



Isle of Man

Ellan Vannin

AT 21 of 1985

**LICENSING AND REGISTRATION OF
VEHICLES ACT 1985**



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**Isle of Man***Ellan Vannin*

LICENSING AND REGISTRATION OF VEHICLES ACT 1985

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AN ACT to consolidate with amendments the enactments relating to the licensing and registration of mechanically propelled vehicles and trailers; and for connected purposes.

GENERAL NOTES:

The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993* s 1.

Duty on, and licensing of, vehicles

1 Charge of duty

- (1) Subject to the provisions of this Act, a vehicle duty shall be charged in respect of every vehicle (as defined in section 20) used or kept on any public road in the Island and shall be paid upon a licence (in this Act called a “**vehicle licence**”) to be taken out by the person keeping the vehicle.
- (2) The vehicle duty chargeable in respect of a vehicle of any description shall be chargeable at the rate prescribed in relation to vehicles of that description by order made by the Department of Infrastructure (in this Act referred to as “**the Department**”) for the purposes of this section.¹
- (3) Nothing in this section shall make lawful the keeping of a vehicle, for any period, in any manner or at any place, if to do so would be unlawful apart from this section.

2 Duration of licences

- (1) Subject to subsections (2) to (4), a vehicle licence may be taken out for any period of 12 months running from either the date on which it is issued or the date on which it is stated to have effect.²

- (2) An order under section 1 may provide that vehicle licences may be taken out for such period less than 12 months as may be specified in the order, being a period of a fixed number of months running from the date on which the licence first has effect.³
- (3) The rate of duty on any vehicle licence taken out for a period other than one of 12 months shall be such as to bear to the annual rate of duty applicable to that vehicle no less proportion than the period for which the licence is taken out bears to a year.
- (4) Provision under subsection (2) may be made so as to apply only to vehicles of specified descriptions, and different provision may be made for vehicles of different descriptions or for different circumstances.

3 Collection of duty

- (1) Vehicle duty shall be levied by the Department.⁴
- (2) Vehicle licences shall be issued at such convenient places throughout the Island as may be appointed by the Department, and by such persons and for such districts as the Department may direct.⁵
- (3) A register of vehicle licences issued shall be kept by the person authorised to issue the same, in which register shall be entered the date of issue, and the name, description and place of residence of the person to whom any licence is issued; and the register shall be prima facie evidence of the matters therein stated and that no licences other than those entered in such register have been issued.
- (4) Each person authorised to issue vehicle licences shall forward his register of licences and furnish such copies thereof, and account for and pay to the Department the duties in respect of the licences issued, at such times as may be appointed by the Department.⁶
- (5) Every such person shall for the purposes of this Act be deemed to be an officer employed by the Department.⁷
- (6) If a vehicle licence is issued in respect of a vehicle on payment by cheque of the duty under section 1, and the cheque is dishonoured, the licence shall be void.
- (7) The Department may, by notice in writing to the person to whom was issued a licence which is void under subsection (6), require him within 7 days of service of the notice to surrender the licence to the Department, and a person failing to comply with such a requirement shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.⁸

3A Issue of licence before payment of duty

- (1) The Department may issue a vehicle licence to a person who has agreed with the Department to pay the duty payable on the licence in a manner provided by the agreement.
- (2) In a case where—
 - (a) a vehicle licence is issued to a person in accordance with subsection (1);
 - (b) the duty payable on the licence is not received by the Department in accordance with the agreement; and
 - (c) the Department sends a notice to the person informing him that the licence is void as from the time when it was granted,the licence shall be void as from the time when it was granted.
- (3) In a case where—
 - (a) paragraphs (a) and (b) of subsection (2) apply;
 - (b) the Department sends a notice to the person requiring him to secure that the duty payable on the licence is paid within such reasonable period as is specified in the notice;
 - (c) the requirement in the notice is not complied with; and
 - (d) the Department sends a further notice to the person informing him that the licence is void as from the time when it was granted,the licence shall be void as from the time when it was granted.
- (4) But subsections (2) and (3) do not apply in a case where the agreement under subsection (1) provides for the duty payable to be paid by more than one instalment (and for this case see subsection (5)).
- (5) In a case where —
 - (a) a vehicle licence is issued to a person in accordance with subsection (1);
 - (b) the duty payable on the licence is not received by the Department in accordance with the agreement;
 - (c) the agreement provides for the duty payable to be paid by more than one instalment;
 - (d) the Department sends a notice to the person requiring the person to secure that the duty payable on the licence (both in respect of instalments that have fallen due and in respect of future instalments) is paid within the period specified in the notice;
 - (e) the requirement in the notice is not complied with; and
 - (f) the Department sends a further notice to the person informing that person that the licence is void from the time specified in the notice,the licence is void from the time specified in the further notice.⁹

