



STATUTORY INSTRUMENTS.

S.I. No. 414 of 2017



AUTHORISATION OF COMMERCIAL VEHICLE ROADWORTHINESS
TEST OPERATORS AND TESTERS (AMENDMENT) REGULATIONS
2017

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 4, 9, 11(2), 16(1) and 17 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) and for the purpose of giving effect to Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014¹ hereby make the following regulations:

1. (1) These Regulations may be cited as the Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017.

(2) These Regulations come into operation on 20 May 2018.

2. In these Regulations “Regulations of 2013” means the Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013 (S.I. No. 107 of 2013).

3. The Regulations of 2013 are amended in Regulation 3 by:

(a) deleting the definitions of “category”, “company”, “CVR vehicle”, “design gross weight”, “heavy CVR vehicle”, “light CVR vehicle”, “partial CVR test”, “re-test” and “Regulations of 2004”; and

(b) inserting the following definitions:

“‘Agricultural Vehicle Type-approval Framework Regulation’ means Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013² on the approval and market surveillance of agricultural and forestry vehicles, as last amended by Regulation (EU) No. 2016/1788³;

‘category’,

(a) in relation to a vehicle other than a tractor, means a category of vehicle within the meaning of Annex II to the Type-approval Framework Directive⁴ and references to particular

¹OJ No. L 127, 29.4.2014, p. 51.

²OJ No. L 60, 2.3.2013, p. 1.

³OJ No. L 277, 13.10.2016, p. 1.

⁴OJ No. L 263, 9.10.2007, p. 1

categories of vehicle are to those categories of vehicle specified in that Annex, or

- (b) in relation to a tractor, means a Category T vehicle within the meaning of Article 4 of the Agricultural Vehicle Type-approval Framework Regulation²;

‘company’ means a company formed and registered under the Companies Act 2014 (No. 38 of 2014) or an existing company within the meaning of that Act;

‘CVR vehicle’ means—

- (a) a vehicle with more than 8 seats, excluding the driver's seat, used for the carriage of passengers and their luggage (categories M2 and M3) with a design speed exceeding 25km/hr,
- (b) a goods vehicle (categories N1, N2 and N3) with a design speed exceeding 25km/hr,
- (c) an ambulance (special purpose vehicles in category M) with a design speed exceeding 25km/hr,
- (d) a motor caravan (special purpose vehicles in category M) with a design speed exceeding 25km/hr,
- (e) a tractor in category T with a maximum design speed exceeding 40km/hr, the use of which mainly takes place on public roads for commercial road haulage purposes, or
- (f) a trailer (categories O3 and O4) with a design speed exceeding 25km/hr;

‘design gross vehicle weight’ means the gross weight of a vehicle laden with the heaviest load which it can reasonably carry having regard to the engine capacity, brakes, tyres and general construction of such vehicle and shall, until the contrary is shown, be taken to be its design gross weight as specified by the manufacturer or, where the design gross weight of the vehicle as specified by the manufacturer is not ascertainable, the design gross weight of the vehicle as specified by an automotive engineer;

‘heavy CVR vehicle’ means a CVR vehicle having a design gross vehicle weight exceeding 3,500 kilograms including category M2 vehicles and ambulances (special purpose vehicles in category M);

‘light CVR vehicle’ means a CVR vehicle which is not a heavy CVR vehicle;

‘nominated training provider’ means a person or body prescribed by the Minister under section 4 (2)(g) of the Act of 2012;

‘partial CVR test’ means a roadworthiness test of a CVR vehicle on foot of a direction issued under—

- (a) section 31 or 35 of the Act of 2012, by an authorised officer, or
- (b) section 35 of the Act of 2012, by a CVR inspector,

in respect of one or more items specified in regulations made under section 4(2)(c) of the Act of 2012;

‘re-test’ means any test subsequent to an initial or periodic CVR test which is carried out on a vehicle in accordance with Regulation 16 of the Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013 (S.I. No. 347 of 2013), as amended, on foot of the refusal of a pass statement for that vehicle at its initial or periodic CVR test where:

- (a) the subsequent test is carried out on a day which is not more than 21 calendar days immediately after the day of the initial or periodic CVR test, as the case may be, and
- (b) the reading of the vehicle's odometer at presentation for the subsequent test is no more than 4,000 kilometres greater than the reading at the time when that initial or periodic CVR test was carried out;

‘Type-approval Framework Directive’ means Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007⁴, as last amended by Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015⁵.”.

