

Sarah: Goldsmith

Thank you for your request for information under the Freedom of Information Act. As your request for information falls within the Agency's day to day business, this is subsequently being treated as 'Business as Usual'. I will answer your questions in the order that you have asked them.

Is it LAWFULLY REQUIRED that I must have a drivers licence?

The Road Traffic Act 1988 requires all drivers to hold a driving licence, which is valid and appropriate for the class or category of vehicle in order to drive legally on UK roads.

Is it LAWFULLY REQUIRED that I must take and pass a driving test?

Before you can legally drive or ride a vehicle or motorcycle as a learner driver you must you must be supervised by a qualified driver (not if riding a motorcycle) and display Learner plates.

In order to drive as a "qualified driver" you must hold the appropriate driving licence for the vehicle being driven, meet driver minimum age requirements, meet the legal eyesight and medical standards and pass the relevant driving test

Is it LAWFULLY REQUIRED that I must register my own, paid-for vehicle with the DVLA and therefore transfer its ownership to the government and I only become the registered KEEPER?

The register maintained by DVLA is based on vehicles and their keepers - the 'registered keepers', who are responsible for the use and licensing of vehicles on the roads. DVLA's register is **not** a register of legal title to vehicles.

The register held at DVLA is essentially maintained to assist in revenue collection, road safety and law enforcement generally. It is clearly essential for all these purposes that the register shows the people in possession of vehicles and responsible for their day to day use on the road. For this reason the law requires keepers to notify the DVLA as they acquire and dispose of vehicles and Vehicle Registration Certificates (V5C) are issued to them to help maintain this process.

Vehicle Registration Documents (V5C's) are not documents of legal title or proof of ownership. There is a prominent note on the certificate to makes it clear that the registered keeper is not necessarily a vehicles legal owner and the fact a certificate is issued does not affect the legal ownership of a vehicle.

Is it a LAWFUL REQUIREMENT that I must submit my vehicle for an MOT test/certificate that is only valid for ONE DAY out of 365?

The annual MOT test is a minimum check of the main safety related components on the vehicle, but each motorist is responsible for keeping their vehicle in a roadworthy condition throughout the year through regular maintenance and servicing according to their use of the vehicle.

Is it a LAWFUL REQUIREMENT that I must annually pay tax (vehicle licensing fee)?
Vehicle registration and taxing is governed by the Vehicle Excise and Registration Act 1994 (VERA) (as amended). The Act requires all vehicles that are used or kept on the public road to be correctly taxed and display a valid tax disc at all times.

Is it a LAWFUL REQUIREMENT that I must submit a SORN Notice to you (or anyone else) under ANY circumstance WHATSOEVER?

All UK registered vehicles are subject to the requirements of the Vehicle Excise and Registration Act 1994 (as amended) and the Road Vehicles (Registration and Licensing) Regulations 2002. As you are aware, the Act requires the registered keeper of a vehicle to either license it or, if it is being kept off-road, make a Statutory Off Road Notification (SORN). This indicates that the vehicle is off the public road and is, therefore, not liable for vehicle excise duty (VED).

Schedule 4 of the 2002 Regulations requires that where a vehicle licence (tax disc) expires or is surrendered, the keeper is obliged to make the relevant declaration. SORN must be made immediately and must be renewed annually if the vehicle is to remain unlicensed off the public road. These requirements are imposed by the legislation and failure to comply is deemed an offence.

Is it a LAWFUL REQUIREMENT that I must have 3rd party insurance?

The Road Traffic Act requires all motorists to be insured against their liability for injuries to others (including passengers) and for damage to other people's property resulting from use of a vehicle on a road. It is an offence to drive a car or allow it be driven without insurance.

Am I not already adequately and LAWFULLY insured via my own NI?

National Insurance does not provide insurance cover to drive a vehicle on the road. The Road Traffic Act requires all motorists to be insured against their liability for injuries to others (including passengers) and for damage to other people's property resulting from use of a vehicle on a road. It is an offence to drive a car or allow it be driven without insurance.

Is it a LAWFUL REQUIREMENT that my vehicle must have seatbelts fitted?

We are unable to comment without having full details of your specific vehicle. However there are legislative requirements to the fitting of seat belts in cars and dual purpose vehicles. The legislative requirements can be found in The Road Vehicles (Construction & Use) Regulations 1986 (as amended).

Is it a LAWFUL requirement that I must wear seatbelts?

By law, you must wear a seat belt in a vehicle where one is fitted. There are few exemptions to this, however, you may wish to follow the link to the THINK Road Safety web page which gives further details about the legal requirements to use seat belts.

http://www.dft.gov.uk/think/focusareas/invehiclesafety/seatbelts?page=Advice&whoareyou_id=

Is it a LAWFUL requirement that my vehicle must be fitted with a catalytic converter?
This is not a matter for DVLA.

Does the government or the DVLA have plans to make it a 'Legal' requirement to have all cars fitted with SatNav in the foreseeable future?

DVLA are not aware of any plans to make it a legal requirement to have all cars fitted with Satellite Navigation systems in the future.

If the answers to any/all of the above twelve (12) questions is 'no', why does the DVLA exist?

The function of the Driver and Vehicle Licensing Agency (DVLA), which is an executive agency of the Department for Transport, is to maintain an accurate record of drivers and vehicles. It is responsible for the collection and enforcement of vehicle excise duty (VED) and tackling vehicle crime.

Yours sincerely

Policy and External Communications Directorate