

Changes to the date of the first MOT test and research into other MOT enhancements

PACTS response to the Department for Transport consultation

March 2023

Consultation questions

General

Are you responding as:

on behalf of an organisation

What is the size of your business by the number of employees?

01-09

Do you work or own a company that carries out MOT testing?

No

Questions relating to part 1: Changing the date of the first MOT and other proposals for change in 2023

1. In your view, should the date of the first MOT

- remain at 3 years
- move from 3 to 4 years
- move from 3 to 5 years

2. Please explain why you hold this view.

PACTS response:

The MOT tests for many safety-related items that may have been damaged, perished or worn out, such as tyres. Many drivers effectively use the MOT as a means of checking if these items are still legal and roadworthy. Extending this period is likely to increase the road risks. All vehicles deteriorate in service, and this can have an adverse impact on safety and the environment.

Roadworthiness testing exists to ensure that, at least at the time of testing, specific vehicle components relating to safety, roadworthiness and emissions meet the legal standard for use on public roads.

The 2011 TRL report 'Effect of Defects in Road Accidents'¹ predicted that extending the first MOT for cars and vans to four years could result in a possible increase in road deaths and serious injuries.

Based on this report, the Impact Assessment for this consultation paper has adjusted the risk of additional casualties and costs using 2015 casualty levels and prices. It predicts around 1 additional road death, between 4 and 16 additional serious injuries and between 12 and 48 additional minor injuries if the date of the first MOT is changed to four years. PACTS will not support any change that will lead to an increase in fatalities and injuries on our roads. In a time when many in the UK are working towards the vision of zero deaths on our roads, a move that is forecast to increase deaths is irresponsible. The government should conduct adequate research before making any changes to the MOT. Extrapolating a study that is more than ten years old is not adequate.

The additional costs associated with increased environmental impacts (including human illness and death caused by harmful emissions) and increased fuel costs if vehicles are running inefficiently without the 3-year test need to be considered too.

Changes to the MOT are being proposed without sufficient evidence to understand the impact of such a change. This would be a great question for the Road Safety investigation branch to explore using the current system then an informed decision can be made.

¹ [Effect of Vehicle Defects in Road Accidents PPR565 \(trl.co.uk\)](http://trl.co.uk)

3. In your view, should changes be introduced alongside changing the date of the first MOT test to mitigate any effects on road safety (for example, re-brake and tyre wear) or polluting emissions

- **additional safety information campaigns for drivers**
- **additional odometer checks?**
- **DfT publicity to ensure that motorists keep their vehicles safe ahead of the date of first MOT test?**
- **ensure vehicle service packages include items that are also covered in the MOT**
- **other (please specify)**

PACTS response: PACTS strongly recommends keeping the date of the first MOT at three years.

If DfT decides to extend the date of the first MOT, then Increased enforcement action to check tyres and other safety features would be needed as a minimum. At the point of MOT around 2 million failures relate to tyres and half are considered dangerous. The mechanisms and resources to do this would need to be identified in advance.

PACTS also has concerns about the roadworthiness, reliability and maintenance of modern vehicles Advanced Driver Assistance Systems (ADAS), which are safety critical, but are not currently part of the MOT test. However, checking at 3 years ensures On Board Diagnostic checks, warning lights and major issues can be noted and reported to the owners.

4. As part of this package of change, we are proposing to move to particulate number (PN) testing as a more robust emissions assessment for modern diesel vehicles. Do you believe that this is the correct approach, and why?

PACTS response: PACTS would support a more robust emission assessment where it would have a positive impact on the environment and public health.

Questions relating to part 2: Call for evidence on changes to MOT testing

1. What do you think are the advantages of the current system of requiring vehicles to undergo an annual MOT test:

- road safety
- environmental protection
- fewer breakdowns
- other advantages
- there are no advantages
- unsure

2. Why do you hold this view?

PACTS response: As we have stated in part 1 above, the MOT tests many items that may have fallen below the legal standards for safety and the environment. Many drivers effectively use the MOT as a means of checking if these items are still legal and roadworthy. These also affect the likelihood of breakdowns and therefore costs to the driver and the wider public. The current system of annual retesting helps to reduce these impacts.