4. The Regulations of 2013 are amended by substituting the following for Regulation 11:

“CVR testers — application for authorisation

11. (1) An application for authorisation as a CVR tester, other than an application by a person to whom Regulation 12 applies, shall be made to the Authority in the form specified in Part 3 of Schedule 1 and shall be accompanied by:

- (a) evidence that the applicant—
 - (i) holds an Advanced Certificate Craft, National Craft Certificate or equivalent qualification from another country to at least level 6 on the National Framework of Qualifications

⁵OJ No. L 123, 19.5.2015, p. 77

(NFQ) in the skill area of Light Vehicle, HGV, Agricultural or Construction Mechanic, or

- (ii) a Senior Trade Certificate or Record of Attainment from the Further Education and Training Authority (SOLAS) demonstrating competencies equivalent to the standard for a National Craft Certificate, and
- (iii) has, subsequent to achieving a qualification referred to in clauses (i) or (ii)—
 - (I) in the case of an application to test light CVR vehicles only, at least 12 months work experience repairing and maintaining light CVR vehicles,
 - (II) in the case of an application to test heavy CVR vehicles or an application to test both heavy CVR vehicles and light CVR vehicles, at least 12 months work experience repairing and maintaining heavy CVR vehicles,
 - (III) in the case of an application to test heavy CVR vehicles or an application to test both heavy CVR vehicles and light CVR vehicles where the applicant’s qualification is in the skill area of “Light Vehicle”, at least 18 months work experience repairing and maintaining heavy CVR vehicles, and
 - (IV) in the case of an application to carry out ADR and/or tractor (category T) tests, at least 12 months work experience testing heavy CVR vehicles immediately preceding their commencement of the relevant training course with the nominated training provider,

and

- (b) a notification, where appropriate, under section 12 of the Act of 2012.

(2) For the purposes of paragraph (1)(a)(i), “equivalent” means a qualification which, based on a Comparability Statement obtained from NARIC Ireland (hosted by Quality and Qualifications Ireland), is of a standard in terms of both level and content of learning that is not lower than the standard of those qualifications specified at paragraph (1)(a)(i) and is subsequently recognised by the Authority, as equivalent to either of those qualifications.

(3) Where the Authority authorises a person as a CVR tester, the Authority shall issue to such person an authorisation in the form specified in Part 4 of Schedule 1.”.

5. The Regulations of 2013 are amended by substituting the following for Regulation 15 (4):

“(4) During a CVR test, a CVR tester shall not carry out, or cause or permit to be carried out, any repairs on the CVR vehicle other than the replacement of a blown or missing headlamp bulb and adjustment of headlight focus to the required standard.”.

6. The Regulations of 2013 are amended in Schedule 1, Part 1 in the form “Application for CVR Test Operator Authorisation (New CVR Testing Centre)” by:

- (a) substituting the following in paragraph 4 for the text under the heading “Qualifications of the person responsible for the day-to-day management of the CVR testing centre”:

“The person responsible for the day-to-day management of the CVR testing centre is required to undergo an initial CVR test operator training course. These courses will be conducted by the nominated training provider. The RSA will be providing the nominated training provider with the contact details of the person named above regarding completion of this course.”;

- (b) substituting the following for paragraph 4.2:

“4.2 Requirement to have ISO 9001 Certification

	Yes
Please confirm that that you will provide a copy of your ISO 9001/CITA 9B Certification as soon as same is received, but in any event, within nine months of the commencement of your authorisation.	<input type="checkbox"/>

”;

- (c) inserting the following in paragraph 6 after reference number 21:

“

22	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
23	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

- (d) inserting the following in paragraph 7 after reference number 28:

“

29	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
30	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

- (e) substituting the following in paragraph 9 for the text under the heading “Tax clearance”:

“Applicants are required to demonstrate that they are tax compliant at the time of making this application.”;

- (f) substituting the following in paragraph 14 for the text under the heading “Checklist”:

“Please tick the checklist below to confirm that all necessary documentation is enclosed.