4 Exemption from duty

No vehicle duty shall be chargeable in respect of vehicles of any of the descriptions specified in Part I of Schedule 1, or vehicles kept or used in the circumstances specified in Part II of Schedule 1.

5 Using and keeping vehicles without a licence, etc

- (1) If any person uses or keeps on a public road any vehicle for which a vehicle licence is not in force, not being a vehicle exempted from duty by virtue of any enactment (including any provision of this Act), he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000, or 3 times the amount of the vehicle duty chargeable in respect of the vehicle, whichever is the greater.
- (2) For the purposes of subsection (1) the amount of the vehicle duty chargeable in respect of any vehicle shall be taken to be an amount equal to the annual rate of duty applicable to the vehicle at the date on which the offence was committed.
- (3) Where a vehicle licence issued in respect of any vehicle limits the number of passengers which may be carried by that vehicle, any person who uses the same for carrying passengers in excess of that limit shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

6 Issue and exhibition of licences

- (1) Every person applying for a vehicle licence shall make such a declaration and furnish such particulars with respect to the vehicle for which the licence is to be taken out or otherwise as may be prescribed.
- (2) Every vehicle licence shall be issued for the vehicle specified in the application for the licence and shall not entitle the person to whom it is issued to use or keep any other vehicle.
- (3) The Department shall not be required to issue any vehicle licence for which application is made unless they are satisfied that the licence applied for is the appropriate licence for the vehicle specified in the application.¹⁰
- (4) Subject to regulations, every vehicle licence issued for a vehicle shall be fixed to and exhibited on the vehicle in the prescribed manner.
- (5) Regulations may provide for the issue of new licences in the place of licences which may be lost or destroyed, and for the fees to be paid on the issue of a new licence.

7 Alteration of vehicle or of its use

- (1) Subject to the provisions of this section, where a vehicle licence has been taken out for a vehicle and the vehicle is at any time while the licence is in

force kept or used on a public road in an altered condition or in a manner or for a purpose which brings it within, or which if it were kept or used solely in that condition or in that manner or for that purpose would bring it within, a description of vehicle to which a higher rate of vehicle duty is applicable, vehicle duty at that higher rate shall become chargeable in respect of the licence for the vehicle.

- (2) Where duty at a higher rate becomes chargeable under subsection (1) in respect of any vehicle licence, the licence may be exchanged for a new licence, for the period beginning with the date on which the higher rate of duty becomes chargeable and expiring at the end of the period for which the original licence was issued, on payment of the appropriate proportion of the difference between: —
 - (a) the amount payable on the original licence; and
 - (b) the amount payable on a vehicle licence taken out for the period for which the original licence was issued but at a higher rate of duty, that amount being calculated, if that rate has been changed since the issue of the original licence, as if that rate had been in force at all material times at the level at which it is in force when it becomes chargeable.
- (3) For the purposes of subsection (2) the appropriate proportion is the proportion which the number of months in the period beginning when the higher rate of duty becomes chargeable and ending with the end of the period for which the original licence was issued bears to the number of months in the whole of the last-mentioned period, any incomplete month being treated as a whole month.
- (4) Where a vehicle licence has been taken out for a vehicle, and by reason of the vehicle being used as mentioned in subsection (1) a higher rate of vehicle duty becomes chargeable and duty at the higher rate was not paid before the vehicle was so used, the person so using the vehicle shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,000.
- (5) Where a licence has been taken out for a vehicle of a certain description, vehicle duty at a higher rate applicable to vehicles of some other description shall not become chargeable in respect of the vehicle by reason of the vehicle being kept or used as mentioned in subsection (1), unless the vehicle as kept or used while the said licence is in force satisfies all the conditions which must be satisfied in order to bring the vehicle for the purpose of the charge of vehicle duty into the other description of vehicles.

