



*Ford Transit Custom, the best-seller in July*

Dear Colleague,

### **DVSA Testing exemptions**

The new legislation will allow the DVSA to be selective on who gets further test exemptions, and for what length this exemption will be. This will be based on the quality of the operator and their vehicles. This is being brought in to assist with the backlog of truck testing over the next year

1. Operators who are currently categorised 'Earned Recognition'.
2. The very top Operators in the green OCRS category
3. Operators whose trucks are less than 2 years old.

More details from the DVSA are enclosed in this Newsletter.

### **LCV Registrations**

Sales of new light commercial vehicles increased by 7.1% in June with 27,701 units registered. With more van dealerships reopening across the UK demand for new, cleaner vans is starting to increase. While the market still has not returned to normal, the July figures give great encouragement for the road ahead.

NFDA is your trade body and we are here to help and advise you on regulatory and operational issues that affect your business. However, if there are issues that we have not covered or you have concerns about, please do contact us on the NFDA helpline 01788 538303.

Steve Latham  
Head of NFDA Truck & Van Division  
Mob: 07515 975 157  
Email: [stephen.latham@rmif.co.uk](mailto:stephen.latham@rmif.co.uk)

## UPDATE ON DVSA TESTING

Heavy vehicle testing restarted at Authorised Testing Facilities (ATFs) on 04 July 2020.

As you know, we've been issuing certificates of temporary exemption (CTEs) to vehicles and trailers due for test.

We're now able to confirm our longer-term plans to help manage testing demand:

- Exemptions will be in use until March 2021
- 3-month exemptions will continue for all vehicles and trailers that have not already received one
- 12-month exemptions will be introduced for certain operators, vehicles and trailers

### What resource will ATFs get?

We want to help you, and operators, to plan ahead as we move towards the end of the year.

Our capacity to provide more resource to ATFs will increase over the coming months. This capacity is based on meeting demand for vehicles and trailers due for test in this period.

And we're offering additional sessions as testing staff become available.

### Issuing further exemptions

Vehicles and trailers due for test up to March 2021 will get a 3-month exemption if they have not already received one.

But certain vehicles and trailers due for test up to March 2021 will get longer exemptions.

### What is the criteria?

Fleets which are considered to be safer will get 12-month exemptions.

Newer vehicles and trailers, Earned Recognition operators and those demonstrating a higher level of compliance generally have the lowest test failure rates.

Exemption status	Eligibility
12-month exemption	Either: <ul style="list-style-type: none"><li>• Earned Recognition operator (whole fleet)</li><li>• Operator in green OCRS roadworthiness band with 50 or more roadworthiness events and a calculated roadworthiness base score of 1.3 or lower on 27 July 2020</li><li>• Vehicle or trailer up to 2 years old</li></ul>
3-month exemption	<ul style="list-style-type: none"><li>• Not previously had an exemption and not eligible for a 12-month exemption (see above)</li></ul>

### How will this work?

All exemptions will be applied automatically.

3-month exemptions will apply from the original test date. For example, a vehicle with a test originally due in September 2020 will be moved to December 2020.

12-month exemptions will also apply from the original test date. For example, a vehicle with a test originally due in March 2020 which got an exemption to September 2020 will be moved to March 2021.

The full table of exemptions and new test dates is included at the end of this message.

For Public Service Vehicles (PSVs), the 'exact date' of expiry will be retained. So, if the vehicle is due for test on 15 September 2020 and gets a 3-month exemption, it will move to 15 December 2020.

12-month exemptions for eligible operators will be applied to fleets that are specified on operator licences.

12-month exemptions for vehicles or trailers which are up to 2 years old will not be linked to OCRS score or licence status.

### **When will exemptions be applied?**

We will begin to apply 3-month exemptions immediately.

12-month exemptions will be processed from 24 August 2020 and we will start with vehicles and trailers which are due in for test in August 2020 (those with 3-month exemptions issued in May 2020).

Some eligible PSVs will not get longer exemptions prior to their August 2020 test expiry date because the individual expiry date is before 24 August 2020.

### **What do we want you to book now?**

We know vehicle operators are concerned about getting tests later in the year but those getting longer exemptions will not now need to book tests.

We've already given you some information on the vehicles which need to be prioritised for test now.

