

# UK AFCAR response to the MOT consultation questions



21<sup>st</sup> March 2023

## General

1. Are you responding as:

- an individual or
- **on behalf of an organisation**

2. (For individuals) Do you have a vehicle or vehicles that require MOT testing?

- yes
- no

3. What vehicle are you referring to during your response?

- motorcycle
- car
- van
- other

4. (For organisations) what is the size of your business by the number of employees?

- 1-9
- 10-49
- 50-249
- **250+**

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

- **yes (some of our members do)**
- no

## Questions relating to part 1:

### Changing the date of the first MOT and other proposals for change in 2023

For all respondents

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.

Although the MOT scheme should be reviewed, we do not believe that changing the frequency would be beneficial. This is likely to create higher safety risks and not help reduce vehicle emissions, especially when increased through undetected tampering. We strongly believe that the current frequency is a principal element of the MOT scheme that provides a high level of road safety and is considered by vehicle owners to provide an annual robust assurance of their vehicle's roadworthiness conducted by an expert inspector.

Any perceived financial benefits for vehicle owners by changing the first MOT test to 4 years would be limited to those who can afford vehicles that are less than 4 years old, and the mitigating actions described in this consultation (e.g. in Q3 below) to increase vehicle servicing/inspection levels will be likely to obviate any saving from changing the existing MOT test frequency.

The MOT Test data which supports our view, including the higher failure rate of hybrid and fully electric vehicles on e.g. tyres, is already well known to the DfT/DVSA, as well as the processed data from sources such as the IMI/Garage Hive, so we do not replicate it here.

However, it is worthy of note to consider the latest 2022 data concerning failures on tyres that shows the 'uplift' between diesel vehicles (i.e. heavier vehicles with greater engine torque) and EV's shows that the failure rate is almost 63% higher for EVs.

Equally, there are the risks in prolonging the first test in identifying those vehicles which have been subjected to emissions related tampering (i.e. the 'gross polluters'), with the subsequent increase in (the especially harmful ultrafine particle) environmental pollution that they would create for another year.

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 – vehicle manufacturers have a direct vehicle type approval requirement (EU 2017/1151, Annex I, point 2.3.3 - also see our response to Q30 in Part 2) to protect against mileage fraud. Equally, all new vehicles have eCall, which introduces the ability to remotely communicate with a vehicle (as contained in the above type approval reference). This remote communication is frequently used to monitor service and repair requirements that would include the mileage of the vehicle, so ‘plausibility monitoring’ of any reduction could be reported by the vehicle manufacturers to the DVSA.
- 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) We do not support any change to the MOT test frequency, so have only responded to the 2<sup>nd</sup> point above.

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?

Yes – this is of particular importance to identify ‘vehicle tampering’ in relation to diesel particulate filters (DPFs) which cannot be effectively tested using an opacity meter (e.g. opacity meters are very difficult to calibrate at the very low end of the measurement scale) or by visual inspection. However, we also believe that this should also be considered for modern direct injection petrol engines which emit high levels of ‘ultrafine’ (<2.5 µm) particulates that are particularly hazardous to human health (and also create high levels of NO<sub>x</sub>).

5. Do you have any views on how we should implement PN Testing (likely to be post 2013 diesel engine vehicles) such as phasing in the requirement for garages to invest in PN testing equipment?

We agree that PN testing should be introduced, but that it should also apply to any vehicle that required a DPF to be fitted as a type approval requirement (i.e. before 2013 for some Euro 4 vehicles onwards to test many ‘gross polluters’) and that this should be phased-in (perhaps on a sliding scale relating to the vehicle’s age, starting from the date of 1<sup>st</sup> registration to identify the oldest/gross polluters first), but we believe that there are several critical aspects to be considered.