8 Recovery of underpayments of duty

Where the amount of vehicle duty which has been paid on a vehicle licence for a vehicle is less than the amount payable on the licence appropriate to that vehicle,

the amount of the deficiency shall be recoverable by the Department as a civil debt.¹¹

9 Surrender of vehicle licence

[P1971/10/17]

- (1) The holder of a vehicle licence may at any time surrender the licence to the Department in the prescribed manner.¹²
- (2) In such circumstances as may be prescribed, the holder of a vehicle licence, on surrendering the licence, shall be entitled, if he satisfies the prescribed requirements, to receive from the Department by way of rebate of duty paid on the licence a sum equal to —
 - (a) one 365th of the annual rate by reference to which duty was charged on the licence, multiplied by —
 - (b) the number of days in the period beginning with the day on which the licence is received by the Department under subsection (1) and ending with the day in which the licence would have expired.¹³
- (3) No sum shall be payable under subsection (2) in a case where the period mentioned in paragraph (b) of that subsection is less than 30 days.
- (4) The Department may, for the purposes of subsection (2), treat a surrendered licence delivered by post as received by it on the day on which it was posted.¹⁴

10 Trade licences

- (1) The Department may on application made in the prescribed manner and on payment of the prescribed duty issue a licence to —
 - (a) a motor trader for all vehicles from time to time temporarily in his possession in the course of his business; or
 - (b) the Chief Constable for all vehicles from time to time temporarily in his possession in the course of his functions,not exceeding such number of vehicles as may be specified in the licence.
- (2) The duty chargeable in respect of a trade licence is chargeable for each year commencing on the 1 April.
- (3) It is chargeable at the rate prescribed by order made by the Department for the purposes of this section and may be based on the number of vehicles specified in a licence.
- (4) The Department must levy the duty under this section.
- (5) Regulations may —
 - (a) prescribe the conditions subject to which a trade licence may be issued or obtained;

- (b) provide for the inspection and identification of vehicles used under a trade licence;
 - (c) prescribe the records to be kept by the holder of a trade licence;
 - (d) prescribe the form of the document in which the records of the holder of a trade licence must be kept, being a document that may be provided by the Department or sourced and provided by the holder of the licence;
 - (e) prescribe the purposes for which, and the conditions subject to which, a vehicle may be used on a public road by virtue of a trade licence;
 - (f) provide for the assignment of registration marks to holders of trade licences;
 - (g) provide for the issue by the Department, and the use, of plates showing those marks (“trade plates”) and the fees to be charged for their replacement and for licences that have been lost, damaged or destroyed;
 - (h) provide for trade plates that comply with a prescribed specification to be sourced and provided by the holders of trade licences;
 - (i) may make ancillary, consequential or incidental provision.
- (6) The holder of a trade licence is guilty of an offence and liable on summary conviction to a fine not exceeding £2,000 if he uses on a public road by virtue of the licence —
- (a) a greater number of vehicles than that specified in the licence;
 - (b) a vehicle for a purpose other than a prescribed purpose or contrary to any prescribed condition; or
 - (c) a vehicle bearing a trade plate issued under the trade licence if the duty payable in respect of the licence has not been paid.¹⁵

Registration and registration marks, etc.

11 Registration and registration marks

- (1) Every vehicle (other than a trailer) shall be registered with the Department and the Department shall assign to the vehicle a registration mark indicating the registered number of the vehicle.¹⁶
- (2) The registration mark assigned to a vehicle under this section shall be fixed in the prescribed manner on the vehicle, or on any other vehicle drawn by that vehicle, or on both.

12 Failure to fix, and obscuration of, marks and signs

- (1) If any mark to be fixed or sign to be exhibited on a vehicle in accordance with section 11 is not so fixed or exhibited, the person driving the vehicle,

or, where the vehicle is not being driven, the person keeping the vehicle, shall be guilty of an offence.

