MOT - Extending the date of the first MOT Test from three years to four years

Consultation Response on behalf of:

PRO MOT E

KEEPING BRITAIN'S ROADS SAFE FOR ALL

Backed by the Automotive Aftermarket Liaison Group

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About ProMOTe

Please accept this communication as a response to the "Extending first MOT date to 4 years" open consultation from the ProMOTe campaign.

The ProMOTe campaign has been established in response to the Government's plan to consider extending the time allowed before the first MOT of a car or motorcycle's life from three years to four.

We are a broad-based coalition representing road safety groups, motoring organisations and industry bodies all opposed to what are dangerous, expensive and unnecessary plans.

Consultation Response

Q1. Do you think the date of the first test should be moved from three to four years?

No – Promote are adamant that the only option that is appropriate is Option 1 – ***"..No change, maintain the current period for vehicles requiring a first MOT at three years."***

There are several reasons why we feel this is the correct course of action, however the main reason is that this is the only choice that will not have a detrimental effect of road safety. A move from the current MOT frequency regime of testing new cars after three years and annually thereafter (3-1-1) would increase the number of unroadworthy vehicles on the road and risks a significant increase in the number of additional road deaths and serious injuries every year (Source DfT, 'MOT Scheme Evidence base', 2008 report.)

Q2. If testing of vans remained at 3 years, should this include: - all vans (class 4 and class 7)? - just larger vans in class 7?

To improve road safety ProMOTe suggest that the most appropriate test regime for class 7 vehicles is 1-1-1, with the first test at 1 year.

Evidence shows that class 7 vehicles cover greater mileages than other vehicles (* - see footnote below) whilst it is the case that most vehicles are not maintained to a roadworthy state at all times, class 7 vehicles are by far maintained to a lower standard, therefore testing at an earlier opportunity is appropriate to further improve road safety and compliance with minimum roadworthiness requirements.

Financial year	Class	Tests	Pass after rectification at MOT test station	Fails	Initial fail rate	Final fail rate
2015 to 2016	Classes 1 & 2: Motorcycles	998,729	74,864	106,527	18.20%	10.70%
2015 to 2016	Classes 3 & 4: Cars, vans and passenger vehicles with up to 12 seats	27,894,036	2,463,377	7,789,251	36.80%	27.90%
2015 to 2016	Class 5: Private passenger vehicles with more than 12 seats	46,823	3,178	11,963	32.30%	25.50%
2015 to 2016	Class 7: Goods vehicles between 3,000 and 3,500 kg gross vehicle weight	642,269	61,103	239,426	46.80%	37.30%
2015 to 2016	Total	29,581,857	2,602,522	8,147,167	36.30%	27.50%

Data from - MOT Testing Data for Great Britain published .gov.uk, updated 13 February 2017.
Source: https://www.gov.uk/government/statistical-data-sets/mot-testing-data-for-great-britain

As can be seen from the data provided, class 7 vehicles show an initial failure rate of 46.80%. In other words, nearly half the class 7 vehicles tested do not even meet the minimum requirements required for the MOT test, which suggests a lack of preventative maintenance.

Even the impact assessment provided with the consultation shows that class 7 vehicles have an initial failure rate of 36%. In other words, over a third of class 7 vehicles tested do not meet a minimum roadworthiness standard. As these vehicles are likely to be used more frequently and cover more miles than other vehicles, the likelihood of these vehicles contributing towards incidents and accidents is increased.

ProMOTe feels that the evidence suggests that rather than move the first MOT for class 7 vehicles to four years, it should be set the same as for ambulances and taxis in having their first MOT when they are one year old.

As there does not appear to be any statistical data provided for class 4 goods vehicles in relation to MOT results, it is impossible to comment on these proposals without data that separates class 4 goods vehicles from class 4 passenger vehicles.

As can be seen from the data in the consultation document, in 2013, 166,000 class 4 goods vehicles were registered compared to 108,000 class 7 goods vehicles. As considerably more class 4 goods vehicles are added to the vehicle parc each year compared to class 7 goods vehicles, it would not be a correct course of action to decrease the test frequency for class 4 goods vehicles without appropriate data.

We suspect that the only way to obtain the required data would be to change the classes of vehicles to the N1, M1 etc. classification used by other EU states, which would allow testing data relevant to all goods vehicles to be filtered an analysed.

(*) From Consolation Document 3.22 – "…At year three the average cumulative mileage for a car is around 32,000. Vans have an average mileage that is over 70,000."