Firstly, the current failure rates for Euro 6 vehicle diesel emissions in those EU countries who have already introduced PN testing is just under 10%, but the number of Euro 6 vehicles being tested will increase rapidly (both in the EU and in the UK). It is important to ensure that there is sufficient capacity in the Aftermarket supply chain for replacement DPFs for European, as well as UK demand, as the current demand/production levels for Euro 6 vehicle DPFs are low and type approval/homologation of replacement DPFs will also impose a further delay in bringing competitive products to the market (needed to avoid only the vehicle manufacturer’s replacements being available). Therefore, there need to be allowances for a) planned investment by the MOT test station and b) sufficient time for both

replacement DPF suppliers and for test equipment manufacturers to schedule manufacturing and delivery/installation (this is likely to need at least 18 months).

## For companies that carry out MOT testing

6. How would your business be affected by changes to the date of the first MOT test?

Direct loss of income and profit from reduced vehicle servicing requirements

7. To what extent is it fair to assume that any fall in the number of MOTs will free up garage staff and allow them to complete other tasks?

- completely unfair
- **unfair**
- uncertain
- fair
- completely fair
- don't know

8. To what extent does your business rely on MOTs for custom?

Our members report that typically between 40% and 50% of vehicle servicing work also then includes an MOT test, so any change to the frequency would have a direct impact on the business.

- completely reliant
- **somewhat reliant**
- not reliant
- don't know

9. Do you have staff purely dedicated to MOT testing

- **Yes**
- No
- don't know

10. If yes, what percentage of your employees are only MOT testers?

Due to the wide variety of businesses and the way that MOT tests are allocated within the business (i.e. businesses who only conduct MOT tests through multi-site operators to a small village garage where the MOT tester is also involved in many other aspects of the business), this cannot be simply answered.

## For individuals who own cars, motorbikes and vans

We are not responding to this section's two questions.

11. How do you usually seek your vehicle's annual servicing and MOT?

- my vehicle gets serviced and its MOT together
- my vehicle gets serviced and its MOT at different points
- I don't usually get my vehicle serviced
- unsure

12. To what extent would you continue to undertake servicing of your vehicle annually despite not being prompted to by an MOT?

- very unlikely
- unlikely
- uncertain
- likely
- very likely

## For businesses with a vehicle fleet

13. How would your business be affected by changes to the date of the first MOT test?

Vehicle leasing companies and fleet operators do not consider a change to the first MOT being conducted in year 4 as having any benefits. There would not be a significant cost benefit over the lease contract period in saving the 1<sup>st</sup> MOT test at 3 years and any warranty related repairs that would normally be conducted if the vehicle fails its 1<sup>st</sup> MOT at 3 years, would be excluded, increasing the cost of the lease contract.

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

## General

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?

Quite simply our experience and customer feedback show many drivers will only conduct repair and maintenance actions when needed and rely on the annual MOT to indicate what these would be. Equally, few of today's vehicle owners conduct safety-centric checks and only seek professional advice/vehicle repair when the vehicle becomes problematic/breaks down.

### 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)? Annually and/or depending on mileage driven, this would also capture the high Class 7 failure rates (also see our response to Part 2 Q8 below).

4. Please could you explain your view further? (150 words max)

See our response to Q2 above.

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? (150 words max)

As motorcyclists are 'vulnerable road users' and as there are some especially safety specific aspects e.g. tyre wear rate is high compared to cars over a similar mileage and there are normally only two tyres in contact with the road (not four), keeping the 1<sup>st</sup> MOT at 3 years is the best option from the choices above.

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) For Class 7 vehicles, the MOT test should be annually from year 1 – see our response in Q3 above and Q8 below.

8. Please could you explain your view further? (150 words max)

Many of these vehicles are heavily used for multiple daily deliveries which exacerbates the 'wear and tear' on the vehicle's tyres, brakes, steering, suspension etc. and that equally, the multiple delivery requirements (often paying the driver based on the number of deliveries made per day) leaves limited time or incentive to ensure a vehicle is always in a fully roadworthy condition.