National Highways has estimated that incidents are responsible for approximately 10% of the delays observed on the Strategic Road Network and that this has an annual economic impact in excess of £300m². Breakdowns and collisions are the incident types that lead to result in most delay. When considering this economic impact across the full extent of the GB road system, the change to less frequent testing could far outweigh any potential benefits.

Changes to the MOT are being proposed without sufficient evidence to understand the impact of such a change. This would be a great question for

² <https://nationalhighways.co.uk/media/wdopybqy/managing-delay-on-the-strategic-road-network.pdf>

the Road Safety investigation branch to explore using the current system then an informed decision can be made.

Information on vehicle breakdown and roadworthiness and public health and air quality associated with infrequent servicing and testing of vehicles should also be referenced.

Frequency of testing

3. In your view, should MOT tests for cars be required:

- **annually (from the time the car is 3 years old)**
- every 2 years (from the time the car is 3 years old)
- every 2 years (from the time the car is 3 years old up to 10 years and annually thereafter)
- other (please specify)?

4. Please could you explain your view further?

PACTS response: Figures from the DVSA showed the 2021-22 MOT initial failure rate for all eligible vehicles to be 29.04%. This included over 7.8% of vehicles with at least one 'dangerous item'. Changing the test interval from annually to every two years will introduce more risks.

5. In your view, should MOT tests for motorbikes be required:

- **annually (from the time the motorbike is 3 years old)**
- every 2 years (from the time the motorbike is 3 years old)
- every 2 years from the time the motorbike is 3 years old up to 10 years and annually thereafter
- other (please specify)?

6. Please could you explain your view further?

PACTS response: As above (2021-22 MOT initial failure rate for class 1 & 2 motorcycles was 15.52% with 4.73% of all such motorcycles failing the initial MOT test with at least one dangerous item).

7. In your view, should light goods vehicles up to 3.5 tonnes be required:

- **annually (from the time the vehicle is 3 years old) that is, no change**
- every 2 years from the time the vehicle is 3 years old
- every 2 years from the time the vehicle is 3 years old up to 10 years and annually thereafter
- other (please specify)

8. Please could you explain your view further?

PACTS response: Light goods vehicles typically have lower safety standards in the first place as compared to cars. NCAP for vans has been introduced only recently. In addition, LGVs are likely to be used more intensively than cars, with higher annual mileage etc.

The 2021-22 MOT initial failure rate for goods vehicles between 3,000 and 3,500kg GVW was 37.84% with 11.78% of all such vehicles failing the initial MOT test with at least one dangerous item.³ LGVs pose a substantial risk not only to the occupants but also to other road users⁴ and so need to be kept safe and well-maintained. The annual MOT is required to ensure proper roadworthiness.

³ [PACTS-What-kills-most-on-the-roads-Report-15.0.pdf](#) (Figure 4)

9. What effect do think that any move to less frequent MOTs could have on:

- **road safety**
- **the environment**
- vehicle crime
- consumer protection
- any other factor
- I can't think of any effects of having less frequent MOT testing

Please provide any evidence that supports your view.

PACTS response: We have stated above the benefits of the current system. A reduction in test frequency is likely to diminish them.

Safe vehicles is one of five key pillars of the Safe System approach to road safety which the DfT endorses. Less frequent MOT testing will increase the number of vehicles operating on our roads with potentially dangerous defects. This not only creates risk for the vehicle owner / user but also it imposes risk on others who may be involved in a collision caused by a vehicle having a dangerous defect. Increasing risk in one element of the Safe System means that more must be done in other parts in order to maintain or improve safety. Moreover, less frequent MOTs would lead to increase in vehicle breakdowns which result in delays and additional costs.

10. If MOT frequency is reduced, to what extent do you think vehicles are more or less likely to be maintained to legal standards:

- much more likely
- more likely
- no change
- less likely
- **much less likely**
- don't know

11. Why do you think this?

PACTS response: The MOT test is an essential annual safety and emissions check that ensures vehicles meet the minimum legal standards for roadworthiness. LGVs are usually commercial vehicles and owners will be operating under competitive conditions. While some owners will be keen to meet high standards, others may be tempted to cut corners. If the frequency of this test is reduced, there may be less pressure on vehicle owners to maintain their vehicles to the required standards throughout the year. This could lead to a higher number of poorly maintained vehicles on the road, which can increase the risk of accidents and breakdowns. Additionally, without the regular MOT check, drivers may not be aware of potential issues with their vehicles, leading to increased wear and tear and a higher likelihood of costly repairs and posing a risk to drivers, passengers, and other road users. This could result in a lower overall standard of maintenance for vehicles in the UK.