Q3. What evidence do you think should be taken into account in respect of changes to the first MOT test?

Firstly we would ask you to consider whether one of the main reasons listed in the consultation document for the change, and the TRL report that the impact assessment is based on is valid. In our view it is not.

The consultation paper – ***Proposals, Background*** states:
2.8: *In more recent years, modern vehicles have become generally more resilient to wear and tear with improvements in manufacturing techniques and materials.*

ProMOTe cannot see any evidence offered in the consultation document or impact analysis that relates to durability improvements of safety related components that are subject to wear and tear. Any improvement in vehicles relates to their mechanical reliability. Safety critical defects such as tyres and brakes are designed to wear and it is not the case that these components now wear less; indeed they may have increased wear.

ProMOTe feel that as the statement in 2.8 seems to be the main rationale for proposing this change, the consultation paper and impact analysis should give evidence and data to show this is the case. No evidence or data to prove or support this has formed part of the consultation document, only a vague and un-verifiable statement that *"modern vehicles have become generally more resilient to wear and tear."*

Class 4 Vehicles Failure Numbers 2015 –Vehicles tested around age of 3 years – Top 4 Numerical Failures of 1,962,439 Tests	
Lamps, Reflectors and Electrical Equipment	143,413
Tyres	85,720
Drivers View of the Road	73,883
Brakes	47,138

Table 4 in the consultation document (above) relating to class 4 vehicles tested around age 3 and referring to the top 4 failures detected during the current first test we observe that:

1. Lamps, reflectors and electrical equipment

Breakdown of data for the actual reason for rejection and component has not be provided nor analysed in the consultation document. From our experience the most likely failure reason for rejections in this category would relate to lamps not illuminating and headlamp aim requiring adjustment.

Both these items are just a likely to occur on vehicles now than they were before. Headlamp aim defects are not normally due to component deterioration but rather to external influence such as speed bumps etc. which are still as prevalent now as they have for the last few years. It is also the case that headlamp aim is not an operation that is scheduled during routine manufacturers servicing. As such the MOT test is a unique opportunity to check this safety critical adjustment.

Standard type bulbs are still likely to fail. New technology such as LED light units should have a longer life expectancy, however this must be balanced by the fact that any replacement of failed units would be more expensive to the driver, and as such they are more likely to put off replacement, unless the requirement of an MOT ensures they rectify the fault.

2. Tyres

Modern tyre compounds are optimised for better grip and noise reduction. Whilst this provides a better safer tyre during use, it does not follow that the tyre is more durable. It would normally be the case that a tyre optimised for grip would wear quicker, and this is shown by the large number of tyres being found to be below the legal

requirements when tested at 3 years. It should be the case that drivers regularly check the condition and wear status of their vehicle's tyres. However, the high fail rate at year 3 testing shows that not all drivers are aware of the condition of their tyres. Given that the driver has not detected these faults through self-checks, it is not unreasonable to presume that if no MOT took place at year 3, these vehicles with worn tyre(s) would continue to be used on the road, with the associated road safety risks.

3. Drivers View of the Road

Again no breakdown is provided or analysed of what the actual failure is. Without knowing whether this is due to view through the windscreen, mirrors, washers, wiper or bonnet it cannot be analysed sufficiently. It is likely that the major causes would be obstructions to the view, caused by damage, items suspended from mirrors, inappropriately positioned sat-nav units or mountings. In addition, worn or defective wiper rubbers will also be a large proportion of these failures.

None of these failures would be affected by increased standards in manufacturing vehicles: windscreen obstructions and damage will occur regardless of age, and wiper rubber wear and damage will still occur to the same degree as previously as they are a component that will deteriorate naturally with use.

4. Brakes

As vehicles improve, braking systems have become more efficient and as a result brake linings have improved in regard to effectiveness. The trade-off is that brake linings on some vehicles are softer to achieve the efficiency required leading to decreased durability. It is also worth considering that certain features of modern cars with high technology and safety items, such as autonomous braking and adaptive cruise control, may increase wear on brake components due to increased automatic operation of the braking systems.

Looking at the main failures for class 3 and 4 (see below), it can be seen that the with the exception of drivers view, brakes, tyres and lighting defects are still in the top 4. This shows that even at year 3 the type of failures are consistent with all vehicles tested regardless of year, showing that even the more reliable "newer" vehicles, can and do suffer from the same "wear and tear" safety items as all vehicles.