<input type="checkbox"/>	Proof of current tax compliance.
<input type="checkbox"/>	Documentation demonstrating that you have sufficient financial resources or have access to such resources (as per Section 5 of this form).
<input type="checkbox"/>	A letter from your insurance company (<i>not your broker</i>) detailing the cover provided (as per Section 5 of this form).
<input type="checkbox"/>	If applicable, a completed and signed Conviction Notification Form- provided at Appendix A.

”;

7. The Regulations of 2013 are amended in Schedule 1, Part 1 in the form “Application for renewal of authorisation — CVR test operator” by:

- (a) substituting the following in paragraph 4 for the text under the heading “CVR vehicle types”:

“Please tick the appropriate box(es) below to indicate the type(s) of vehicle that the testing centre is currently authorised to test.

Heavy Commercial Vehicle	<input type="checkbox"/>
Light Commercial Vehicle	<input type="checkbox"/>
ADR	<input type="checkbox"/>
Tractor (category T)	<input type="checkbox"/>

”;

- (b) substituting the following in paragraph 4 for the text under the heading “Number of anticipated tests”:

“Please indicate the number of CVR tests that you anticipate will be conducted on an annual basis

	Number of Tests
Heavy Commercial Vehicle	
Light Commercial Vehicle	
ADR	
Tractor (category T)	

”;

- (c) inserting the following in paragraph 4.9 under the heading “Details of test equipment for Light Commercial Vehicles (LCV)” after reference number 21:

“

22	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
23	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

- (d) inserting the following in paragraph 4.9 under the heading “Details of test equipment for Heavy Commercial Vehicles (HCV)” after reference number 28:

“

29	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
30	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

- (e) substituting the following in paragraph 5 for the text under the heading “Tax clearance”:

“Applicants are required to demonstrate that they are tax compliant at the time of making this application.”;

- (f) substituting the following in paragraph 8 for the text under the heading “Checklist”:

“Please tick the checklist below to confirm that all necessary documentation is enclosed.

<input type="checkbox"/>	Proof of current tax compliance.
<input type="checkbox"/>	ISO/CITA 9B Certificate (as per Section 4 of this form).
<input type="checkbox"/>	Documentation demonstrating that you have sufficient financial resources or have access to such resources (as per Section 5 of this form).
<input type="checkbox"/>	A letter from your insurance company (<i>not your broker</i>) detailing the insurance cover provided (as per Section 5 of this form).
<input type="checkbox"/>	If applicable, a completed and signed Conviction Notification Form. See Appendix A.

”;

8. The Regulations of 2013 are amended in Schedule 1, Part 1 in the form “Application for amendment to a CVR test operator authorisation” by:

- (a) substituting the following for paragraph 2:

“2. Amendment required to CVR test operator authorisation

Please complete the appropriate box(es) below regarding the amendment(s) required to your authorisation.

Please indicate the CVR vehicle type you wish to add to your Authorisation		HCV <input type="checkbox"/> LCV <input type="checkbox"/>
Please indicate the number of testing lane(s) you wish to add to your CVR testing centre		HCV <input type="checkbox"/> LCV <input type="checkbox"/>
Please indicate if you wish to add ADR testing to your authorisation		<input type="checkbox"/>
Please indicate if you wish to add tractor (category T) testing to your authorisation		<input type="checkbox"/>
Please note that in order to apply for authorisation to carry out ADR and/or tractor (category T) testing you must already be authorised to test Heavy Commercial Vehicles (HCV) for at least one year immediately preceding your commencement of the relevant training course with the nominated training provider.		
Date of application:		

”;

- (b) substituting the following in paragraph 4 for the text under the heading “Number of anticipated tests”:

“Please indicate the number of CVR tests that you anticipate will be conducted on an annual basis:

	Number of Tests
Heavy Commercial Vehicle	
Light Commercial Vehicle	
ADR	
Tractor (category T)	

