
STATUTORY INSTRUMENTS

2005 No. 3165

**The Road Vehicles (Construction and Use)
(Amendment)(No. 4) Regulations 2005**

Amendment of regulation 4 (application and exemptions)

4.—(1) Regulation 4 shall be amended as follows.

(2) In paragraph (4)—

- (a) insert at the start of paragraph (4), the words “Subject to paragraph (7),”; and
- (b) in the Table add the following item after item 10—

“11	A vehicle being used on a road by a vehicle examiner, who has been authorised in writing by the Secretary of State for the purpose of— <ul style="list-style-type: none">(a) submitting the vehicle for an examination under section 45 of the Road Traffic Act 1988 in order to ascertain whether the examination is carried out in accordance with regulations made under that section; or(b) removing the vehicle following that examination.	The regulations in Part 2. Regulations 67, 75 to 79 and 100.”
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(3) After paragraph (6) insert—

“(7) The exemption provided by item 11 in the Table in paragraph (4) shall only apply to the extent that the vehicle examiner using the vehicle in question reasonably believes that any defects in that vehicle do not give rise to a danger of injury to any person while it is being used by that person for a purpose mentioned in that item.

(8) In item 11 in the Table in paragraph (4) and paragraph (7), “vehicle examiner” means an examiner appointed under section 66A of the Road Traffic Act 1988.”