

STATES OF JERSEY



DRAFT ROAD TRAFFIC AND VEHICLES (VIENNA CONVENTION – MISCELLANEOUS AMENDMENTS) (JERSEY) REGULATIONS 201- (P.109/2018): AMENDMENT (P.109/2018 Amd.) – COMMENTS

**Presented to the States on 16th November 2018
by the Minister for Infrastructure**

STATES GREFFE

COMMENTS

Firstly, I wish to thank the Panel for undertaking its review of the Draft Road Traffic and Vehicles (Vienna Convention – Miscellaneous Amendments) (Jersey) Regulations 201- ([P.109/2018](#)) within such a constrained timescale. As the report accompanying the Panel's amendment ([P.109/2018 Amd.](#)) acknowledges, there are strict timescales for legislation to be in place in order for the UK to extend the Vienna Convention to Jersey ahead of the Brexit deadline. I look forward to receiving the Panel's further comments in due course.

The proposed amendment seeks to provide the States Assembly with the opportunity to amend by Regulations any Ministerial Order relating to both the level of fees charged for inspections and the designation of examiners. Like the Panel, I agree that matters such as the fees charged for inspections are of high public interest, and I support and appreciate the position taken. I agree that it is important to ensure that the Assembly can enact changes if it does not agree with the proposals of myself or any future Minister in these areas.

I can therefore confirm that I accept this amendment as it has been presented by the Panel.

In accepting this amendment, it is important to make clear that, whilst the level of fee for technical inspections will be kept as low as possible, this will clearly be dependent on the future model of delivery. At this stage, preliminary work indicates an estimated fee for motor cars of £40–60 per inspection and a lesser fee for motorcycles. These estimated fees are based on a cost recovery model for setting up and running a government-operated inspection station to deal with the projected throughput. It is important to note that any inspection fee for cars will be for a 3 year period, and a cost of approximately £50 over this time should be considered as a proportionate regulatory intervention to improve road safety and safeguard our rights to drive abroad.

The Panel's report suggests that current proposals lack detail. I would like to point out that it has been essential, bearing in mind the strict time constraints, to focus on the development and implementation of the enabling legislation which will ensure that the Island can comply with the Vienna Convention. This has been a necessary first stage, both to provide the legal framework for an inspection regime and, importantly, to enable the UK Government to extend ratification on the Island's behalf in a timely manner. Only once the legislation has been approved by the States Assembly, and ratification has been confirmed, would work begin on implementing the early inspection regime and developing proposals for the permanent arrangement.

Indeed, considerable work needs to be undertaken in order to develop and agree detailed proposals for periodic technical inspections of motor cars. This work will be undertaken as part of a Procurement Options Appraisal study, which will consider the main delivery options, identify and agree a proposed solution, including business case and proposed fee levels, and implement the agreed solution. This is work that will take many months to complete. As identified by the Panel in its report, this is work that I agree should be subject to continued scrutiny.

Accordingly, I accept this amendment, as it maintains the timelines for safeguarding the rights of Islanders to drive abroad.