MOT Class 3 & 4 vehicles: Initial failure by defect category

Financial year	Defect category	% of tests	% of defects
2015 to 2016	Body and structure	1.40%	2.00%
2015 to 2016	Brakes	10.00%	16.90%
2015 to 2016	Driver's view of the road	7.20%	9.00%
2015 to 2016	Driving controls	0.00%	0.00%
2015 to 2016	Fuel and exhaust	4.30%	5.60%
2015 to 2016	Lighting and signalling	18.90%	29.60%
2015 to 2016	Motor tricycles and quadricycles	0.00%	0.00%
2015 to 2016	Reg plates and VIN	0.80%	0.80%
2015 to 2016	Road wheels	0.40%	0.50%
2015 to 2016	Seat belts	2.00%	2.40%
2015 to 2016	Steering	2.90%	3.20%
2015 to 2016	Suspension	13.00%	19.70%
2015 to 2016	Towbars	0.00%	0.00%
2015 to 2016	Tyres	7.70%	10.10%
2015 to 2016	Overall Initial Failure Rate	36.80%	
2015 to 2016	Average defects per Initial Test Failure		2.93

Data from: MOT Testing Data for Great Britain published .gov.uk, updated 13 February 2017.
Source: https://www.gov.uk/government/statistical-data-sets/mot-testing-data-for-great-britain

Most of the data and analysis referred to in the consultation document, **Annex A- Impact assessment**, relate to research carried out in 2011 for the Department of Transport by Transport Research Laboratory, based on data calculation in the 2011 report by TRL "Effect of Vehicle Defects in Road Accidents."

In the conclusion of the TRL report in 2011, section 7, page 45 it is stated (and highlighted in bold in the report) ***"…However it must be stressed that these are estimates only and further work would be required before a genuine quantification of the scale of these adverse road safety impacts will be known."***

There are also numerous notes that the report was compiled with uncertainties, for example in the Executive Summary, page iv:

"…..There is uncertainty with respect to the number of accidents which occur in the UK where vehicle defects are contributory, this is because no recent studies have been undertaken to investigate these issues."

"….Reducing the frequency of testing for newer vehicles is likely to have adverse road safety consequences……"

The TRL report in relation gives estimates regarding potential Killed, Seriously & Slightly injured, but so does a previous report prepared by the DfT in 2008 a comparison is listed below:

Comparison of DfT Report 2008 and TRL Report 2011

Additional Road Deaths		
	TRL (Max estimate)	DfT (Median estimate)
4-1-1 Testing	3	55
Additional Serious Injuries		
	TRL (Max estimate)	DfT (Median estimate)
4-1-1 Testing	39	338
Total – killed, seriously and slightly injured		
	TRL (Max estimate)	DfT (Median estimate)
4-1-1 Testing	353	2,161

Note : TRL's maximum figures are used, but median numbers from DfT report

There are obviously major differences between the reports, but as far as we are aware the 2008 DfT MOT Evidence Base report was quality checked regarding methodology and findings by the Government's statisticians, Cabinet Office and 10 Downing Street specialists, and by the Government's Business Office, and as such did not come with as many caveats that accompanied the more superficial TRL report this current consultation is based on.

The TRL report states categorically in its conclusions that "...*these are estimates only and further work would be required before a genuine quantification of the scale of these adverse road safety impacts will be known."* We cannot see anything in the consultation to state that additional work has been completed and as such to use this report as supporting evidence that a change to the test frequency is justified, in our view would be wrong, especially as such a change would adversely impact on road safety (from the evidence available).

Although the 2008 report is older, we do not feel that there is evidence that since 2008 drivers are maintaining their vehicles substantially better in 2017 than they were 9 years ago. In fact, the overall failure rate for all group B vehicles (class 3, 4, 5 and 7) was 36% as viewed on the MTS on 20/02/17, and our retained records show that the overall rate for 2007/8 when the report was compiled was 38.5%, which suggests little improvement in how vehicles are maintained to correct roadworthiness standards over the last 9 years.

Q4. Are the proposals proportionate to the policy objective to balance the burden on consumers while supporting road safety?

In our view any adverse impact on road safety that could be prevented would be unacceptable. Previous research conducted by VOSA shows that the consumer is satisfied with the operation and benefits of the scheme, and we are not aware of any consumer pressure to change the frequency of the first test.

Q5. What are your views regarding the expected benefits of the proposals as identified in paragraph 4.3 and addressed in the Regulatory Triage Assessment?

We suspect this is a printing error and should refer to "paragraph 4.2" transferring of enforcement costs for class 7 vehicles to the MOT fee. Please see answer to Q11.