We consider that Class 7 vehicles are a 'new case scenario' with the significant rise in home deliveries, creating higher volumes of these vehicles, which in turn are being more frequently used for multiple local deliveries that exacerbates the mechanical wear and tear on vehicle components (as explained in the paragraph above), as well as heavier EV versions become more prevalent.

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.

Please see our response to Q1 above.

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 (include any evidence that supports your view)? (150 words max)

We believe that by reducing the frequency, the public will perceive this as being an indication that vehicles are 'more reliable' and will not need any work between MOT tests, especially on those (many) vehicles which use driver style/journey type to calculate when a service is required – which is often then a service only every two years.

This would be a contradiction to any Governmental message that vehicles need to be maintained more frequently to offset the change in MOT frequency. A more frequent service inspection, especially if this then needed to include additional safety related items to

be checked, would also outweigh the perceived benefits/reduced cost of the first MOT test being conducted when a vehicle is 4 years old.

12. In your view, if you believe that your vehicle had a fault, either through a warning light or your own knowledge, before it's MOT due date, how likely would you seek a repair of your vehicle?

- very likely
- likely
- unsure
- unlikely
- very unlikely
- don't know

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 **We do not believe that this is a viable solution for a variety of reasons – increased cost of testing to cover the time taken to remove/replace the panels, knowing how to remove panels will need a payment to access vehicle manufacturer's data to support that the correct procedure has been followed and when accessing items, it can only be an external visual inspection, which would still not be able to identify possible tampering (e.g. a blanked-off EGR valve) and the potential conflict caused by any missing/broken fixings or vehicle damage caused that is then challenged by the vehicle owner or would be simply blamed on the inspector even if they did not cause the damage (also see our answer to Q19 below concerning how an alternative test could be conducted using an electronic test tool).**
- service reminder at 2 and 3 year licensing point - **likely to be ignored due to the increased costs – see our responses to Q2 and Q11 above concerning the approach of vehicle owners and the 'bespoke' servicing requirements of many vehicles.**
- 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) **We believe that advisories are frequently ignored and will only be addressed when the vehicle will fail/has now become problematical. We consider that in certain cases (e.g. tyre or brake component wear), advisories should either change to become a failure, or become time-limited so that the vehicle loses its MOT pass status if the repair has not been conducted within a limited period.**
- communications from government with vehicle tax reminders about significance of servicing, tyre and brake reminders **We believe that a small percentage of vehicle owners will take note and act accordingly, but the majority will not – please also see our response to Q2 and Q11 above.**



- I don't consider there to be any increased risks of less frequent MOTs so therefore no mitigations are required
- Other (please specify) **We do not believe that these mitigation actions would resolve the issues of the proposed changes to the MOT test frequency and that the cost benefit analysis of these 'communication actions' is unlikely to be positive.**

### 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? **EV specific tyres and suspension components need to be the correct for the vehicle (e.g. the correct type of tyres for an EV, the correct suspension components for an EV and are fitted to the vehicle and not just the assessment of the condition of those items). There should also be an inspection of the battery's physical condition (e.g. frequent fast-charging of the battery can cause the casing to split) and high voltage cables for damage. Additionally, the emissions from hybrid vehicles should be tested.**

15. If garages only wish to maintain and test electric vehicles, do you think we should allow authorisation without the equipment needed for testing internal combustion engines?

**Yes, but if this was only purely BEV's, then the only difference would be not to test tailpipe emissions. This would not appear to be a worthwhile consideration until many years ahead.**

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)

**We agree with this proposal - see our responses to Q3 and Q8 above.**

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

**No – and yes in the future.**

**Firstly, there may also be a requirement from some insurance companies, who increasingly require a valid MOT test to ensure that the vehicle has been independently inspected and remains roadworthy (obviously at the time of test, but this is then no different to other road vehicles).**

**Secondly, the wider issue is about the training of an MOT inspector on how an historic vehicle functions (e.g. not understanding a mechanical brake servo, or cable actuated brakes), given that MOT testers do not now have to be trained mechanics, they just need to know how to conduct the inspection test.**

**Thirdly, in the longer term, 'historic vehicles' will include advanced electronic systems and other safety critical control functions, so we propose that there is a review every 5 years to consider the cut-off point for vehicles to be considered 'historic' if they are to remain outside of the MOT test scheme.**

## 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)

We believe that some advisories, particularly for tyres and brake system components should become time-limited – i.e. the MOT Pass be subject to rectification within a limited period. With the ability to pay on a monthly basis for the road fund license, this has become more critical.