- (2) It shall be a defence for a person charged with an offence under subsection (1) with failing to fix a mark to prove that he had no reasonable opportunity of registering the vehicle under this Act and that the vehicle was being driven on a public road for the purpose of being so registered.
- (3) If any mark fixed or sign exhibited on a vehicle as aforesaid is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the vehicle, or, where the vehicle is not being driven, the person keeping the vehicle, shall be guilty of an offence.
- (4) It shall be a defence for a person charged with an offence under subsection (3) to prove that he took all steps reasonably practicable to prevent the mark or sign being obscured or rendered not easily distinguishable.¹⁷
- (5) Any person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding £1,000.

12A Supply of registration marks

- (1) Subject to subsections (2) and (3), if any person sells or supplies a registration mark, fixed or to be fixed on a vehicle in accordance with section 11(3), which is not of the prescribed size, shape and character, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.¹⁸
- (2) Subsection (1) does not apply to the sale or supply, otherwise than in the course of a business, of a registration mark with the vehicle to which the mark relates.
- (3) In proceedings for an offence under subsection (1) it shall be a defence for the person accused to show that, from the information relating to the vehicle in question which was given to him by the person to whom the mark was sold or supplied, he reasonably believed that the mark was of the prescribed size, shape and character.¹⁹

13 Regulations as to licencing and registration

- (1) Regulations may –
 - (a) provide for the registration of vehicles (other than trailers) and for the fees or charges to be paid in respect of registration;
 - (aa) prohibit the registration of a vehicle, or a class of vehicle of a description specified in the regulations;²⁰
 - (b) provide for the keeping of records in respect of the registration and licencing of vehicles (other than the registration of trailers) and for

- making the records available for use by prescribed persons on payment of any prescribed fee;
- (c) require an applicant for a vehicle licence in respect of a vehicle to provide evidence in the prescribed form that the person is the owner of the vehicle;
 - (d) require an applicant for a vehicle licence in respect of a vehicle to provide evidence in the prescribed form that the vehicle complies with the prescribed requirements as to its construction, equipment, roadworthiness or condition, being evidence that, at the time of its issue, was valid for no more than 13 months, remains valid and has not previously been used for the issue of a vehicle licence for the vehicle;
 - (e) require that an application for a vehicle licence in respect of a goods vehicle of a prescribed description include prescribed information and be accompanied by prescribed documents in respect of the vehicle from which its plated weights and other plated particulars may be determined;
 - (f) provide for the prescribed fee to be paid where regulations made under paragraph (d) require a vehicle to be tested by a person appointed by the Department;
 - (g) require an applicant for a vehicle licence in respect of a vehicle to produce such evidence as may be prescribed that—
 - (i) on the date when the licence comes into operation there will be in force in respect of the vehicle a policy of insurance or security that complies with the requirements of Part I of Schedule 5 to the *Road Traffic Act 1985*; or
 - (ii) the vehicle is a vehicle to which paragraph 1 of that Schedule does not apply at a time when it is being driven under its owner's control;
 - (h) provide for the issue of a registration document on the registration of a vehicle (other than a trailer) and for the surrender and production of a registration document and its inspection by prescribed persons;
 - (i) provide for the issue of a new registration document for one that has been lost or destroyed or has become illegible and for the fee to be paid;
 - (j) prescribe the size, shape and character of the registration marks or the signs to be fixed on a vehicle and the manner in which the marks or signs must be displayed to make them easily distinguishable by night or by day;
 - (k) provide for the registration of vehicles (other than trailers) belonging to persons temporarily resident in the Island for such

period and on such conditions as may be prescribed and for the fees to be paid in respect of such registration;

- (l) make provision for change of ownership, the cancellation of registrations or vehicle licences, the transfer of registrations or vehicle licences, and the forms of notices, certificates or declarations to be given or made, and the fees or charges to be paid, in relation to any of such matters.
- (1A) Regulations made under subsection (1) may prescribe different fees or charges for different classes or descriptions of vehicles.²¹
- (2) Where such evidence or information as is mentioned in subsection (1)(c), (d), (e) or (g) is required in respect of a vehicle, no vehicle licence may be issued in respect of the vehicle until that requirement is complied with.
- (3) In subsection (1)(e) “goods vehicle” has the same meaning as in the *Road Traffic Act 1985* and “plated weights” and “plated particulars” have the same meanings as in Schedule 2 to that Act.
- (4) Regulations made under subsection (1) or (1A) may include ancillary, consequential, incidental or transitional provision.²²
- (5) Regulations may provide for the identification of any vehicles belonging to the Crown.
- (6) Requirements as to the construction, equipment, roadworthiness or condition of a vehicle may be prescribed by reference to a document appearing to the Department to be suitable for the purpose and specified in the regulations.²³

