constitutes a fail. However, the examiner should use discretion on metallic paintwork provided the correct colour code had been used and the overall standard is good e) Dull paintwork constitutes a fail (<i>to be deleted</i>) f) A scratch over 300mm long constitutes a fail g) More than 3 scratches over 150mm constitutes a fail h) Multiples of scratches and dents (5max) set within the above parameters on the body panels constitutes a fail i) A single rust scab or blemish over 20 (40) mm wide constitutes a fail j) More than 3 (4) rust scabs over 10 (25) mm would constitute a fail	N.B. Allowance should be made for small stone chips which are not showing signs of rust. A scratch constitutes paint removal to undercoat or metal. This includes rust scabs covered by vinyl!

1. EXTERIOR OF THE VEHICLE (Contd.)

METHOD OF INSPECTION

1.5 Ensure that the front and rear bumpers are in good order and are securely fixed to the vehicle.

REASON FOR REJECTION

NOTES

1.6 Examine the rubber seals to every door for serious damage, looseness or absence.

1.7 Check that every reversing light fitted by the manufacturer of the vehicle:

- a) operates when reverse gear is selected
- b) is complete, in good working order and in clear condition
- c) emits a steady white light
- d) is securely fitted and provides adequate illumination to the rear of the vehicle

5a inadequately secured front or rear bumpers

5b scruffs with significant paint removal

5c cracked or parts missing

6 A door seal which is damaged or worn to the extent that air/water penetration may occur, constitutes a fail.

Any sharp edges arising from door seal defects constitutes a fail:

- 7 A reversing light which:

7a does not operate when reverse gear is selected

7b is incomplete, not in good working order or in clean condition, i.e. so damaged or deteriorated that its function is impaired

7c emits other than a steady white light when reverse gear is selected remains on when reverse gear is deselected

2nd opinion will be obtained from
Licensing

Some vehicles have reversing lights fitted as an extra. If this is so then check that the switch provided for its use is fitted in such a position capable of indicating to the driver of the vehicle that the reverse light(s) have been activated or deactivated. All other light checks still apply.

7d insecure or does not provide adequate illumination to the rear of the vehicle

EXTERIOR OF THE VEHICLE (Contd.)

METHOD OF INSPECTION

REASON FOR REJECTION

	NOTES
1.8 Operate the washers and the wipers and note the swept area of the rear window	This inspection only applies to a vehicle that is manufactured with a windscreens wiper and washer(s) fitted to the rear window of the vehicle.
8a a wiper or washer control missing or inaccessible to the driver	Removal of the rear washer unit will not be permitted.
8b a wiper does not automatically operate when switched on	
8c a wiper installed for the use of the driver does not operate over an area of the rear window enough to give the driver an adequate view	
1.9 Examine the condition, security and effectiveness of the wiper blade and its contact with the rear window	9 A wiper blade unsecure, missing, deteriorated or which does not clear the rear window effectively to give the driver an adequate view to the rear from the drivers seat.
1.10 Check the function of the rear window washer	10 The window washer does not provide enough liquid to clear the rear window in conjunction with the wiper
1.11 Check the driver and front passenger window	11 Obscured view
	The driver and passenger must be visible through the windows

opposite panel on the offside of the vehicle.

2 SIGNS – PRIVATE HIRE VEHICLE SIGNS

METHOD OF INSPECTION

- 2.1 Examine the signs displayed on the front doors of the vehicle to ensure that they comply with those approved by the Council.

REASON FOR REJECTION

- 1 Failure to display the name of the Private Hire Company and/or its telephone number in the manner prescribed (i.e. position of sign, size of lettering etc.)
- "The proprietor shall display a sign on the front doors of the vehicle to the Councils uniform design and specification, the sign to incorporate the business name of the operator, but such name is not to include the word "taxi" Hackney or Cab in any form".

NOTES

The Borough Councils conditions require that

THIS SECTION DOES NOT APPLY TO VEHICLES PRESENTED FOR INSPECTION WHERE AN INITIAL APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE IS TO BE MADE

- 2.2 A vinyl notice (which shall have the text "Licensed Private Hire Vehicle" and the text "Advanced Booking Only") approved by the Council, identifying the vehicle as a private hire vehicle, and also the plate number, shall be displayed on the upper panels of the rear doors.