It is also felt that motorists don't check their tyres routinely and rely on legislative systems being in place to ensure that their vehicles are roadworthy.

- other (specify) Functionality testing of electronically controlled systems, especially those which are fitted as a vehicle type approval requirement – e.g. ADAS or for emission control related components.  
However, this introduces a fundamental question of who sets the test criteria and the pass/fail criteria – this should be the MOT test authority and not the vehicle manufacturer.

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

Safety systems are increasingly being used to assist the driver, or directly control a vehicle to increase road safety. Many of these systems are mandatory as part of new vehicle model type approval and require calibration of cameras/sensors to ensure that they function correctly. Therefore, as a minimum, these systems should be tested as part of an MOT test by using an 'electronic test tool' device connected to the vehicle (e.g. via the standardised 'OBD socket') to run tests (which can be an automated sequence to minimise the time required and allow other MOT requirements to be tested at the same time) that include system/sensor data and functional tests, where appropriate.

We strongly believe that this should be conducted using criteria set by the DfT/DVSA and not the vehicle manufacturers.

Existing diagnostic tool manufacturers already have the knowledge and expertise on how to create these types of sensor data and functional test requirements and there are ISO standards that support the communication requirements and the handling of in-vehicle data e.g. ISO 15765 series for CAN-Bus communication protocols and ISO 14229 series for 'UDS' - unified diagnostic services. It would also be possible to use the same tool to test the

sensors and components of a vehicle's emission related control system to test for the correct functionality/evidence of tampering – e.g. differential pressure sensor values, AdBlue injection, EGR operational tests etc.

However, the manufacture and supply of these 'electronic test tools' must be in an open market to allow choice and competitive prices from these test equipment manufacturers to the VTS's.

Furthermore, the vehicle's VIN can also be easily accessed using this electronic test tool and then be used during the test against the V5c database for accurate vehicle identification/VTS location as an alternative to using cameras.

20. Are there methods that could be applied at the MOT test to assess the performance of NOx control systems on petrol and diesel vehicles?

The challenge is to generate NOx to enable it to be measured. There have been several investigations and proposals in the EU to develop a practical test method, including both CITA and the European Commission's Joint Research Centre (JCR). There is evidence that it is possible to test NOx within an MOT environment without having to load the engine (by using a dynamometer), but this investigation/test proposal has not yet fully mature.

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.

We agree that this would be 'useful' information/data, but how would it then be used by the DfT/DVSA and/or vehicle owners? Who would then pay for the time taken to collect/communicate this data, with the subsequent assessment of these criteria – especially if it is not a pass/fail (i.e. MOT test) requirement?

22. What enhancements to the MOT could be made to tackle the issue of excessive vehicle noise and are there suitable technological solutions that would enable a metered sound level test to be undertaken in a typical MOT garage?

As the DfT and DVSA are well aware, point 8.1.1 of the MOT test requirements states:

*'Exhaust noise from the vehicle must not be unreasonably above the noise level you'd expect from a similar vehicle with a standard silencer in average condition'.*

Additionally, a check of the type approval markings of the vehicle's exhaust system could be a more practical first step (requirements under for type approval under (EU) 540/2014).

The key issue is the ability to generate the noise to allow a meaningful measurement. Unless an engine is under load, or exhaust control valves can be controlled, it is probably meaningless within the MOT test environment. The test equipment is available and not too expensive, but we would question the 'proportionality' of the failure rate, versus the costs involved.