Miscellaneous and supplementary provisions

14 Forgery, false information and offences against regulations

- (1) If any person forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person: —
 - (a) any mark to be fixed or sign to be exhibited on a vehicle in accordance with section 11; or
 - (b) any licence or registration document under this Act,²⁴he shall be liable on summary conviction to a fine not exceeding £5,000 or to imprisonment for a term not exceeding 6 months.
- (2) Any person who —
 - (a) in connection with an application for a vehicle licence or a trade licence, makes a declaration which to his knowledge is false or in any material respect misleading; or
 - (b) being required by virtue of this Act to furnish particulars, evidence, information or documents in connection with an application for a

vehicle licence or the registration of any vehicle or in connection with a change of the registration of any vehicle furnishes any particulars, evidence, information or documents which to his knowledge are false or in any material respect misleading,²⁵

shall be liable on summary conviction to a fine not exceeding £5,000 or to imprisonment for a term not exceeding 6 months.

- (3) Regulations made under this Act may provide that a contravention of a requirement of the regulations is an offence punishable on summary conviction by a fine not exceeding such amount (not exceeding £2,000) as may be prescribed.²⁶

14A Power to seize forged and certain vehicle licences If a constable has reasonable grounds to believe that a vehicle on a public road has exhibited on it

—

- (a) a forged vehicle licence; or
- (b) a vehicle licence in relation to which an offence has been committed under section 14,

the constable may enter the vehicle and seize the forgery or licence.

- (2) If a forgery or licence is seized under subsection (1) —

- (a) the owner of the vehicle;
- (b) the person keeping the vehicle; or
- (c) the person using the vehicle,

may be summoned before a court of summary jurisdiction to account for the presence of the forgery or licence on the vehicle.

- (3) The court must —

- (a) award such costs; and
- (b) if a vehicle licence was seized, make such order respecting its disposal,

as the justice of the case may require.²⁷

15 Duty to give information

- (1) Where it is alleged that a vehicle has been used or kept in contravention of section 5 or 10(6) —

- (a) the owner of the vehicle shall give such information as he may be required by or on behalf of the Chief Constable or the Department to give as to the identity of the person or persons concerned and, if he fails to do so, shall be guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained the identity of the person or persons concerned; and²⁸

- (b) any other person shall, if required as aforesaid, give any information which it is in his power to give and which may lead to the identification of any of the persons concerned and, if he fails to do so, shall be guilty of an offence.²⁹
- (2) In subsection (1) “person concerned” means in relation to an alleged offence of using a vehicle in contravention of section 5 or 10(6), both the driver and any person using the vehicle.³⁰
- (3) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding £1,000.

16 Institution of proceedings

[P1971/10/28]

- (1) Proceedings for an offence under this Act may be instituted by the Department or by any constable at any time within 6 months from the date on which evidence, sufficient in the opinion of the Department or the constable to warrant the proceedings, came to its or his knowledge, but no such proceedings may be instituted more than 3 years after the commission of the offence.³¹
- (2) A certificate signed by a constable, or on behalf of the Department, and stating the date on which such evidence as is mentioned in subsection (1) came to his or its knowledge, shall be conclusive evidence of that date, and a certificate purporting to be so signed shall be deemed to be so signed unless the contrary is proved.³²

17 Burden of proof in certain proceedings

If in any proceedings under section 5, 10(6) or 15(1) any question arises —

- (a) as to the number of vehicles used, or
- (b) as to the character, weight or cylinder capacity of any vehicle, or
- (c) as to the number of persons for which a vehicle has seating capacity, or
- (d) as to the purpose for which any vehicle has been used,

the burden of proof in respect of the matter in question shall lie on the defendant.³³

18 Regulations and orders

- (1) Regulations may be made generally for the purpose of carrying this Act into effect, and any power to make regulations conferred by any other provisions of this Act shall not be taken to prejudice the generality of this provision.
- (2) Regulations may contain provisions prescribing any matter which is to be prescribed under this Act.