- 2.3 On MPVs (Multi Passenger Vehicle) licensed as private hire vehicles the signs must be displayed on the rear near side passenger door and on the

3 LICENCE PLATES

METHOD OF INSPECTION

REASON FOR REJECTION

NOTES
The vehicle licence plate and holder issued by the council identifying the vehicle as a private hire vehicle/hackney carriage vehicle shall be securely fixed to the exterior of the vehicle in a position to be clearly visible and should be capable of being easily removed by an authorised officer.
1. A damaged plate or a plate with licence number not clearly legible.
2. A plate which is not adequately secured to the vehicle or is not fitted in a prominent position.

THIS SECTION DOES NOT APPLY TO VEHICLES PRESENTED FOR INSPECTION WHERE AN INITIAL APPLICATION FOR A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE LICENCE IS TO BE MADE

4 TYRES AND SPARE WHEEL

METHOD OF INSPECTION

- 4.1 Ensure that the tyre provided on the spare wheel is of the same size and construction as those fitted to the road wheels (see Notes). Space saver – refer to condition
- 4.2 Examine the tyre which is fitted to the spare wheel for signs of damage or excessive wear and ensure that it complies with all legal requirements for tyres when fixed to the vehicle.

REASON FOR REJECTION

NOTES

- 1 A spare wheel not provided with the vehicle. A tyre which is of a different size or construction.
- 2 Damaged, worn, sub standard or otherwise illegal tyres.
- 3 Excessively under or over inflated spare tyre.
- 4 Failure to provide a suitable jack and/or wheel brace with the vehicle.
- 5 Failure to satisfactorily secure the spare wheel.
- 6 A damaged or distorted spare wheel rim to such extent that it renders it unserviceable.
- If a vehicle has tyres in a combination which conforms to current legal requirements (e.g. radial and cross ply), the carrying of one spare wheel/tyre cannot be accepted, since it can only be used in limited circumstances. The vehicle must therefore fail the test, even if the spare tyre is in good condition and matches one pair of the tyres fitted to the vehicle. A mix of steel and cord radials on one axle will not be accepted.
- Exemption = Minibuses where there is no provision to store safely.
- A remould will only be accepted if it carries a clearly legible manufacturer's mark that the tyre conforms to the current British Standard.

METHOD OF INSPECTION	REASON FOR REJECTION	NOTES	
5.1	Examine the boot interior for evidence of corrosion or water penetration.	1	Corrosion to the floor of the boot, inner wing panels or lid.
5.2	Ensure that there is adequate boot floor covering and that it is in good condition and offers adequate protection to luggage stored in the boot.	2	Inadequate floor covering.
5.3	Examine the interior of the boot for accumulations of dirt, dust, grease, litter, etc. Or staining of any surface which luggage may come into contact.	3	Accumulations of dirt, grease, rubbish etc. In the boot which could soil or damage luggage stored therein.
5.4	Check the boot for the presence of containers of any flammable or corrosive materials (e.g. oil, petrol).	4	Containers for the storage of oil, petrol or any flammable or corrosive material shall not be carried in the vehicle.
5.5	Check boot for loose tools and other items.	5	Any tools or other items not adequately secured, or would hinder the storage of luggage.
5.6	Check that the vehicle boot supports and opening mechanism adequately support the lid when it is in the 'lifted' position.	6a	Defective opening mechanism
5.7	Check that the vehicle is equipped with suitable wheelchair ramps and they are	7a	Vehicle not equipped with suitable wheelchair ramps.

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This section only applies to Hackney Carriages.

permanently legibly marked with the registration mark of the vehicle that they are carried in.

7b Ramps not marked with the registration mark of the vehicle they are being

6 ENGINE COMPARTMENT

METHOD OF INSPECTION

REASON FOR REJECTION

NOTES

6.1 Carry out a visual inspection of the engine compartment for signs of oil leaks.

6.2 Ensure that the battery is properly secured in position.

6.3 Check the fan belt for signs of incorrect adjustment and/or deterioration.

6.4 Examine the engine mountings for signs of deterioration.

6.5 Ensure that the radiator is properly secured to the vehicle and check the cooling system for signs of any leaks.

6.6 Check the clutch mechanisms for correct operation.

1. Excessive oil leaks.

2. A battery which is not adequately secured.

3. An incorrectly adjusted or deteriorated fan belt.

4. Insecure or excessively deteriorated engine mountings.

5. An inadequately radiator or leaks from the cooling system.

6. Fluid leakage or mechanical components wear in the clutch mechanism.

7 INTERIOR OF VEHICLE

METHOD OF INSPECTION

REASON FOR REJECTION

NOTES

7.1 Examine the floor and upholstery inside the vehicle for accumulations of dust, dirt, litter, general debris, cigarette ash, staining or excessive wear.