23. Do you agree with including hybrid vehicles within scope of MOT emissions testing? Please explain the reasons for your answer.

Yes, but Q24 below highlights the problem. Additionally, given the significant differences between the figures quoted by the vehicle manufacturers and the 'real world' fuel consumption figures experienced by vehicle drivers, this would be a valuable test enhancement if combined with the results of Q21 above, as this would close any 'loophole' between the original vehicle type approval declared consumption figures and the 'real world' figures. However, what would be the tangible benefit for the vehicle owner? (or is it only to verify if the vehicle remains compliant with emission regulations for the benefit of the VCA?).

24. How can the emissions of hybrid vehicles be tested effectively at the MOT test given that their engines will not always be active in a stand-still position?

The principle of 'you have to generate it to be able to measure it' applies here, so the ability to run the internal combustion engine is the prerequisite. Unless a rolling road is available (very unlikely in an MOT test centre), then there would need to be an 'override' function that would enable the engine to run to support a specific emission test in an MOT environment. However, this may cause a wider problem of isolating the engine from the powertrain during the test, as well as the function being designed to ensure minimum emissions to allow a vehicle to pass, as opposed to what emissions would be emitted if the vehicle was being driven under normal operating conditions.

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

Yes – see our responses to Q14 and Q19.

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.

Yes – but this should then be either an earlier test (e.g. 1 year after initial registration) or when the vehicle has reached 50,000 miles.

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?

No. We do not consider that this should be part of an MOT, as it is covered under 'small volume' manufacturer or individual vehicle change issue that is already covered by the Road Traffic Act. We do not believe that an MOT test station is equipped (inspector training or test equipment) to handle this type of vehicle assessment.

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

Yes – but only at the end of an MOT test, as this may become a competition issue if any recall that is first conducted at an authorised repairer then allows that repairer to offer the MOT, as this creates an anti-competitive scenario and the customer may be less likely to return to the original test station.

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

Yes – but also see our response to Q28 above. This should only apply after an MOT test has been conducted and the recall is the only remaining reason for failure (i.e. any other failure criteria have been rectified). Once the recall has then been conducted via an authorised repairer, the vehicle owner is incentivised to return to the original testing station and only have to pay a re-test fee.

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

Yes.

However, we propose that the VCA check on how robustly a vehicle manufacturer complies with the vehicle type approval requirements to protect against mileage fraud as part of the individual vehicle's original type approval (e.g. (EU) 2017/1151 point 2.3.3):

*2.3.3. Manufacturers shall effectively deter reprogramming of the odometer readings, in the on-board network, in any powertrain controller as well as in the transmitting unit for remote data exchange if applicable. **Manufacturers shall include systematic tamper-protection strategies and write-protect features to protect the integrity of the odometer reading. Methods giving an adequate level of tamper protection shall be approved by the approval authority.** (text in bold made by UK AFCAR)*

Secondly, as the tampering with the odometer reading is frequently done when the vehicle is still less than 4 years old (especially if it is under some form of lease agreement which imposes penalties for exceeding mileage limits). Reporting 'mileage correction' whenever this occurs by using remote monitoring of the vehicle would allow identification of whether this was being conducted legitimately - also see our response in Part 1 to Q3 concerning the remote monitoring of vehicles and subsequent reporting,

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.

Yes – the basis of the MOT test is 'as presented', but this must also consider being 'misrepresented', so any anomalies should be addressed before a test is conducted. Equally, there have been incidents where a vehicle is clearly incorrect, but only the registered vehicle owner can change the details.

32. What approaches could be used to roll out of changes to the test where significant investment is required by MOT garages in new equipment or training?

We believe that there needs to be an acceptable ratio between the investment (i.e. time and test equipment) to the benefits created to the vehicle owner and the wider society if changes are made to the existing MOT test regime. Equally, the 'smart use' of technology can provide automated and rapid testing which can also utilise existing test equipment/low cost hand-held units and existing knowledge/data to support better identification and analysis of a vehicle's electronically controlled systems, reducing both the time and equipment costs required.

