



Department  
for Transport

10 FEB 2013

Rt Hon Andrew Smith MP  
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From the Secretary of State  
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Our Ref: MC/67019  
Your Ref: TD/WOOD01087/01130358

14 FEB 2013

*De Andrew*

Thank you for your letter of 30 January 2013, enclosing correspondence from your constituent, [REDACTED] of [REDACTED] about removal of diesel particulate filters from vehicles.

It is an offence under the Road Vehicles (Construction & 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 diesel particulate filter, whilst not illegal in itself, will almost certainly result in a contravention of the above requirement, making the vehicle illegal to use on the road.

The MoT emissions test is a simple and relatively inexpensive test of the overall condition of the engine and exhaust after treatment system, and so necessarily has a generous tolerance margin built into it in order to ensure that vehicles in good condition are not unjustifiably failed. The nature of the test means that it cannot be expected to reliably detect illegally modified vehicles. A test that would do so would be both very expensive and time-consuming.

*y - e*  
*Patrick*

THE RT. HON. PATRICK McLOUGHLIN