13. What measures should we introduce to mitigate the risks of less frequent MOT testing (tick all the choices that reflect your view)?

- **allowing testers to remove panels to check that vehicle emission reduction systems in traditional (internal combustion engine) cars are present and in working order or to identify other safety issues**
- **service reminder at 2 and 3 year licensing point**
- **changes to MOT advisories for brakes and tyres (where a tester warns the owner of issues which need attention but are not severe enough to mean an MOT failure)**
- **communications from government with vehicle tax reminders about significance of servicing, tyre and brake reminders**
- **I don't consider there to be any increased risks of less frequent MOTs so therefore no mitigations are required**
- **other (please specify)**

PACTS response: PACTS does not support less frequent MOT testing. None of these measures seems likely to have more than a marginal effect in mitigating the adverse effect on the safety of decreasing the frequency of testing or postponing the first test.

Testing of specific vehicles

- 14. How does the MOT (or other roadworthiness testing) need to change to accommodate the differences between electric and hybrid vehicles and traditional internal combustion engine vehicles?**

PACTS response: Testing should stay the same in principle and, if necessary, adapted to the vehicle type. Electric and hybrid vehicles should be tested to also address the possible risks associated with the special characteristics used in these vehicles. These include possible risks of battery fires and implications for brakes and steering from the additional battery weight and different distribution within the vehicle.

- 16. Goods vehicles typically have higher mileage than cars / motorbikes and will therefore have more wear and tear, what specific mitigating measures for large vans should we consider? (for example, MOT tests for vans could be required every 50,000 miles)**

PACTS response: In the 2021-22 MOT data published by DVSA, the initial failure rate was high for the class 7 goods vehicles at around 38%. PACTS report, 'What kills most on the roads?', pointed out that goods vehicles (both light and heavy) have the highest rate of other road user deaths per mile travelled.⁵

It seems reasonable to introduce additional MOT requirements for goods vehicles based on mileage. MOT based on the mileage of the vehicle could be considered if it is feasible to enforce it properly. As suggested, they could be required to have an MOT test every 50,000 miles or once a year, whichever is sooner.

- 17. In your view, should the exemption for historic vehicles need to be reviewed? Why?**

PACTS response: We have no objection to the current exemption of historic vehicles from the MOT as we are not aware of any significant safety issue. If any change is proposed, the numbers, types and conditions of vehicles

⁵ [PACTS-What-kills-most-on-the-roads-Report-15.0.pdf](#), p14.

qualifying for this exemption and their usage patterns should be carefully examined. This should include assessment of data on how many such vehicles are there in the UK, how many miles they travel, and the extent of their involvement in any collisions or incidents on public roads.

Content of testing

18. What changes do you think should be made to elements of the current MOT test for cars, motorbikes and vans? This could be elements that should be added to or removed from the current test or tested in other ways:

- **alternative ways of testing the main failure items such as brakes and tyres**
- **other actions to ensure the emission control technology fitted to cars is operating correctly**
- **enhanced testing of noise emissions**
- **testing of window tinting**
- **change approach on advisory standards (tyres, brakes near safety critical levels)**
- **other (specify)**

19. Please explain the reasons for the change you suggest.

PACTS response: The testing of tyres, brakes, emission control, noise emissions, and tinting of the window are all important for safety and the environment. We would oppose the removal of any of these elements from the MOT.

If better arrangements can be provided, which meet the same or higher standards, PACTS would support the changes. We do not have specific information on what these tests could be.

- 21. Should we use the MOT to collect fuel and energy consumption data on cars and vans to help understand what CO2 emissions are being produced in the real world? (This will not impact on whether a vehicle passes or fails its MOT). Explain with clear reasoning why you are for or against this proposal.**

PACTS response: If the collection of fuel and energy consumption data would help the research into vehicle emissions and hopefully in future contribute towards reducing the negative impact of vehicles on the environment, provided that it does not impair the level of compliance with the requirement to submit vehicles for testing, then PACTS would welcome it.