Q6. Are the assumptions on savings to the consumer reasonable? If not, please provide details.

In ProMOTe's view, if there was a change to the date of the first MOT any saving to the consumer would be negligible or non-existent, and could even potentially increase costs to the consumer.

The consultation document accepts there will be additional accidents causing death, serious and other injuries. As these additional accidents will come with a financial cost, the majority of which will be borne by insurance companies, who in turn are likely to increase their premiums to the consumer to compensate.

The current high fail rate at year 3 suggests that not all consumers are maintaining their vehicles to the correct standard. If the vehicle is not checked and faults identified at year 3 there is the likelihood that the vehicle, if not checked in another way, will have faults that may be more costly to repair. There will also be a compounding increase in consequential damage to components due to a lack of early detection.

Whilst this proposal has been advertised on the government press releases as "***A boost for motorists***" in reality if there was any savings to motorists this would only be a one off saving, and would be targeted at potentially the better off segment of society who can afford to own a three year old vehicle. Any alleged saving would also only be applicable if the consumer did not have a check conducted at three years in lieu of the MOT. It should also be borne in mind that any type of alternative inspection would most likely have VAT added, which they would not currently have applied to the MOT.

A considerable portion of vehicles that require an MOT at three years are used for business purposes and are unlikely to be actually owned by the driver, but rather be part of a lease agreement where the MOT cost is

included in the overall lease cost of the vehicle. Given that the test fee will be a minute proportion of the overall lease costs, it is unlikely that any appreciable savings will be available to the consumer.

The consultation paper states:

3.5 *Businesses operating large fleets of vehicles will also see an advantage in moving the first test to 4 years, saving time by not having to deal with the paperwork and planning for MOTs at year 3.*

ProMOTe cannot see any saving to these type of businesses' as unlike the normal driver, this type of business will have in place maintenance and testing regimes already. If the vehicle does not have an MOT test at three years this would likely be replaced with an equivalent check rather than having no check at that time.

Q7. Are there any other savings or efficiencies we could consider?

As noted in reply to question 2, increasing the frequency of class 7 vehicles to be tested at year 1 would allow these types of vehicles that tend to cover high mileages and as the test failure data shows, to sometimes be poorly maintained, to have improved roadworthiness standards mandated. This would reduce the potential of accidents and incidents being caused by these types of vehicles with the subsequent savings of social and monetary costs associated with the incidences.

Q8. What are your views on how garages will be affected by changes in: Option 2? - Option 3?

The consultation document mentions that there would be an 8.3% reduction of test for option 2, but that the MOT equipment would be able to be used for fault diagnostics, repairs and safety checks. In reality most garages will already have the facilities in place for repairs, diagnostics and non MOT checks so it is unlikely that they will automatically have enough work to use the empty test bay and will be unable to fully utilise it if not required for MOT tests.

Another point we feel is relevant is that a proportion of MOT testers are full time testers and these tend to be at the later stages of their career. If there is no longer the MOT test volume needed to employ them, these employees will need considerable retraining to be updated to conduct diagnostic and other work required by current vehicles. This type of employee is likely not to be retained, and given that they are likely to be 55 years plus, they will be less likely to find other employment. This would appear to be contrary to a recent government publication from the Department for Work and Pensions, "*A new vision for older workers*." *Source:* *https://www.gov.uk/government/publications/a-new-vision-for-older-workers-retain-retrain-recruit*

Additionally an 8.3% reduction in the total number of MOTs carried out would lead to increased competition between MOT stations. This would lead to even greater discounting of the MOT test fee which has already been identified as a risk factor in the DVSA site risk assessment. *Source:* *www.gov.uk/government/publications/site-assessment-risk-scoring-guide/site-assessment-risk-scoring-guide* *(question 4.6 Test Fee Discount)*

Q9. Are there any other effects that should be considered?

Mileage fraud, or "clocking", is an ongoing problem that directly affects the consumer. The MOT recording system has recently been improved to show on VT20 pass certificates, not only the mileage recorded at the time of test but also the mileage reading recorded at previous tests (up to four previous years.) This system is a major benefit to consumers in identifying any anomalies with the vehicle history record. There has also been another change in that the MOT data, including all logged mileages, have been made available via the .gov.uk website with just the vehicle registration mark and make needed, allowing potential purchasers of vehicles to conduct their own

research prior to purchase. Access to this information to consumers is a deterrent for those illegally attempting to alter mileage recorded on vehicles.