The highest priority are those operators who will legally need a test because their exemption is ending, or they have not been given one.

We want you to prioritise:

1. Vehicles/trailers legally due a test within a month
2. Vehicles/trailers going on international journeys
3. Dangerous goods vehicles
4. Specialist vehicle types (eg. refuse vehicles, gritters)
5. Prohibition clearances

### **What if I do not have enough resource to test those vehicles?**

If you are aware of any vehicle operators in the above categories who are unable to secure a test slot, please contact us at: [contactnbmteam@dvs.gov.uk](mailto:contactnbmteam@dvs.gov.uk).

## Exemptions Planner

Original Test Due Date	New Test Due Date	
	Eligible for 12-month exemption	Not eligible for 12-month exemption
March 2020	March 2021	September 2020
April 2020	April 2021	October 2020
May 2020	May 2021	August 2020
June 2020	June 2021	September 2020
July 2020	July 2021	October 2020
August 2020	August 2021	November 2020
September 2020	September 2021	December 2020
October 2020	October 2021	January 2021
November 2020	November 2021	February 2021
December 2020	December 2021	March 2021
January 2021	January 2022	April 2021
February 2021	February 2022	May 2021
March 2021	March 2022	June 2021

---

### VAN SALES SHOW STRONG PENT UP DEMAND

For the first time in many months, there was an increase in registrations of light commercial vehicles, up to 3.5 tonnes. Sales of light commercials rose by 7.1% in July with 27,701 units, according to the latest SMMT figures. Much of this is considered to be pent up demand for vehicles that would have been acquired earlier this year. Year to date, the market is down by -39.0%.

In addition, current stocks of panel vans are reasonably high, which is allowing for prompt deliveries to customers. If demand holds up going forward, a situation could arise where availability is restricted due to factories across Europe not being fully operational.

The better sellers in July were the medium-sized vans 2.0-2.5t vans, which were up by 12.0%, and the large 2.5 – 3.5t vans, which experienced an increase of 5.4%. Light commercials that are generally acquired by commercial/fleet buyers are used in the online delivery territory.

Smaller 'car derived vans' under 2 tonnes lost ground as they were down -22.0%. This is owed to these small vehicles often being run as service vans and they are also bought heavily by the self-employed.

Light commercial dealers are sounding optimistic going into the rest of this year

## REGISTRATIONS OF VANS plus HCVs 3.5T-6T by MONTH

	Jul -20	Jul -19	% change
Pickups	3,893	3,117	25.0%
4x4s	203	114	78.0%
Vans <= 2.0t	1,468	1,883	-22.0%
Vans > 2.0 - 2.5t	4,571	4,083	12.0%
Vans > 2.5 - 3.5t	17,566	16,665	5.0%
All Vans to 3.5t	27,701	25,862	7.0%
Rigids > 3.5 - 6.0t	634	547	16.0%

## REGISTRATIONS OF VANS plus HCVs 3.5T-6T by YEAR-TO-DATE

	YTD-20	YTD-19	% change
Pickups	17,988	31,463	-43.0%
4x4s	838	958	-13.0%
Vans <= 2.0t	8,528	16,727	-49.0%
Vans > 2.0 - 2.5t	23,328	33,428	-30.0%
Vans > 2.5 - 3.5t	85,895	139,704	-39.0%
All Vans to 3.5t	136,577	222,280	-39.0%
Rigids > 3.5 - 6.0t	3,190	4,384	-27.0%

## BEST SELLERS LCV <3.5 tonnes

JULY 2020			YEAR-TO-DATE		
①	Ford Transit Custom	3,405	①	Ford Transit Custom	19,774
②	Mercedes-Benz Sprinter	2,581	②	Mercedes-Benz Sprinter	10,713
③	Ford Transit	1,785	③	Ford Transit	10,249
④	Volkswagen Transporter	1,545	④	Vauxhall Vivaro	7,435
⑤	Vauxhall Vivaro	1,381	⑤	Volkswagen Transporter	6,585
⑥	Ford Ranger	1,300	⑥	Peugeot Partner	6,301
⑦	Vauxhall Combo	1,206	⑦	Citroën Berlingo	5,910
⑧	Peugeot Partner	1,053	⑧	Ford Transit Connect	5,866
⑨	Ford Transit Connect	1,042	⑨	Ford Ranger	5,628
⑩	Citroën Berlingo	1,014	⑩	Vauxhall Combo	4,831