”;

- (c) substituting the following for paragraph 4.2:

“4.2 Additional Authorisations

Section 4.2 only needs to be completed by applicants wishing to add either ADR and/or tractor (Category T) testing to their authorisation

ADR — Please note that only authorised ADR testers can carry out ADR tests

	Yes	No
Please confirm that you have tester(s) authorised to carry out ADR tests. Note: If the answer is No the persons you propose to engage as ADR testers must apply for authorisation as an ADR tester (Contact the RSA for the required form)	<input type="checkbox"/>	<input type="checkbox"/>

Tractor (category T) — Please note that only authorised tractor (category T) testers can carry out tractor tests

“

	Yes	No
Please confirm that you have tester(s) authorised to carry out tractor (category T) tests.	<input type="checkbox"/>	<input type="checkbox"/>
Note: If the answer is No the persons you propose to engage as tractor (category T) testers must apply for authorisation as a Category T tester (Contact the RSA for the required form)		

”;

(d) inserting the following in paragraph 6 after reference number 21:

“

22	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
23	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

(e) inserting the following in paragraph 7 after reference number 28:

“

29	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
30	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

9. The Regulations of 2013 are amended in Schedule 1, Part 1 in the form “Application for temporary transfer of a CVR test operator authorisation” by:

(a) substituting the following in paragraph 4 for the text under the heading “CVR vehicle types”:

“Please tick the appropriate box(es) below to indicate the type(s) of vehicle that the testing centre propose to test.

Heavy Commercial Vehicle	<input type="checkbox"/>
Light Commercial Vehicle	<input type="checkbox"/>
ADR	<input type="checkbox"/>
Tractor (category T)	<input type="checkbox"/>

”;

(b) substituting the following in paragraph 4 for the text under the heading “Number of anticipated tests”:

“Please indicate the number of CVR tests that you anticipate will be conducted on an annual basis

	Number of Tests
Heavy Commercial Vehicle	
Light Commercial Vehicle	
ADR	
Tractor (category T)	

”;

(c) inserting the following in paragraph 6 after reference number 21:

“

22	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
23	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

(d) inserting the following in paragraph 7 after reference number 28:

“

29	An OBD scan tool (required from 1 Jan 2023)	<input type="checkbox"/>
30	A device to detect LPG/CNG/LNG leakage, if such vehicles are tested (required from 1 Jan 2023)	<input type="checkbox"/>

”;

(e) substituting the following in paragraph 9 for the text under the heading “Tax Clearance”:

“Applicants are required to demonstrate that they are tax compliant at the time of making this application.”;

(f) substituting the following in paragraph 11 for the text under the heading “Checklist”:

“Please tick the checklist below to confirm that all necessary documentation is enclosed.

<input type="checkbox"/>	Written consent from the personal representative where a family member is seeking temporary authorisation in the case where the holder of the authorisation is deceased.
<input type="checkbox"/>	A death certificate for the person to whom the authorisation as a CVR test operator was issued OR a doctor’s letter certifying the incapacity of the person to whom the authorisation as a CVR test operator was issued.
<input type="checkbox"/>	Proof of current tax compliance.
<input type="checkbox"/>	Documentation demonstrating that you have sufficient financial resources or have access to such resources (as per Section 9 of this form).
<input type="checkbox"/>	A letter from your insurance company (<i>not your broker</i>) detailing the insurance cover provided (as per Section 9 of this form).
<input type="checkbox"/>	If applicable, a completed and signed Conviction Notification Form — provided at Appendix A of this form

”.