The initial MOT on a vehicle is the first time the mileage data is recorded on the MOT Testing Service; to delay this by another year will in our view be detrimental to the consumer, in not having the mileage at 3 years recorded. We feel it should also be borne in mind that the UK operates a considerable amount of lease vehicles and these, being used for business purposes, tend to have higher mileages covered. The average time for these vehicles to be "de-fleeted" is 40-41 months, meaning currently these vehicles at 3 years will be tested and the mileage recorded, however should the first test be moved to 4 years, these vehicles will have already been sold on, thus losing the opportunity to record their potentially high mileage on the MOT Testing Service.

Q10. What relevant published evidence should be included when considering the impact on road safety?

It is difficult to state with certainty the exact number of fatalities/injuries that are caused through vehicle defects as the methods for recording and investigating these are many and there does not appear to be a single means to do so. There also does not seem to be consistency in looking at whether defects apparent are a primary cause of the incident or secondary to it, i.e. if a fatality occurs during a situation where the driver is intoxicated but an investigation of the vehicle detects a worn tyre, did the incident occur because of the driver? The tyre? Or a combination of both?

That said, we feel that the MOT Evidence Base report by the DfT published in 2008 is more comprehensive than the TRL report in 2011 this consultation is based on, especially as the additional work needed that was stated in the conclusion of this report does not appear to have been conducted.

The consultation paper states:

3.31: *Since the TRL was written, road casualty figures have decreased. Fatalities in 2015 were 22% lower than 2009 and serious injuries were 10% lower.*

The consultation paper also lists the wider road safety improvements made, including improved safety features on vehicles, better use of technology in vehicles to avoid accidents, mandating of certain features in new vehicles, better education for drivers and changes to the driving test.

This is good news, but we do not feel that using this gain to justify delaying the safety critical test at three years to four years is acceptable. Road safety and prevention of accidents should always be the priority and even a single road death that could be prevented is unacceptable, if this is the result of increasing the first test frequency.

Another DfT Report - **Reported Road Casualties in Great Britain, Main Results 2015**, Headline Statistics section, gives a slightly different conclusion regarding improvements in accident fatalities where it states that most of the changes in recent years (since 2010) to fatality numbers, relate to random variation.

".....A total of 1,732 people were killed in reported road traffic accidents in Great Britain in 2015. Although this represents a decrease of 43 fatalities (or 2.4 per cent) from 2014, it is likely that natural variation in the figures explains the change. It is the second lowest year on record after 2013. However, in statistical terms the number of fatalities has remained unchanged since 2011. There were 45 per cent fewer fatalities in 2015 than a decade earlier in 2006 and 4 per cent fewer than the 2010-14 average.

There has been no clear trend in the number of fatalities since around 2011 (see front page chart). Prior to that, and particularly during 2006 to 2010, the general trend was for fatalities to fall. Since then, most of the year on year changes are either explained by one-off effects (for instance, the snow in 2010) or natural variation. ***The***

***evidence, points towards Britain being in a period when the fatality numbers are fairly stable and most of the changes relate random variation.*"**

See for full information, see:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/533293/rrcgb-main-results-2015.pdf

The consultation document on page 3 (footnotes) provides a link to "The British Road Safety Statement of December 2015":
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/487704/british_road_safety_statement_print.pdf

The chart below contained in this report shows road deaths per million population in selected countries in 2013 & 2014. We feel it is relevant to note that the top 2 countries with the best safety record, Sweden and GB, both have their first test at three years. Additionally the next best performing EU member, The Netherlands, also conducts its first test at three years.