### Improving the MOT service

33. Do you believe that fraud in the system is a problem? What evidence or data do you have to support that view, and, if it is a problem, do you have any proposed solutions?

Yes. Please also see the responses on this point from some UK AFCAR members who operate multiple MOT test stations across the UK and have direct experience and proposals in Q39, Q42 and Q43.

34. Should garages be required to have:

- equipment that automatically collects data in the test from the likes of brake testers  
Yes
- take photographs at the test that identifies the vehicle (and share this with DVSA)?  
Perhaps, but there may be alternative methods to support vehicle identification – please see our response to Q32 as the embedded VIN of the vehicle can be easily accessed as an alternative method to identify a vehicle - i.e. uploaded and compared to the V5c information as part of the test data/results.

35. How could investment in data collection and/or photographic equipment be encouraged (for example, DVSA could publish information on which garages have such equipment thereby encouraging consumers to prefer those garages)?

Although we agree with the 'principle' of ensuring accurate identification of the vehicle under test, this could equally be used to avoid those test stations by the criminally inclined! Equally, see our response to Q34, point 2, above.

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?

Yes

37. Do you think DVSA approvals of MOT garages should consider non-technical factors such as service to the consumer and wider service offerings?

No – the MOT test is a regulatory requirement, not a ‘customer service/experience’ and it is up to the test station to offer any enhanced ‘customer experience’ not the Government to propose, enforce or promote it.

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

Yes – sending registered letters to the address of the vehicle owner a maximum of two times within a maximum period, followed by a fine (based on the level of fine if a vehicle is stopped by the Police when being driven without an MOT).

39. Do you think the penalty levels for 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?

We believe that the MOT scheme should make it a substantial risk if abused, but this can only be done if the evidence and consequence are correctly implemented. For example, a single person ‘selling an MOT down the pub’ is very different to a business owner systematically conducting fraudulent test results. Equally, multi-site organisations have a high risk if the company is penalised for the actions of a single tester which could not have been known to the company as the employer. The focus should be on the individual conducting the fraud, as not only is the root of the problem, it is also difficult for multi-site operators to monitor the evidence (e.g. tests being conducted against invoices) of when this may be happening.

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?

Yes

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

Using data to analyse the vehicle manufacturers/models of vehicle which have been subject to odometer manipulation or other type approval compliance issues (e.g. subjects covered in Q21 and Q23 above).

## **Services to garages**

42. Do you think the current approach to training and assessment for MOT testers works as well as it should? How can it be improved?

The ability of AEs to track CPD completion via the MTS would improve the quality of testing. This could be done by the CPD training/ learning record being uploaded to the MTS in a similar way to the Annual Assessment, which would also provide visibility to ensure it is completed throughout the year and not at the last minute.

Currently, a tester is only able to record that they have read the manual, record what they have learned and when – all on a piece of paper, but this both inefficient and unsatisfactory as a method when most of the procedures on the MOT Scheme are prescribed in some detail. Testers have to retain their record for 5 years, what better way of doing so would be via the MTS.

The current CPD log is out of date, not user friendly (e.g. users forced to keep paper copies) and too easily bypassed.

CPD should also be mandated through an approved provider or be subject to approval by an awarding body before being accepted as suitable, as with the knowledge test.

43. Do you think the approach and level of enforcement is right for keeping the MOT industry standards where they should be – and avoiding those that do the job right being undermined? How could the system be improved?

The DVSA now tend to remotely enforce MOT standards. However, the DVSA does not share data with test centres and external parties prior to an investigation into MOT standards being initiated.

Where DVSA staff do visit a test station, there needs to be a more consistent approach – there are too many instances where individual inspectors are providing conflicting guidance and/or requirements to sites – especially new testers who are being signed off after achieving a qualification.