10. The Regulations of 2013 are amended in Schedule 1, Part 2, section 2 by:

(a) substituting the following for paragraph 6.3:

“6.3 With the exception of newly authorised test centres, you shall hold ISO 9001/CITA 9B Certification. Newly authorised testing centres must comply with this requirement as soon as such certification is received and in any event within nine months of the commencement of your authorisation. All authorised testing centres must notify the Road Safety Authority of any major non-compliances/non-conformances reported by an independent ISO/CITA 9B certification assessor, within one working day.”;

(b) substituting the following for paragraph 10.3(a):

“(a) for each financial year that you are authorised as a CVR test operator, submit to the Authority as soon as same become available, but in any event, within 180 days after the end of each financial year:

(i) a copy of your audited financial statements including details of the CVR tests completed and the CVR testing fees charged by you during such financial year, or

(ii) if you are not required by law to prepare, and do not have, audited financial statements for a financial year, a copy of your unaudited financial statements, including details of the CVR tests completed and the CVR testing fees charged by you during such financial year together with:

(I) a letter from your accountant stating that, to the best of his or her knowledge and based on the information provided by you, the accounts are a fair representation of your financial position; and

(II) a letter from your bank confirming that you have the necessary financial resources to provide CVR testing.”.

11. The Regulations of 2013 are amended in Schedule 1, Part 3 by deleting the form “Application for authorisation as a CVR tester (to be completed by existing CVR testers)”.

12. The Regulations of 2013 are amended in Schedule 1, Part 3 in the form “Application for authorisation as a new CVR tester or for an amendment to an existing CVR tester authorisation” by:

(a) substituting the following for paragraphs A1 and A2:

“A1. Personal Details

First name			
Surname			
Address			
Date of birth			
Email address		PPS Number	
Phone number		Mobile phone number	

Please enclose with your application a recent photograph measuring between 35mm x 45mm and 38mm x 50mm, showing your head and shoulders and complying in other respects with standards for passport photographs.

Print your name on the back of the photograph.

Note: — If you are seeking an amendment to your authorisation please indicate your existing CVR tester Authorisation Number _____

Please tick the box(es) below to indicate the type(s) of commercial vehicle you wish to be authorised to test.

<input type="checkbox"/>	Heavy Commercial Vehicles (HCV) only	<input type="checkbox"/>	Light Commercial Vehicles (LCV) only
<input type="checkbox"/>	Both Heavy and Light Commercial vehicles	<input type="checkbox"/>	Vehicles carrying dangerous goods (ADR)*
<input type="checkbox"/>	Tractors (category T vehicles)*		

(*Application for authorisation to conduct ADR and/or tractor (category T) tests only applies where HCV authorisation has been granted for at least one year immediately preceding the commencement of the relevant training course with the nominated training provider).

A2. Qualifications

You must hold a recognised qualification as follows:

- Persons applying for authorisation to test **Light Commercial Vehicles** must hold either:

- (a) an Advanced Certificate Craft, National Craft Certificate or an equivalent qualification from another country to at least level 6 on the National Framework of Qualifications (NFQ), or
- (b) a Senior Trade Certificate or Record of Attainment from the Further Education and Training Authority (SOLAS) demonstrating competencies equivalent to the standards for a National Craft Certificate

in the skill area of Light Vehicle, HGV, Agricultural or Construction Mechanic.

- Persons applying for authorisation to test **Heavy Commercial Vehicles** must hold either:
 - (a) an Advanced Certificate Craft, National Craft Certificate or an equivalent qualification from another country to at least level 6 on the National Framework of Qualifications (NFQ), or
 - (b) a Senior Trade Certificate or Record of Attainment from the Further Education and Training Authority (SOLAS) demonstrating competencies equivalent to the standards for a National Craft Certificate in the skill area of HGV, Agricultural or Construction mechanic.
- Persons applying for an amendment to their authorisation to conduct ADR and/or tractor (category T) tests must have been authorised to test Heavy Commercial Vehicles for at least one year immediately preceding their commencement of the relevant training course with the nominated training provider.

Applicants with an Irish qualification

Please specify the qualification you hold that meets the above requirements.

You must enclose a copy of your certificate with this application. Your certificate will be verified by the Road Safety Authority as part of the assessment of your application.

Applicants with a qualification from another country

If you hold a foreign qualification you should visit the website of NARIC Ireland — www.naric.ie

This website provides recognition advice on foreign qualifications and you can download a Comparability Statement for your qualification

free of charge. The service is hosted by Quality and Qualifications Ireland QQI.

