



# Vehicle & Operator Services Agency

From: **Information Access**  
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Your ref:  
Our ref: **F0004708**

Date: 29<sup>th</sup> January 2013

Dear

## **FREEDOM OF INFORMATION ACT 2000**

1) I refer to your e-mail of 11<sup>th</sup> January 2013. We have dealt with your request under the terms of the Freedom of Information Act 2000. You asked:

1. How many times have you stopped vehicles in Scotland and noted that they are retro fitted with HID xenon lighting?
2. How many times in Scotland have you issued an MOT advisory or failure for the same?
3. How many times in Scotland have you issued an advisory or prohibition at the roadside for having these lamps fitted?
4. If you have these figures nationally can you also issue them?
5. Would any action from yourselves affect an operators OCRS score?
6. Have you issued or received any information from your 3rd party test stations for all classes regarding the aforementioned issue?
7. Are you aware that kits can now be purchased to retrofit LGV/PCV vehicles with HID xenon lighting? (Especially Scania's <http://www.hids4u.co.uk/24v-truck-hid-conversion-kits-24-volt-hgv-coach/>)
8. What are VOSA's thoughts on this (above), and will they be looking for and taking any action at the roadside when they are found?

2) In respect of points 1 to 4, 6 and 7 I can confirm that this information is not recorded by or held by the Vehicle and Operator Services Agency (VOSA) for the reasons given in paragraph below.

3) An operators OCRS score (point 5 above) is calculated using information relating to vehicles which are used on an Operators Licence. The type of vehicles you have quoted all have a gross vehicle weight below the 3.5 tonnes operator licencing threshold and therefore would not impact on an operators OCRS scoring.

4) As you are no doubt aware, VOSA are the Government Agency responsible for the testing and roadside enforcement of heavy vehicles as well as the supervision and administration of the MOT Testing Scheme. It is the Police that have responsibility for light vehicle roadside enforcement.

5) Aftermarket HID kits are readily available for purchase and have been a concern for some time as the majority of these kits do not meet the requirements. In respect of point 5, the Department for Transport (DfT) subsequently published an information sheet on this subject in May 2010, outlining the facts of their sale and use. This can be found by clicking on the following link

<http://webarchive.nationalarchives.gov.uk/20120606172804/http://assets.dft.gov.uk/publications/dft-information-sheets/aftermarket-hid-headlamps.pdf>

6) The test in Great Britain is required to comply with the European Framework Directive on periodic technical inspection. In this regard the annual test is to be amended in April this year to include the satisfactory operation of automatic levelling and washing systems where these are fitted. However, these systems are not mandatory for all vehicles fitted with HID lamps as it is dependant on light output and/or suspension movement. As it is not possible for a tester to determine at the time of test (annual or roadside) whether these components are required, there is no reason for rejection, either in the directive or the amended manual.

7) In respect of lamp colour, HID headlamps are considerably brighter than conventional headlamps and tend to produce a whiter light, although they may appear to have a blue tint. This is perfectly acceptable provided the bulbs are 'E' marked, but it is not possible to determine this at annual test, as dismantling is not allowed. It is only where a headlamp is clearly an incorrect colour where it will fail.

8) Satisfactory operation of the dipped and main beam headlamps is also part of the test and includes switching between the two functions. Therefore, if a headlamp does not operate immediately when switched between dipped and main beams, or vice versa, then this would result in a test failure.

9) I hope this now clarifies matters. However, should you require any further information on the legislative requirements please contact the DfT International Vehicle Standards Team. Their contact details are contained in the information sheet.

If you are unhappy with the response provided, you may ask for an internal review within two months of the date of this letter. To request an internal review, please write to:-

VOSA Corporate Office,  
Berkeley House,  
Croydon Street,  
Bristol,  
BS5 0DA

or email [vosa.corporateoffice@vosa.gsi.gov.uk](mailto:vosa.corporateoffice@vosa.gsi.gov.uk)

giving the reasons for your dissatisfaction. It will help us if you quote the reference number for your case.

If you do not agree with the outcome of the internal review, you may lodge an appeal with the Information Commissioner ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)). The Information Commissioner is an independent official appointed by the Crown to oversee the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

The Information Commissioner can consider complaints about any aspect of the way in which requests for information have been handled. Please note: the Information Commissioner would be unlikely to consider your complaint if you have not first requested an internal review.

You can write to the Information Commissioner at:-

The Information Commissioner's Office  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact us, quoting reference **F0004708**.

Yours sincerely

VOSA Information Access