We also consider that better transparency of an impending investigation would provide AEs with the ability to investigate a concern (especially multi-site organisations), which would support the investigation, potentially leading to a better outcome for the consumer, the test station and the DVSA. In the future, results of DVSA enforcement checks at MOT garages should be published to help motorists make informed choices on where they have their vehicle tested.

## **Costs and fees**

44. Do you think the current regime encourages and facilitates investment in MOT testing

No – the MOT fee is insufficient to support any meaningful investment, which is reliant upon other work to subsidise the MOT test income and there are additional risks of ‘cutting corners’ that undermine the quality and reputation of the MOT scheme.

45. How might any negative effect on investment in MOT testing stations caused by reductions in MOT frequency be mitigated?

See our response to Q44.

46. Evidence on the costs of any changes to the content of testing would be welcome.



To ensure that the quality, value and reputation of the MOT scheme is perceived as positive by vehicle owners, the scheme needs to be updated to address 'technical progress' and be supported by Governmental publicity to explain why the MOT test is important and relevant. Additionally, using 'smart technology' to assess the vehicle can deliver better productivity, as well as better testing methods (see our response to Q19 above).

## Longer term

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

The obvious answer would be to use remote communication with the vehicle, but this opens two highly critical aspects.

Firstly, that there are critical aspects of a vehicle which cannot be assessed by the vehicle's on-board systems (e.g. tyre wear/damage, suspension damage, corrosion to brake pipes etc.) which therefore require physical inspection by an expert, and secondly, ensuring that access to the relevant data/what are the 'fail criteria', in a competitive market sector, is **equally** available to all service/test providers. This is absolutely not the case today, where vehicle manufacturers control all remote access to the vehicle and the driver and are highly active as competing service providers, both directly and indirectly and equally have little incentive to highlight vehicle failures. Any consideration to using remote data would therefore need a fully detailed analysis of 'how, what and whom' and would need new legislation to support equal abilities for remote access to the vehicle and its data, resources and functions for competing service providers.

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? (150 words max)

See our response to Q18 and Q19.

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?

As there is no standardisation of the design and functionality of ADAS, it is important that the test and pass/fail criteria are set by the national test authority. There is a potential 'conflict of interest' for a vehicle manufacturer who does not want their vehicles to be at

the top of the list of MOT failures, especially if they are 'premium' vehicle manufacturers (as witnessed some years ago when the DVLA allowed wider access to the MOT test results database). Additionally, the MOT test is conducted on vehicles 'as presented', but it may be difficult to identify what systems are on a specific vehicle, either fitted as an option when the vehicle was manufactured, or (potentially) retrofitted once the vehicle has been sold – although this is rare today, these may be increasingly 'over the air' activated options. Therefore, the testing of ADAS should be on those systems that were a vehicle type approval requirement at the time the vehicle was sold, or which can be identified as being 'active', but this could incur costs in accessing this information from the vehicle manufacturer to allow the vehicle to be tested and this may be declined by the vehicle owner for a variety of reasons (also see our response to Q19 above).

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?

Yes –, but please see our response to Q47 above.

Additionally, as mentioned in Q50, the test criteria and whether a vehicle is/is not roadworthy should be decided by the national test authority, not the vehicle manufacturer.

52. Do you think automated systems could enable all safety critical systems and components to be checked without garage inspection?

No – see our responses to Q47, Q50 and Q51 above.

53. What would a test for hydrogen powered vehicles need to look like?

UK AFCAR have no direct expertise to respond to this question, but understand that any test may need to include the NOx emissions (please see our response to Q4 and Q20 above)

## **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?

We do not see how this could be done without a qualified tester still conducting important aspects of roadworthiness compliance. See our responses to Q47, Q50 and Q51 above.

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

We consider that this is considered as an evolution of these features, in that as they become a vehicle type approval requirement, they become part of the MOT scheme test requirements. However, the basis for what and how these features may be tested could be considered as our responses in Q18 and Q19

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

See our response to Q47, Q50 and Q51 above.

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