- 25. Should we explore options for assessing the health of an electric vehicle-specific components, for example, battery, motor?**

PACTS response: PACTS would encourage and support the steps taken towards assessing the safety critical components of electric vehicles.

- 26. Due to their heavier powertrains, should the current 3.5t weight limit for MOTs be increased to 4.25t for zero emission vans, removing the need for them being subject to HGV testing? Please explain your reasoning.**

PACTS response: PACTS would support increasing the MOT weight limit for zero-emission vans, which typically have heavier battery systems than their conventional counterparts, to 4.25t to avoid subjecting them to HGV testing, provided that additional factors associated with increased weight, such as the effects on tyres and braking, are taken into account in the test.

- 27. Should EV conversions (also known as retrofit) be checked at an MOT to verify that an EV conversion has taken place - enabling the DVLA to verify a conversion prior to amending the vehicle record (and VED rate). If this was introduced, do you think the check should be extended to check the safety of any conversion – in which case do you think additional training would be needed to ensure safety for MOT testers?**

PACTS response: Anything safety-relevant in retrofitted vehicles should be checked for compliance with the Road Vehicles (Construction and Use) Regulations 1986 to ensure the safety of the vehicle and other road users.

28. In your view, should we use the MOT to encourage drivers to have faults on recalled vehicles rectified?

PACTS response: The MOT should be used to inform or remind drivers of any faults in their vehicles, including any outstanding recall requirements. If the issue is safety-related, then it should be mandatory for the drivers to get the fault rectified regardless of MOT.

29. Do you think we should move to failing vehicles at MOT where the vehicle has a longstanding recall that has not been rectified?

PACTS response: Yes, if the issue is safety-related.

30. Do you think DfT should take additional measures to combat mileage fraud? If so, what should those be?

PACTS response: PACTS would support measures to combat mileage fraud. Vehicle systems could be connected via onboard diagnostics and could be downloaded as required.

31. Do you believe that any apparent mismatches between the government licensing record for a vehicle and the vehicle presented for an MOT test should be dealt with before an MOT test is carried out? Explain your reasoning.

PACTS response: It is important that the details of the vehicle presented for an MOT test match the government licensing record. This is because discrepancies between the two may indicate issues with the vehicle's

registration, which could potentially have legal and safety implications. This should not delay the conduct of the MOT test, because delay might lead to subsequent non-submission for the test, but appropriate action should follow.

Improving the MOT service

34. Should garages be required to have:

- **equipment that automatically collects data in the test from the likes of brake testers**
- **take photographs at the test that identifies the vehicle (and share this with DVSA)?**

PACTS response: PACTS supports the use of equipment that could automatically collect the test data if it is reliable and accurate. Photographs of the vehicle could be taken at the test and shared with DVSA if this prevents fraud and does not contravene privacy or other laws.

36. **Do you think that the results of DVSA enforcement checks at MOT garages should be published to help motorists make informed choices on where they have their vehicle tested?**

PACTS response: PACTS does not have a specific opinion on this as the benefits of publishing these results are not clear. We recommend that the government conduct more research on this before making a decision.

Publishing these results might help drivers to find reliable testers and make informed choices, but at the same time, some owners of dubious vehicles might be helped to find testers who appear to be less rigorous.

38. Do you think government should do more to drive compliance with getting an MOT on time? What do you suggest and why?

PACTS response: Yes, PACTS would support the initiatives by the government that could encourage the drivers to get the MOT on time, such as reminders sent via SMS and email could be helpful for drivers/owners.

39. Do you think the penalty levels for the wrongdoing of MOT garages and testers should be more severe? Should other options be considered – such as banning MOT testing at a site where serious wrongdoing as occurred?

PACTS response: Penalty levels for wrongdoings should be severe enough to deter further violations. DVSA should also conduct an adequate level of enforcement checks (frequency and depth) to ensure proper compliance by the MOT garages. They should aim to help garages, not simply to penalise.

40. Where MOTs have been found to be done wrongly – do you think DVSA should be able to correct the record – including revoking MOTs incorrectly issued?

PACTS response: Yes, DVSA should be able to amend the records where a mistake has been made. This could include revoking the MOT if required. If the garage has made a mistake while doing the test, then a grace period should be provided to the driver for a new MOT.