Image source: SMMT

## NORTHERN IRELAND PLANS TO RESUME FURTHER MOT SERVICES AND CAR AND LORRY DRIVING TESTS

*On Tuesday 28 July, Northern Ireland Infrastructure Minister Nichola Mallon has announced that the Driver & Vehicle Agency (DVA) intends to resume further MOT testing services and practical car and lorry driving tests from 1 September 2020.*

Following the resumption of testing for some vehicle groups earlier this month, the DVA plans to resume MOT testing for additional categories including four year old cars and motorbikes, three

year old light goods vehicles and testing of heavy goods vehicles, trailers and buses. These customers will be sent a reminder letter with details of how to book a test.

The DVA also plans to resume practical car and lorry driving tests from 1 September, initially prioritising those requests from key workers followed by those customers whose tests were cancelled due to lockdown. The DVA will contact these customers directly to arrange appointments. A further update will be provided when all other customers will be able to book a test.

The DVA has already reinstated, from 20 July, MOT testing for priority groups not able to avail of Temporary Exemption Certificates (TECs) including taxis and buses due a first time test; vehicles not previously registered in Northern Ireland; vehicles whose MOTs have expired by more than 12 months that includes vehicles previously declared SORN and those sold by car dealerships.

Individual Vehicle Approval (IVA) testing for priority vehicles has also been reinstated to ensure supply chains and the health service continue to be supported during this time of significant challenge. This service is being expanded to book more lower priority vehicles for testing. A statutory authorisation process for ADR vehicles, used for the carriage of dangerous goods in the north has also been introduced and the DVA is now accepting applications for priority ADR tests for those vehicles used to transport dangerous goods outside Northern Ireland.

The DVA has reinstated some driver testing services for those licence categories where testing can be done safely in line with current PHA advice and guidance on social distancing requirements. This includes motorcycle rider testing from 6 July, and tests for drivers of buses, tractors and module 4 CPC tests for lorry, bus and coach driver from 20 July. Driver theory tests also resumed on 6 July 2020.

Announcing the resumption of driving tests Minister Mallon stated: “I very much recognise the frustrations of those customers not able to take driving tests during this time and the inconvenience this has caused. I am pleased to announce that the DVA plans to resume car and lorry driving tests from 1 September, initially prioritising over 200 key workers and then those customers who have had tests cancelled to ensure they are not further inconvenienced, with the priority of keeping staff and customers safe”.

“The DVA is continuing to carry out risk assessments and consult with staff and unions in relation to the further resumption of services. I am pleased to say that it is planned, from 1 September, to resume MOT testing for four-year-old cars and motorcycles, three-year-old light goods vehicles, and buses, lorries and trailers. As restrictions ease, and the DVA’s capacity to test vehicles increases, more services will continue to be reinstated as we move eventually towards full-service resumption”, Mallon added.

[Full announcement](#)

---

## MILS LEGAL CASE STUDY: FACEMASKS

*“I have been told that it is now a legal requirement for my customers to wear a mask in my garage. Is that right?”*



We have been dealing with Coronavirus for some time now and as with all things best practice, advised and legal requirements have evolved over time. Following recent Government announcements regarding facemasks there has been some confusion regarding if and when they are required.

## Are my customers required to wear a mask?

In short, it depends on where you are in the United Kingdom. The first thing to note is that it is *already* mandatory to wear facemasks in a retail environment in Scotland and it has been since 10 July. It will be mandatory in England to wear a mask in a retail environment from 24 July. However, the position in both Wales and Northern Ireland remains that face coverings are strongly advised but not mandatory in a retail environment.

In summary

	<b>Mandatory on Public Transport</b>	<b>Mandatory in shops</b>	<b>Recommended</b>
<b>England</b>	✓	✓ From 24 July	✓ (required for >1m)
<b>Northern Ireland</b>	✓ From 10 July	X	✓
<b>Scotland</b>	✓	✓	✓
<b>Wales</b>	X	X	✓

Further advice from England, Northern Ireland, Scotland and Wales can be found at

[England](#) - [Northern Ireland](#) - [Scotland](#) - [Wales](#)

## So is a dealership a shop?

As the legislation in England has not been drafted yet, this is uncertain. However, many RMI members have been arguing that they are retail premises for the purposes of business rate relief as well as Coronavirus grants.