Please specify the title of the qualification you hold below that meets the above requirements and enclose:

- (a) a copy of the certification you received;
- (b) a certified translation into English of that certificate if in another language;
- (c) a copy of your Comparability Statement;
- (d) a statement outlining the subjects studied and their equivalents under the Irish National Craft Cert.

These items will be assessed by the Authority as part of the review of your application.

Title of qualification you hold

--

”;

- (b) substituting the following for paragraph A5:

“Declaration by applicant

I wish to apply for authorisation as a CVR tester or for an amendment to an existing CVR tester authorisation.

I understand that I must supply the Road Safety Authority with information appropriate to this application and that failure to supply full details and relevant documentation and failure to sign this application can result in this application being refused.

I hereby declare that the information furnished in this application and in the accompanying documents is true, complete and accurate.

I consent to the Road Safety Authority checking the accuracy of the information provided in this application including checking my qualifications and previous work experience.

I acknowledge that I must notify the Authority if I am, or have been, convicted of any of the offences specified in Section 12(1) of the Act of 2012.

I wish to apply for enrolment on an initial CVR tester training course relevant to my application. I accept that submission of this application does not guarantee enrolment on a CVR tester training course. I

understand that the Road Safety Authority may supply the information on this application form to the [insert name of nominated training provider] in connection with the training course.

Printed name	
Signature	
Date	

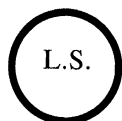
Checklist

Please tick the checklist below to confirm that all necessary documentation is enclosed

<input type="checkbox"/>	A recent passport-size photograph — see Part A1.
<input type="checkbox"/>	A copy of your Advanced Certificate Craft, National Craft Certificate or an equivalent qualification from another country to at least level 6 on the National Framework of Qualifications (NFQ), or A copy of your Senior Trade Certificate or Record of Attainment from the Further Education and Training Authority (SOLAS) demonstrating competencies equivalent to the standards for a National Craft Certificate, or For qualifications from another country, a copy of both the certification you received, a translation if necessary AND your Comparability Statement from NARIC Ireland (from the website hosted by Quality and Qualifications Ireland (QQI) (See Part A2)*).
<input type="checkbox"/>	Applicant statement outlining the subjects studied and their equivalents under the Irish National Craft scheme.
<input type="checkbox"/>	A statement from your current or former employer(s) confirming your experience. See Part A3.
<input type="checkbox"/>	If applicable, a completed and signed Conviction Notification Form — See Appendix A.

*You only need to submit a copy of your Advanced Certificate Craft/National Craft Certificate/Senior Trade Certificate/Record of Attainment or an equivalent certificate (and comparability statement) from another country — where you are making an application to be authorised as a new CVR tester.

”.



GIVEN under my Official Seal,
21 September 2017.

SHANE ROSS TD,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations amend the Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013 (S.I. No. 107 of 2013) to provide (along with the Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017) for the transposition of the new EU Vehicle Roadworthiness Testing Directive (Directive 2014/45/EU) into national law.

The Regulations provide for the following:

- (a) the inclusion of tractors (category T vehicles) with a maximum design speed exceeding 40km/hr being used for commercial road haulage purposes within the CVR vehicle definition,
- (b) updates to the qualifications required for the purposes of being authorised as a CVR tester, to include mandating that persons wishing to be authorised to carry out ADR and/or tractor (category T) tests must have at least 12 months work experience testing heavy CVR vehicles immediately preceding their commencement of the relevant training course with the nominated training provider,
- (c) enabling CVR testers to replace blown or missing headlamp bulbs (where necessary) prior to checking the focus of same during a test,
- (d) replacing the reference to Athlone Institute of Technology (A.I.T) with “nominated training provider”,
- (e) providing that newly authorised test centres have nine months to submit their ISO 9001/CITA 9B certification to the Authority,
- (f) mandating two new pieces of test equipment from 1st January 2023, namely an OBD scan tool and a device to detect LPG/CNG/LNG leakage, if such vehicles are tested, and
- (g) amendments to the Forms contained in Schedule 1 to provide (where relevant) for the introduction of the changes reference at (a) to (f) above, including introducing exemptions from the requirement to produce both audited accounts if not required under company law and a tax clearance certificate considering this information is now available electronically.

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