41. Do you have ideas for more MOT data that could be shared and what benefits it may bring?

PACTS response: PACTS would support the publication of more comprehensive data as it would be helpful for research in road safety and automobile engineering.

Longer term

47. What alternatives might there be to assure roadworthiness of cars, vans and motorbikes that might replace or supplement the MOT?

PACTS response: More sophisticated onboard diagnostics systems that could enable self-testing and roadworthiness assessment of the vehicle might replace the MOT, provided that these systems are regulated to be of a sufficiently high standard and could not be tampered with.

48. To what extent do you agree/disagree with the following statement “the MOT system needs to change to include tests of new features/types of vehicles for example Advanced Driver Assistance Systems (ADAS)”

- **strongly agree**
- agree
- neither agree nor disagree
- disagree
- strongly disagree

49. Please could you explain your view further?

PACTS response: ADAS are becoming increasingly common features in modern vehicles and an increasingly important part of the vehicle’s safety systems. Drivers will expect them to work and may come to rely on them. PACTS would strongly support the inclusion of all ADAS features that could impact the safety of the vehicle should be tested as part of the MOT.

PACTS recommends that the next steps with regard to MOTs should be to help future-proof the vehicle repair/maintenance and testing sector for the rapid evolutionary changes in technology that we are witnessing, for example with ADAS and other electrical and electronic features. Modern vehicles are increasingly software-based and this trend will continue. In addition, vehicle cameras and sensors are becoming standard and these need to be maintained and tested to maximise their safety potential. Further, engines and exhaust systems with complex after-treatment systems need to be monitored and

tested to ensure that the emissions do not deteriorate over the vehicle's life. Reference should be made to international activity in this area and the opportunity to harmonise with other UN countries through the UNECE World Forum for Harmonization of Vehicle Regulations (WP.29).

50. Should a vehicle fail an MOT if an ADAS safety feature, such as Advanced Emergency Braking (AEB), is indicated as malfunctioning by the vehicle? If so, should this be only for mandated features or include features fitted voluntarily?

PACTS response: There are several ADAS features available in the market that could improve the safety of the vehicle significantly, such as intelligent speed assistance, advanced emergency braking, lane-keeping assist system etc. Many of these features are now mandated by the EU as part of the revised general and pedestrian safety regulations which were implemented in the UKK and Northern Ireland in July 2022. PACTS urges the UK government to adopt them into UK law. These features are now part of the Euro NCAP five-star safety standard and are installed in many new cars sold in the UK.

PACTS recommends that all ADAS features in the vehicle either mandatory or installed voluntarily, should be checked during the MOT. If any of these mandatory safety-critical features are found to be malfunctioning that cannot be fixed on-site during MOT, then the vehicle should fail the MOT. In case of the malfunctioning of the voluntarily installed system, the driver/owner should be given a warning to get it fixed as soon as possible.

51. In the longer term there could be the potential to use data from vehicles to continually monitor key roadworthiness features. At such a point do you still think that the periodic inspection of a vehicle is necessary?

PACTS response: At some point, it may be possible to monitor the key roadworthiness features of the vehicle constantly and automatically. Some form of audit would be needed for the monitoring system to ensure safe and effective functioning and to prevent tampering.

Vehicles with self-driving features

- 54. At what point could the Authorised Self-Driving Entity (ASDE) take on responsibility for roadworthiness requirements, and for what elements should it be responsible?**

PACTS response: In our opinion, the Authorised Self Driving Entity (ASDE) should be responsible for the safety and roadworthiness of the vehicle any time that the self-driving feature is activated.

- 55. What should the MOT test on vehicles with self-driving features, and how should these be tested?**

PACTS response: There are a lot of commonalities between self-driving vehicles and conventionally driven vehicles in the mechanical testing needed, but for the more advanced features, it is probably for the ASDE to be able to demonstrate how they ensure their vehicles are adequately capable every time the self-driving feature is activated (self-diagnosis and logging of roadworthiness state).

- 56. Do any elements of the testing of self-driving features need to be addressed through a different mechanism?**

PACTS response: As self-driving vehicles are still in the development stage, it is difficult to say whether the self-assessment of safety-critical systems would be possible or not. Theoretically, it seems feasible, whether they would require any additional monitoring or checks could only be decided once more data is available.