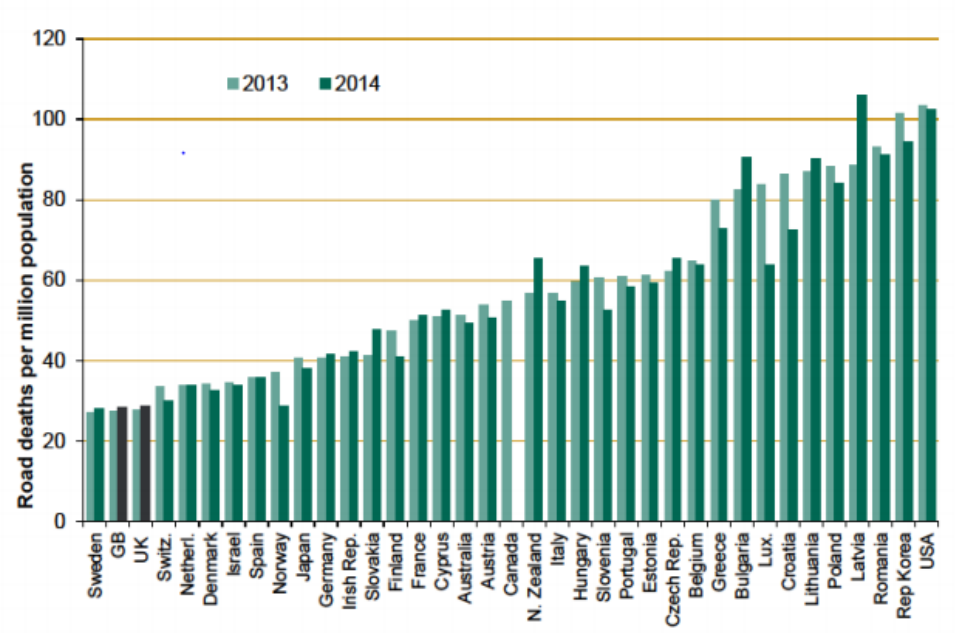

Figure 1 Road deaths per million population in selected countries: 2013 & 2014 (provisional)

As noted above in relation to Q3, the evidence looked at has only been analysed on a very wide "Group of Components" basis, it should be investigated to ensure that the particular components within that group are known and published to be able to make a decision on what defects are being detected during test and at what period in time, together with their consequent effect on road safety.

You have published that in 2015, 143,413 vehicles tested around age 3 failed for "Lamps, reflectors and electrical equipment." However this group covers a large range of components, to give an example, should all of these failures be for a trailer electrical socket insecure, there may be limited road safety impact. However if all of these failures are for non-functioning headlamps there would be a severe road safety impact. This information does not appear to have been considered nor does this data appear in any impact assessment.

Likewise we are aware that a large number of vehicles tested around year 3 have dangerous defects identified to be so by the NT (in 2016 for class 4 11,880 and class 7 642.) Likewise we are also aware that in vehicles tested at around age 3 in 2016 a large number have had advisory notifications added for tyres, brakes, steering &

suspension (111,281 for class 4 and 8,374 for class 7.) It would be hoped that the presenters will act upon these advisory notifications and attend to them before they become road safety issues, but there would be no means of ensuring they do so. Indeed the failure rate data published shows that a large proportion of drivers do not maintain their vehicles to an acceptable roadworthiness standard. The statistics we have been made aware of can be verified with your own MTS data records. We feel that the impact assessment needed to look at this data and factor in the additional potential defects that will possibly go undetected should the period of first test move from 3 years to 4.

Q11. Should the cost of enforcement on large vans be transferred: - Away from public funds? - Onto the cost of the MOT inspection?

We feel this subject should be dealt with by the separate consultation on MOT fees.

Conclusions

ProMOTe strongly suggest that moving the first MOT for the majority of vehicles from 3 years to 4 years would increase and directly contribute towards the numbers of fatalities, serious injuries and other injuries caused to drivers, other road users and pedestrians.

Each of these additional deaths and injuries will have a social and economic effect of the citizens of this country. For the Government and Ministers representing these citizens to even consider a change to a system that is currently working would be indefensible.

ProMOTe feels that the consultation paper and impact analysis is superficial and relies on incomplete information. Relevant and important information that would support the retention of the first test at 3 years is either ignored or not considered.

There is no evidence in the consultation paper and impact analysis to support contentions made that modern vehicles are less likely to suffer from wear and tear safety defects. Likewise the consultation paper has made no proper analysis of actual components that are found currently to be defective at 3 years, only broad grouping. The statistical data used only relates to the TRL report, which even in its conclusion notes that further work is required, however no further work has been noted as being undertaken. Other relevant DfT reports have not been considered. To reach a decision to change the test frequency with incomplete information would be improper.

ProMOTe feels therefore that any effect on road safety is likely to be underestimated, as the information the proposal is based on is flawed and incomplete.

We are aware that this proposal was a Treasury initiative proposed during the Summer Budget in 2015 without internal consultation with the DfT and DVSA, and was headlined “which would save motorists over £100m a year.” In the same budget were plans to change Vehicle Excise Duty on newly registered vehicles. We are concerned that road safety could be compromised to attempt to alleviate potential increased costs to motorist VED on certain vehicles. It would be unacceptable to increase road casualties and deaths to support a vague proposal to save motorists money that would be negligible or non-existent.

The current system works and is effective. It is trusted and provides road safety enhancement to drivers at minimum cost to them. To dilute this benefit would be unacceptable, especially at the cost of increased death and injury.