



Department
for Transport

Barry Sheerman MP
House of Commons
London
SW1A 0AA

Baroness Vere of Norbiton
Minister for Roads, Buses and Places

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: baroness.vere@dft.gov.uk

Web site: www.gov.uk/dft

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Dear Barry,

Thank you for your letter of 11 January, about the effectiveness of MOT testing in detecting noxious emissions from vehicles.

I understand your concerns about the detection of noxious emissions from vehicles during the MOT test. As you will be aware from the response to your recent Parliamentary questions, checks for the proper functioning of diesel particulate filters (DPFs) already form part of the MOT test and are explicitly mentioned as an item to be checked in the MOT inspection manual. Where emission control equipment fitted by the manufacturer is missing, obviously modified or obviously defective, the vehicle should receive a “Major” failure and not pass the MOT test.

It is an offence under the Road Vehicles (Construction and Use) Regulations (Regulation 61a(3)) to use a vehicle which has been modified in such a way that it no longer complies with the air pollutant emissions standards it was designed to meet. Removal of a DPF will almost invariably contravene these requirements, making the vehicle illegal for road use. The potential penalties for failing to comply with Regulation 61a are fines of up to £1,000 for a car or £2,500 for a light goods vehicle.

The Driver and Vehicle Standards Agency (DVSA) also takes emissions control very seriously, and their Market Surveillance Unit achieved recent success in court with a successful prosecution on this very issue. This sends a clear message to parts manufacturers and distributors that they must sell their products in line with the law or face prosecution.

The Department has carried out research to assess whether new measurement equipment could be used to improve the assessment of emissions within the MOT test and roadside checks. This included equipment for detection of removed or damaged diesel particulate filters.

Results of this research will be considered for any future changes to the MOT emissions test.

Yours,
Charlotte

BARONESS VERE OF NORBITON