

Changes to rebated fuel excepted vehicles

Legislation is in place around the list of vehicles permitted to use rebated fuel (red diesel). The legislation was introduced in two stages – most of the changes happened on 1 April 2007, but those affecting road construction vehicles were delayed until 1 April 2008.

The changes on 1 April 2007

The existing categories and changes which took place on 1 April 2007 are listed in the table below.

Current excepted vehicle category	Category list changes from 1 April 2007
Unlicensed vehicles not used on public roads	Vehicles licensed after 31 January 1998 require Statutory Off-Road Notification (SORN) if kept off-road. Such vehicles are only eligible to use red diesel if SORN declaration has been made. Unlicensed vehicles that do not require SORN can continue to use red diesel without making a declaration.
Agricultural tractors	The definition has been changed to mean a tractor which: <ul style="list-style-type: none"> a) is designed and constructed primarily for use otherwise than on roads, and b) used on public roads solely for: <ul style="list-style-type: none"> (i) purposes relating to agriculture, horticulture or forestry (ii) cutting verges bordering public roads, or (iii) cutting hedges and trees bordering public roads or bordering verges which border public roads HMR&C and industry representatives have agreed to jointly establish and publish a code of practice defining 'purposes relating to agriculture, horticulture and forestry'.
Agricultural engines	This category has been newly defined as a vehicle which: <ul style="list-style-type: none"> a) is designed and constructed primarily for use otherwise than on roads b) is designed and used solely for purposes relating to agriculture, horticulture or forestry c) is used on public roads only for proceeding to or from the place where it is to be or has been used for those purposes, and d) when so proceeding does not carry any load except such as is necessary for its propulsion or for the operation of any machinery built-in or permanently attached to the vehicle.
Vehicles used between different parts of land for agriculture, forestry or horticulture between land (occupied by same person) not more than 1.5km apart	This category is further limited to vehicles for which there is a 'nil' licence in force under the Vehicle Excise and Registration Act 1994.
Mobile cranes	This category is limited to mobile cranes with a revenue weight exceeding 3.5 tonnes, which only carry goods necessary for its propulsion or the operation of the built-in lifting apparatus. The new definition states a mobile crane means a vehicle which is designed and constructed as a mobile crane and which: <ul style="list-style-type: none"> a) is used on public roads only as a crane in connection with work carried out on a site in the immediate vicinity or for the purpose of proceeding to and from a place where it is to be or has been used as a mobile crane b) when so proceeding does not carry any load except such as is necessary for its propulsion or the operation of built-in lifting apparatus, and c) has a revenue weight exceeding 3,500kgs In 2000 a high court ruling found that a crane is a machine that lifts objects and moves them to a radius, regardless of the method or technology used to achieve this.
New category - mobile pumping vehicles	A new category is introduced for mobile pumping vehicles, meaning a vehicle: <ul style="list-style-type: none"> a) which is constructed or adapted for use, and used, for the conveyance of a pump and jib, which is: <ul style="list-style-type: none"> (i) built in as part of the vehicle, and (ii) designed so that material pumped by the pump is delivered to a desired height or depth through piping that is attached to the pump and the jib and is raised or lowered to that height or depth by operation of the jib b) which is used on public roads only: <ul style="list-style-type: none"> (i) when the vehicle is stationary and the pump is being used to pump material from a point in the immediate vicinity to another such point, or (ii) for the purpose of proceeding to and from a place where the pump is to be used or has been used, and c) which when so proceeding, does not carry: <ul style="list-style-type: none"> (i) the material that is to be or has been pumped, or (ii) any other load except such as is necessary for the propulsion or the equipment of the vehicle or for the operation of the pump

The changes on 1 April 2007 *Continued*

Current excepted vehicle category	Category list changes from 1 April 2007
New category - agricultural material handlers	A new category is introduced for material handlers used solely for purposes relating to agriculture, horticulture or forestry. An agricultural material handler means a vehicle which: <ol style="list-style-type: none"> a) is designed and constructed primarily for use otherwise than on roads b) designed to lift goods or burden, and c) used on public roads solely for: <ol style="list-style-type: none"> (i) purposes relating to agriculture, horticulture or forestry (ii) cutting verges bordering public roads, or (iii) cutting hedges and trees bordering public roads or bordering verges which boarder public roads
New category - agricultural processing vehicles	A new excepted vehicle category will be introduced for a vehicle which: <ol style="list-style-type: none"> a) is used for the conveyance of built-in processing machinery, being built-in or permanently attached to the vehicle that is used for the processing of agricultural, horticultural or forestry produce whilst the vehicle is stationary b) is used on public roads only for proceeding to or from the place where that processing machinery it is to be used, and c) when so proceeding does not carry any load except such as is necessary for its propulsion or for the operation of the processing machinery

The changes on 1 April 2008

The existing categories and changes which took place on 1 April 2008 are listed in the table below.

Current excepted vehicle category	Category list changes from 1 April 2008
Road construction vehicles	This category will be deleted
New category - tar sprayers	A new category is introduced for a vehicle which is constructed or permanently adapted, and used, solely for spraying tar on to the road or for proceeding to and from the place where it is to be or has been used for that purpose.
New category - road surfacing vehicles	A new excepted vehicle category is introduced for a vehicle which: <ol style="list-style-type: none"> a) is designed and constructed to perform an operation necessary to construct or restore the surface of a road b) does not carry any load on a public road except such as is necessary for its propulsion or for the operation of any machinery built-in or permanently attached to the vehicle, and c) has a maximum speed not exceeding 20 kilometres per hour
Unaffected vehicle categories	The excepted vehicle categories that remain unaffected by these changes are:
	<ul style="list-style-type: none"> • light agricultural vehicles • mowing machines • snow clearing vehicles and gritters • digging machines • works trucks • road rollers