- (2A) The Department may by order amend this Act by varying the maximum level of a penalty specified in it.³⁴
- (2B) The Department may by order —
- (a) amend this Act;
 - (b) make consequential amendments of the *Road Traffic Act 1985* and the *Road Traffic Regulation Act 1985*; and
 - (c) make such ancillary or incidental provision as may be requisite, for the purpose of —
 - (d) doing away with either vehicle licences or the requirement that they be fixed to and exhibited on vehicles; or
 - (e) providing for the registration of trailers.³⁵
- (3) Regulations and orders under this Act (except an order under section 22(2)) shall not have effect unless they are approved by Tynwald.

19 Financial provision

- (1) Vehicle duty and the duty under section 10, and any fees and charges payable to the Department by virtue of regulations or orders under this Act, shall be paid into the general revenue of the Island.³⁶
- (2) Any expenses incurred by the Department for the purposes of this Act shall be defrayed out of money provided by Tynwald.³⁷

20 Interpretation

In this Act —

“**Department**” means the Department of Infrastructure;

“**motor trader**” means —

- (a) a manufacturer or repairer of, or dealer in, vehicles;
- (b) a person carrying on a business concerned with the financing or insuring of motor vehicles;
- (c) any other class of persons as is prescribed for the purposes of this definition but only in such circumstances and subject to such conditions as may be prescribed;

“**owner**” in respect of a vehicle —

- (a) means the person by whom the vehicle is, or was last, kept and used but, in respect of a vehicle that is registered under this Act or any corresponding provision relating to the registration of vehicles in force in the United Kingdom, the Republic of Ireland or the Channel Islands, it means the person so registered; but

- (b) if the vehicle is the subject of a contract of lease or hire or a contract of hire-purchase, it means the person entitled to possession of the vehicle under the contract;

“**prescribed**” means prescribed by regulations except in respect of orders made under sections 1 and 10;

“**public road**” means any highway and any other road or place to which the public has access, and includes a footway or a verge forming part of a road, and a bridge over which a road passes;

“**regulations**” means regulations made by the Department;

“**trade licence**” means a licence under section 10;

“**vehicle**” means a mechanically propelled vehicle or a trailer designed or constructed to be drawn by such a vehicle;

“**vehicle duty**” means duty chargeable under section 1;

“**vehicle licence**” means a licence under section 1.³⁸

21 Amendments and transitional provisions

- (1) The transitional provisions contained in Schedule 2 shall have effect.
- (2) The enactments specified in Schedule 3 shall have effect subject to the amendments set out in that Schedule.
- (3) [Repealed]³⁹

22 Short title and commencement

- (1) This Act may be cited as the Licensing and Registration of Vehicles Act 1985.
- (2) This Act shall come into operation on such day as the Board may by order appoint.⁴⁰

SCHEDULE 1**EXEMPTIONS FROM VEHICLE DUTY**

Section 4 [P1971/10/4]

PART I – DESCRIPTIONS OF EXEMPTED VEHICLES*Emergency vehicles*

1. Fire engine.
2. Vehicle used or kept on a road solely for the purpose of the fire service.
3. Ambulance.
4. Vehicle used or kept on a road solely for the purpose of the haulage of lifeboats and the conveyance of necessary gear of lifeboats being hauled.

Invalids' vehicles

5. Vehicle (including a cycle with an attachment for propelling it by mechanical power), not exceeding 10 cwt. unladen weight, and adapted for use and used or kept on a road by an invalid.
6. Vehicle of a prescribed description used or kept on a road by a person for the time being in receipt of –
 - (a) a mobility allowance under section 37A of the Social Security Act (an Act of Parliament), as it has effect in the Island, or
 - (b) a mobility supplement under article 26A of the Naval, Military and Air Force etc. (Disablement and Death) Service Pensions Order 1983, or
 - (c) a payment appearing to the Department to be of a similar kind to a mobility supplement and prescribed for the purposes of this paragraph.⁴¹
7. Vehicle fitted with controls enabling it to be driven by a person having a particular disability where –
 - (a) such a person is registered as the owner of the vehicle pursuant to regulations under section 13; and either⁴²
 - (b) that person caused the controls to be fitted to the vehicle and obtained in respect of the cost thereby incurred a grant paid by the Isle of Man Health Services Board; or

- (c) his disability is of a kind in the case of which grants in respect of the fitting of such controls are so paid.