As the government are likely to use the same definition regarding face masks, it is our opinion that dealerships to whom members of the public have access should assume they are retail premises and require customer to wear a mask unless an exemption applies. (particularly as it will protect customers and staff.)

## What are the exceptions?

You (or your customers) do not need to wear a face covering if you have a legitimate reason not to. This includes:

- young children under the age of 11
- not being able to put on, wear or remove a face covering because of a physical or mental illness or impairment, or disability
- if putting on, wearing or removing a face covering will cause you severe distress
- if you are travelling with or providing assistance to someone who relies on lip reading to communicate
- to avoid harm or injury, or the risk of harm or injury, to yourself or others

- to avoid injury, or to escape a risk of harm, and you do not have a face covering with you
- to eat or drink, but only if you need to
- to take medication
- if a police officer or other official requests you remove your face covering

It should be noted that the current guidance states that it is not compulsory for shop staff to wear face coverings, however employers should consider whether usage should be required to protect staff where appropriate and where other mitigations, such as shields etc are not in place.

### **How to wear face coverings.**

HSE guidance on face coverings recommend that any face coverings should cover both the mouth and nose and fit securely against the side of the face. You should wash your hands thoroughly before putting on any mask to avoid contamination and never wear the mask on your neck and forehead.

Further guidance can be found at

<https://www.hse.gov.uk/coronavirus/ppe-face-masks/face-coverings-and-face-masks.htm>

### **In Conclusion**

This advice is general in nature and it will need to be tailored to any one particular situation. Furthermore, it is important to note that the situation is very fluid and Government guidance is changing daily. We are keeping our ears close to the ground for RMI members who are all, understandably, desperate for more certainty. Should you find yourself in the situation above, contact us at any stage for advice and assistance as appropriate.

The information in this note is based on information released by the Government as at 17 July 2020.

Motor Industry Legal Services

*Motor Industry Legal Services provides fully comprehensive legal advice and representation to UK motor retailers for one annual fee. It is the only law firm in the UK which specialises in motor law and motor trade law. MILS currently advises over 1,000 individual businesses within the sector as well as the Retail Motor Industry Federation (RMI) and its members.*

---

## **AVERAGE PRICES OF USED COMMERCIAL VEHICLES SURGE 10%**

*20 July, Fleet Point*

According to the latest data from Auto Trader, following the reopening of showrooms across the UK, demand for commercial vehicles (CV) has soared, with the number of unique users to its Auto Trader Vans marketplace increasing by 40% year-on-year in June, and 79% on pre-COVID-19\* levels.

Based on weekly pricing observations of circa 186,000 CVs in the market, it's evident the increase in demand has influenced average prices. Whilst forecourts were closed, average

prices remained stable, and in fact increased 2% between the start of the lockdown period to mid-May, growing from £13,128 on 22<sup>nd</sup> March, to £13,402 on 20<sup>th</sup> May. However, as anticipation of showrooms reopening grew, prices began to surge. On 1<sup>st</sup> June the average sticker price of a used CV increased to £13,710 and has continued to grow, averaging £14,404 on 6<sup>th</sup> July. It marks a 10% increase since pre-lockdown.

[Source: Fleet Point](#)

---

## **USED VAN VALUES SOAR AT AUCTION WITH LIMITED SUPPLY**

*23 July, Motor Trader*

Used van values rose 20.8% to a record £5,949 in Q2 according to figures from Aston Barclay. It said the increase was due to restricted supply and booming demand as dealers opened doors for business on 1 June. Between 330 and 360 online buyers were logged on for each sale.

Aston Barclay continued to sell used vans online during the lockdown as sectors like home delivery experienced a peak in demand. Those dealers who saw stock depleted during lockdown were then faced with buying replacement stock for more than their original retail sale which has caused challenges on cashflow and stocking strategy.

Double-cab pick-up prices also rose in Q2 by 4.2% (£312) on the back of a marked fall in average age and mileage to 60 months and 65,000 miles. Stock remains in short supply, but replacement cycles are now consistently at five years, which vendors consider as their optimum contract length.

[Source: Motor Trader](#)