7.2 Examine the upholstery provided to ensure that they are not worn, holed or torn.

7.3 Examine each of the passenger seats within the vehicle to ensure that all seat cushions and back rests are in good condition and offer proper support to passengers.

7.4 Examine the rear seats to ensure that the seat base is secure.

7.5 Check the operation of the interior light within the vehicle, both the manual switch and the door operated switches if fitted by the manufacturer.

7.6 Check the operation of the heater/windscreen de-mister to ensure that it is in satisfactory working order.

7.7 The anti slip face on the clutch pedal.

1 A vehicle which is in a dirty condition with an excessive accumulation of dust, litter, debris etc. Or staining to the carpets or upholstery.

2 Upholstery which is excessively worn, holed or torn.

3 Seat cushions or back rests which are in a poor condition and/or offer support to passengers.

4 Inadequately secured rear seat bases.

5a Faulty interior light fitting.

5b Faulty interior light switch.

5c Faulty interior light door switches.

6 Defective heater/windscreen de-mister.

7 The anti slip provision on the clutch pedal is missing, loose or worn smooth.

NOTES

b) and c) are only applicable where they are fitted by the manufacturer.

INTERIOR OF VEHICLE (Contd.)

METHOD OF INSPECTION	REASON FOR REJECTION	NOTES
7.8	Check the operation of the rear screen heater to ensure that it is functioning properly.	8 A defective rear screen heater.
7.9	Check the operation of all window winder mechanisms ensuring that they allow all windows to be fully lowered or raised.	9 Window winder mechanisms that do not allow windows to be easily lowered or raised.
7.10	Check the operation of all rear doors from the interior of the vehicle.	10a A rear passenger door that cannot be opened from the inside using the interior handles.
		10b Missing or damaged handles which prevent the opening of the rear doors from the interior.
7.11	Check that a mirror is fitted to the interior and near side of the vehicle.	11 Missing, insecure or defective mirrors which do not give a clear view to the rear from the driver's seat.
7.12	Check that there are no excessive unpleasant odours noticeable inside the vehicle.	12 Unacceptable smells including vomit, waste food or other similar contaminants.

INTERIOR OF VEHICLE (Contd.)

METHOD OF INSPECTION	REASON FOR REJECTION	NOTES
7.14	Ensure that all emergency exits provided on the vehicle are clearly marked, in letters not less than 25mm high, on both the inside and outside, the words "EMERGENCY DOOR" or "FOR EMERGENCY USE ONLY" adjacent to that exit.	Sections 7.14 and 7.15 are only applicable to vehicles which are licensed or intended to be licensed for the carriage of eight passengers not including the driver.
7.15	Check that the means of operation for the emergency exits are clearly indicated on or near the door.	14a Less than 25mm high. 14b The words "EMERGENCY DOOR" or "FOR EMERGENCY USE ONLY" are not displayed on either the inside or outside. 14c They are not adjacent to the exits. 15 The means of operation are not clearly indicated.
7.16	Check that the vehicle is equipped with the apparatus for securing a wheelchair in the vehicle.	16 Vehicle not equipped with the apparatus. This section only applies to Hackney Carriage Vehicles. (see additional specification at rear of this booklet for detailed specification for hackney carriage vehicles)

8 FIRST AID KIT

METHOD OF INSPECTION

- 8.1 Check that there is a first aid kit provided in the vehicle.
- 8.2 Check that there is a sign clearly displayed in the interior of the vehicle indicating to any other person than the driver of that vehicle the location of the first aid kit in the vehicle.
- 8.3 Check that the first aid kit is permanently and legibly marked with the registration mark of the vehicle that it is being carried in.
- 8.4 Check the first aid kit to ensure that the contents conform to the requirements laid down in the Councils specification (see notes)

REASON FOR REJECTION

- 1 Failure to provide a first aid kit.
- 2 No sign clearly displayed indicating the position of the first aid kit in the vehicle.
- 3 First aid kit not marked with the registration mark of the vehicle it is being carried in.
- 4 Contents do not conform to the Councils specification.