7A. Vehicle fitted with controls enabling it to be driven by a person having a particular disability where —

- (a) a body prescribed for the purpose of this paragraph is registered as the keeper of the vehicles pursuant to regulations under section 13; and
- (b) the vehicle is not used or kept on a road otherwise than by that body for the purposes of such persons.⁴³

Highway maintenance, etc. vehicles

8. Road roller.

9. Vehicle —

- (a) constructed or adapted for use for the conveyance of built-in road construction machinery, and not constructed or adapted for the conveyance of any other load except articles and material used for the purposes of such machinery; and
- (b) used and kept on a road solely for the conveyance of such machinery, with or without such articles or materials.

10. Vehicle used solely within the district of a local authority by that authority, or by a person acting in pursuance of a contract with that authority, for the purpose of cleansing or watering streets or roads or cleansing gullies.

11. Vehicle —

- (a) into which there is built, as part of the vehicle, an expanding or extensible contrivance designed for facilitating the erection, inspection, repair or maintenance of overhead structures or equipment; and
- (b) which is neither constructed nor adapted for use nor used for the conveyance of any load except such a contrivance and articles used in connection therewith; and
- (c) which is used solely within the district of a local authority by that authority, or by a person acting in pursuance of a contract with that authority, for the purpose of installing or maintaining materials or apparatus for lighting streets, roads or public places.

12. Vehicle constructed or adapted and used solely for the conveyance of machinery for spreading material on roads to deal with frost, ice or snow, with or without articles and materials used for the purposes of the machinery.

Tramcars

13. Vehicle used on tramlines.

Vehicles of the Department

14. Vehicle used and kept on a road by the Department.⁴⁴

Miscellaneous vehicles

15. An electrically assisted pedal cycle of a class specified in regulations made for the purposes of section 68 of the *Road Traffic Act 1985*.⁴⁵

PART II – CIRCUMSTANCES IN WHICH VEHICLE IS EXEMPT*Snow-clearing*

1. A vehicle shall not be chargeable with vehicle duty —
- (a) by reason of its use for clearing snow from a public road by means of a snow plough or similar contrivance, whether or not forming part of the vehicle; or
 - (b) by reason of its use for the purpose of going to or from the place where it is to be used for clearing snow from public roads by those means.

Civil defence

2. (1) A vehicle shall not be chargeable with vehicle duty by reason of any use made of it, in such circumstances and subject to such conditions as may be prescribed, for the purpose of a public or local authority's functions in connection with civil defence, or by reason of its being kept on a road for any such use.

(2) In this paragraph "civil defence" has the same meaning as in the *Civil Defence Act 1954*.

Temporary residents

3. A vehicle of a description, or used for a purpose, specified in regulations and belonging to a person temporarily resident in the Island shall not be chargeable with vehicle duty for such period, in such circumstances and subject to such conditions as may be prescribed.

Compulsory tests

4. (1) A vehicle shall not be chargeable with vehicle duty by reason of its use on a public road —

- (a) for the purpose of submitting it by previous arrangement for, or bringing it away from, a compulsory test;
 - (b) in the course of a compulsory test, for the purpose —
 - (i) of taking it to, or bringing it away from, a place where part of the test is to be or has been carried out; or
 - (ii) if carrying out any part of the test, where the person using it is an examiner; or
 - (c) where the vehicle has failed a compulsory test, for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy for a further compulsory test the defects on the grounds of which the vehicle failed the test.
- (2) In this paragraph —
- “examiner” means a person appointed for the purpose of carrying out a compulsory test;
- “compulsory test” means a test required by regulations under section 13(1)(c).

Trade licences

5. A vehicle temporarily in the possession of a motor trader or the Chief Constable in the course of his business as such shall not be chargeable with vehicle duty by reason of its use on a public road by such holder for a prescribed purpose and subject to the prescribed conditions.⁴⁶

SCHEDULE 2

TRANSITIONAL PROVISIONS

Section 21(1)

1. [Repealed]⁴⁷
2. [Repealed]⁴⁸

General

3. An order under section 1 or 10 may repeal any provision of this Schedule.
4. In this Schedule “**the 1969 Act**” means the *Licensing and Registration of Vehicles Act 1969*.

