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STATUTORY INSTRUMENTS

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**2002 No. 2742**

The Road Vehicles (Registration  
and Licensing) Regulations 2002

PART VII

TRADE LICENCES

**Definition of “motor trader”: descriptions of businesses**

**35.** The following descriptions of business are hereby prescribed for the purposes of subparagraph (b) of the definition of “motor trader” in section 62(1) of the 1994 Act—

- (a) the business of modifying vehicles, whether by the fitting of accessories or otherwise;
- (b) the business of valeting vehicles.

**Period for review of decision refusing an application for a trade licence**

**36.** For the purposes of section 14(3)(b) of the 1994 Act (which relates to the review by the Secretary of State of his decision refusing an application for a trade licence by a person entitled to make such an application) the period within which such an applicant may request the Secretary of State for such a review shall be 28 days beginning with the day after the day on which the decision was given.

**Conditions subject to which trade licences are to be issued**

**37.** The conditions subject to which trade licences are to be issued, and with which every holder of a trade licence shall comply, shall be those specified in Part I of Schedule 6.

**Purposes for which the holder of a trade licence may use a vehicle by virtue of the licence**

**38.** Part II of Schedule 6 shall have effect for prescribing the purposes for which a vehicle may be used by virtue of a trade licence.

**Assignment of general registration marks**

**39.** On issuing a trade licence the Secretary of State shall assign to the holder of the licence a general registration mark in respect of that licence.

**Issue of trade plates**

**40.—(1)** Subject to paragraphs (3) and (4), the Secretary of State shall issue to every holder of a trade licence, as respects each licence held by him, a set of trade plates appropriate to the class of vehicles for which the licence is to be used.

(2) Each trade plate shall show the general registration mark assigned to the holder of the licence in respect of the licence, and one of the trade plates shall include a means whereby the licence may be fixed to it.

(3) Where the holder of a trade licence satisfies the Secretary of State that the vehicles which he will use by virtue of the licence include vehicles which would otherwise be liable to vehicle excise duty under paragraph 2 of Schedule 1 to the 1994 Act (motorcycles) and other vehicles, the Secretary of State shall issue to the holder an additional trade plate in respect of the vehicles otherwise liable to vehicle excise duty under that paragraph.

(4) Where the licence is to be used only in respect of vehicles to which paragraph 2 of Schedule 1 to the 1994 Act applies (motorcycles), the Secretary of State shall issue only one trade plate to the holder of the licence and that plate shall include a means whereby the licence may be fixed to it.

(5) Each trade plate shall remain the property of the Secretary of State and shall be returned forthwith to the Secretary of State by the person to whom it was issued if that person ceases to be—

- (a) the holder of the trade licence in respect of which the trade plate was issued; or
- (b) a motor trader or a vehicle tester.

#### **Issue of replacement trade plates**

**41.**—(1) If any trade plate issued by the Secretary of State to the holder of a trade licence is lost, stolen, destroyed or materially damaged, the holder of the licence shall apply to the Secretary of State for the issue to him of a replacement set of trade plates.

(2) On receipt of an application under paragraph (1) the Secretary of State shall so issue a replacement set if—

- (a) he has received all those trade plates in the set which are still in the possession of the holder of the licence;
- (b) except where paragraph (3) applies, the fee prescribed by paragraph (4) has been paid; and
- (c) he is satisfied that any plate has been lost, stolen, destroyed or materially damaged.

(3) If only that part of a trade plate which consists of a means whereby the trade licence may be fixed to it is lost, stolen, destroyed or materially damaged, the holder of the licence shall apply to the Secretary of State for the issue to him of a replacement means of fixing the licence and, upon payment of the fee prescribed by paragraph (4)(c), the Secretary of State shall issue such a replacement.

(4) The fees payable under paragraphs (2) and (3) shall be—

- (a) for a replacement set of trade plates comprising two plates, £13.50;
- (b) for a replacement set of trade plates comprising three plates, £18;
- (c) for a replacement of a single trade plate issued under regulation 40(4), £7; and
- (d) for a replacement means of fixing a trade licence to a trade plate, £2.

(5) No fee shall be payable under paragraph (4)(a) or (b) on account of the replacement of a trade plate, if the Secretary of State is satisfied that the plate has become illegible or the colour of the plate has been altered (whether by fading or by other means) otherwise than by reason of any act or omission of the licence holder.

(6) If a replacement set of trade plates has been issued on the ground that any of the original trade plates has been lost, stolen or destroyed, and the original plate is subsequently found or recovered, the holder of the licence—

- (a) if the original plate is in his possession, shall forthwith return it to the Secretary of State, or
- (b) if it is not in his possession but he becomes aware that it is found or recovered, shall take all reasonable steps to obtain possession of it and return it to the Secretary of State.

### **Display of general registration mark of holder of a trade licence and exhibition of licence**

**42.**—(1) Where a vehicle is in use under a trade licence the general registration mark assigned to the holder of a trade licence shall be displayed on the vehicle in the manner specified in paragraph (2).

(2) The trade plates issued by the Secretary of State shall be fixed to and displayed on the vehicle in such a manner that, if the general registration mark assigned to the holder were a registration mark assigned to the vehicle, the provisions of regulations 5 and 6 of the Road Vehicles (Display of Registration Marks) Regulations 2001<sup>(1)</sup> (the “2001 Regulations”) would be complied with, notwithstanding the vehicle may not have been first registered on or after the relevant date, as defined in regulation 2(1) of the 2001 Regulations, or it is a works truck (as defined by paragraph 4(6) of Schedule 1 to the 1994 Act) or an agricultural machine (as defined by regulation 2(1) of the 2001 Regulations) or a road roller.

(3) The prescribed manner of exhibiting a trade licence on a vehicle for the purposes of section 33(1)(b) of the 1994 Act is that specified in paragraph (4).

(4) The trade licence shall be—

- (a) exhibited on the front of the vehicle so as to be clearly visible at all times in daylight; and
- (b) fixed by means of the trade plate issued to the licence holder which contains a means for fixing the licence to it.

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(1) [S.I. 2001/561](#) to which there are amendments not relevant to these Regulations.