NOTES

- First aid kit to contain at least the following:-
- a) 6 individually wrapped sterile adhesive dressings;
 - b) One medium sized sterile unmedicated dressing (approx. 10am x 8cm); examples of suitable dressings currently available are the Standard Dressings No.8 and No.13 B.P.C.;
 - c) One triangular bandage (this should, if possible, be sterile; if not a sterile covering appropriate for serious wounds should also be included);
 - d) 6 Safety pins.
- N.B. The First Aid Kit must not be opened by the Vehicle Examiner. This function will be performed by Enforcement Officers on spot checks.

THIS SECTION DOES NOT APPLY TO VEHICLES PRESENTED FOR INSPECTION WHERE AN INITIAL APPLICATION FOR A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE LICENCE IS TO BE MADE

9 FIRE EXTINGUISHERS

METHOD OF INSPECTION

NOTES

REASON FOR REJECTION

- | METHOD OF INSPECTION | NOTES | REASON FOR REJECTION |
|---|--|--|
| 9.1 The carriage of a fire extinguisher is optional. | 1 A fire extinguisher which does not conform, to the Councils standard. | A fire extinguisher which does not conform, to the Councils standard. |
| 9.2 If a fire extinguisher is carried it must be of the 2.2kg a dry powder type. | 2 A fire extinguisher which is not in a conspicuous and readily accessible position within the vehicle. | A fire extinguisher which is not in a conspicuous and readily accessible position within the vehicle. |
| 9.3 Examine the fire extinguisher to ensure that it is not empty or has been damaged as to prevent it functioning properly. | 3 A leaking, empty or damaged extinguisher. | A leaking, empty or damaged extinguisher. |
| 9.4 Check whether the fire extinguisher is permanently legibly marked with the Registration number of the vehicle. | 4 A fire extinguisher which is not permanently, and legibly marked with the registration of the vehicle. | A fire extinguisher which is not permanently, and legibly marked with the registration of the vehicle. |

Extinguishers of the dry powder type will require regular shaking to remain effective.

Ensure that the position of the fire extinguisher is clearly displayed on the dashboard.

N.B. Fire Extinguishers became optional following a Licensing Sub Committee decision of 1.10.92 (Minute 1162 refers).

HACKNEY CARRIAGE VEHICLE SPECIFICATION

Hackney carriages must be black, unless the vehicle is a London Type cab, in which case it may be any colour.

The Hackney Carriages Vehicles that this authority will licence must comply with the following specifications in addition to having a positive disability impact assessment.

- 1) Every Taxi Cab submitted for approval as a hackney carriage must be designed and developed exclusively for use as a wheelchair accessible vehicle (therefore incorporating a built-in taxi light as an integral part of the structure) have M1 classification and comply in all respects to EC Whole Vehicle Type Approval (ECWVTA) and be unaltered since type approval.
- 2) If a vehicle has been registered with DVLA and issued with an appropriate registration index number, no change, structural alteration or rearrangement of detail shall be carried out to the vehicle unless such change shall be subsequently granted M1 Whole Vehicle Type Approval.

shall be provided to aid ingress/egress as follows:

- Where the internal floor height of the vehicle exceeds 300mm an intermediate step shall be fitted every 250mm from the road level up to the internal floor height. All steps must be capable of supporting a minimum weight of 150kg
- Handrails must be fitted in appropriate positions in all passenger access doors so as to assist (intending) passengers and facilitate the use of steps where provided. All handrails shall be highlighted in a contrasting high-visibility colour to match handrails and seat markings.
- Prior to purchasing any alternative vehicle that, please consult firstly with Licensing and the vehicle supplier to ensure that the vehicle can comply with the specifications.

- 6) Floor Height, Steps and Handrails - At the main access door into the passenger area of the vehicle, steps

APPEALS PROCEDURE

- 1 If a vehicle proprietor is dissatisfied with the decision of a vehicle examiner to refuse to issue a test certificate in respect of a vehicle and the item(s), which are found to be defective, has/have been inspected in accordance with the Ministry of Transport Inspection Manual for Far and Light Commercial Vehicle Testing, then the appeal shall be in accordance with Regulation 18(1) of the Motor Vehicles (Test) Regulations 1981 which states:

A person to whom a notice of the refusal of a test certificate has been issued may appeal to the Secretary of State and, save as may be otherwise permitted by the Secretary of State, any such appeal shall –

- (a) *be on a form approved by the Secretary of State and contain the particulars required by that form;*
- (b) *be sent to the office of any traffic area within 14 days from the date of the said notice.*