SCHEDULE 3

AMENDMENT OF ENACTMENTS

Section 21(2)

[Sch 3 amended by Value Added Tax Act 1996 Sch 16, and amends the following Acts —

Highway Act 1927 q.v.

Road Traffic Act 1985 q.v.

Road Traffic Regulation Act 1985 q.v.]

SCHEDULE 4⁴⁹

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

¹ Subs (2) amended by SD41/93 and by SD155/10 Sch 5.

² Subs (1) substituted by Road Traffic (Amendment) Act 2006 s 7.

³ Subs (2) substituted by Road Traffic (Amendment) Act 2006 s 7.

⁴ Subs (1) amended by SD41/93.

⁵ Subs (2) amended by SD41/93.

⁶ Subs (4) amended by SD41/93.

⁷ Subs (5) amended by SD41/93.

⁸ Subs (7) amended by SD41/93.

⁹ S 3A inserted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 20.

¹⁰ Subs (3) amended by SD41/93.)

¹¹ S 8 amended by SD41/93.

¹² Subs (1) amended by SD41/93.

¹³ Subs (2) amended by SD41/93. Para (b) amended by SD41/93.

¹⁴ Subs (4) amended by SD41/93.

¹⁵ S 10 substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 23.

¹⁶ Subs (1) amended by SD41/93.

¹⁷ Subs (4) amended by Road Transport, Licensing and Registration (Amendment) Act 2018 s 25.

¹⁸ Subs (1) amended by Road Transport, Licensing and Registration (Amendment) Act 2018 s 26.

¹⁹ S 12A inserted by Road Traffic (Amendment) Act 2001 s 20.

- ²⁰ Para (aa) inserted by Climate Change Act 2021 Sch.
- ²¹ Subs (1A) inserted by Climate Change Act 2021 Sch.
- ²² Subs (4) amended by Climate Change Act 2021 Sch.
- ²³ S 13 substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 27.
- ²⁴ Para (b) substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 28.
- ²⁵ Para (b) substituted by Road Traffic (Amendment) Act 2001 s 18.
- ²⁶ Subs (3) substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 28.
- ²⁷ S 14A substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 29.
- ²⁸ Para (a) amended by SD41/93.
- ²⁹ Subs (1) amended by Road Transport, Licensing and Registration (Amendment) Act 2018 s 30.
- ³⁰ Subs (2) substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 30.
- ³¹ Subs (1) amended by SD41/93.
- ³² Subs (2) amended by SD41/93.
- ³³ S 17 amended by Road Transport, Licensing and Registration (Amendment) Act 2018 s 31.
- ³⁴ Subs (2A) inserted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 32.
- ³⁵ Subs (2B) inserted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 32.
- ³⁶ Subs (1) amended by SD41/93.
- ³⁷ Subs (2) amended by SD41/93.
- ³⁸ S 20 substituted by Road Transport, Licensing and Registration (Amendment) Act 2018 s 33.
- ³⁹ Subs (3) repealed by Statute Law Revision Act 1992 Sch 2.
- ⁴⁰ ADO (whole Act except s 9) 1/4/1986 (GC31/86); (s 9) 1/2/1990 (GC444/89).
- ⁴¹ Para (6) amended by Statute Law Revision Act 1989 Sch 1. Subpara (c) amended by SD41/93.
- ⁴² Para (a) amended by Road Transport, Licensing and Registration (Amendment) Act 2018 s 34.
- ⁴³ Para 7A inserted by Statute Law Revision Act 1989 Sch 1.
- ⁴⁴ Para 14 amended by SD41/93.
- ⁴⁵ Para 15 inserted by Road Traffic Act 1989 s 5.
- ⁴⁶ Para 5 amended by Road Traffic (Amendment) Act 2006 s 8(c).
- ⁴⁷ Para 1 repealed by GC29/86.
- ⁴⁸ Para 2 repealed by GC46/86.
- ⁴⁹ Sch 4 repealed by Statute Law Revision Act 1992 Sch 2.