

Petitions Committee: Proposed offences for vehicle tampering

Activity

The Petitions Committee ran an online survey to ask petitioners how the Government's proposals to create new criminal offences for vehicle tampering would affect them.

This survey was conducted to inform a debate on a petition on this issue, to be held on 25 April 2022.

The survey was sent to people who signed the following petition:

[Do not implement proposed new offences for vehicle "tampering"](#)

We have summarised the key themes below and illustrated them with quotes from respondents.

Response

There were **5,610** complete responses to the Committee's survey

Methodology

NVivo Pro 12 (a data analysis software) was used to identify and contextualise the most common words and phrases in responses to open questions in the survey. This allowed us to group and summarise recurring themes which were threaded throughout much of the responses. As the survey contained solely open questions, with the exception of one question about respondents' backgrounds, this summary does not contain any statistical data.

In addition to this analysis of the data, Committee staff manually reviewed hundreds of individual comments and answers, using both subject searches and randomised selection.

Key themes

- [About the respondents](#)
 - [Modifying vehicles is not just a pastime but a way of life for many respondents](#)
 - Many respondents told us how important modifying vehicles, and driving them, is to their quality of life
 - Many told us of the level of pride and care they take in the work they do on their vehicles
 - Several respondents spoke of how the process of carrying out modifications benefits their mental health
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- [There was concern about the impact of the Government's proposals on jobs and the UK economy](#)
 - A large number of respondents expressed concern that the Government's proposals risk harming the automotive sector, including those involved in the custom aftermarket, which plays a significant role in the UK economy
 - Many respondents also raised concerns about the impact on motorsport and other dedicated performance car events
 - [The Government's good intentions were accepted, but the proposed offences were felt to be misdirected and unnecessary](#)
 - A significant number of respondents accepted the good intentions behind these proposals
 - Many respondents stressed that modifications are typically made to improve, not reduce, a vehicle's level of safety or security
 - Concerns were raised that banning modifications could have the opposite to the desired effect
 - [A lack of clarity to the proposals is a source of concern](#)
 - A significant number of respondents raised concerns about a lack of clarity on which specific modifications would fall foul of these new offences
 - Respondents were also not clear who would be responsible for identifying vehicles which had been modified illegally, and were concerned this could result in inconsistent enforcement
 - [Banning modifications could make vehicles less accessible to drivers with particular physical needs](#)
 - Several respondents, including some with a disability, told us that their vehicle had been modified so it met their physical needs
 - Respondents who had modified a vehicle to meet their physical needs were concerned that restricting modifications could make it harder for them to get around as they would like
 - [Restricting access to aftermarket parts could force many older and classic cars off the roads and negatively affect the environment](#)
 - A number of respondents highlighted the importance of aftermarket parts to the restoration and maintenance of older cars, including 'classic' cars
 - Restricting owners' right to fit aftermarket parts to their older car could render older and 'classic' cars obsolete.
 - Making older cars obsolete could have a negative effect on the environment by increasing the number of drivers buying new cars, the production of which generates significant carbon emissions
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- [The MOT system provides the necessary safeguards, but could be made more robust](#)
 - Many respondents felt the MOT test should ensure that unsafe or environmentally harmful modifications are identified, without the need for imposing additional new offences
 - A large number of respondents felt that reforming the MOT system could help ensure that testing stations are better equipped to make informed decisions about the safety, security, and emissions of the vehicles they inspect
 - [The police need additional training and increased funding](#)
 - Many respondents felt the police should be provided with improved training to help them identify unsafe or environmentally damaging modifications
 - Many also called for increased funding for the police to help them enforce the law as it stands
 - [Insurance providers already help to dis-incentivise modifications which are unsafe or environmentally damaging, but could have a greater role](#)
 - A significant number of respondents told us they are required to notify their insurance provider of any modification they have made to their vehicle, as a condition of their policy. However, some felt this should be made a legal requirement
 - Some respondents felt that additional requirements on insurance providers could support police action, including by supporting enhanced road-side insurance checks
 - [There are other steps the Government could take to achieve the same goals](#)
 - Many respondents suggested other actions they felt could help to protect road safety, vehicle security, and the environment. These included increased penalties for dangerous driving, and the use of noise-indicator signs
 - Several respondents told us about systems used successfully in other countries which the UK could adopt
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About the respondents

- The majority of respondents told us they own, or drive, a vehicle they have personally modified
- A significant minority told us they own, or drive, a vehicle modified by someone else
- A small minority told us they work in the vehicle modification/custom aftermarket industry, or in motorsports
- Other respondents included drivers of unmodified cars, and motorcycle enthusiasts

Key themes:

Modifying vehicles is not just a pastime but a way of life for many respondents

- Many respondents told us how important modifying vehicles, and driving them, is to their quality of life
- Many told us of the level of pride and care they take in the work they do on their vehicles
- Several respondents spoke of how the process of carrying out modifications benefits their mental health

Quotes

“Modifying cars is a major part of some of our lives, it’s a pride and joy.”

“My car modifications [have] enabled me to meet new people and become part of an enthusiasts community which has helped my mental well being and given me projects to focus my time on”

“Modified cars are unique and distinctive from each other effectively rendering them works of art, the time and effort that goes into

building them is a labour of love and the parts we use are bespoke individual items designed specifically for the application they are used for.”

There was concern about the impact of the Government’s proposals on jobs and the UK economy

- Many respondents, including the majority of those who told us they work in the motorsport or custom aftermarket industries, expressed concern that the Government’s proposals risk harming the automotive sector, which plays a significant role in the UK economy
- Several respondents also raised concerns about the impact on motorsport and other dedicated performance car events

Quotes

“The automotive aftermarket is estimated to generate £12.2 Billion and create approx. 350,000 jobs within the UK. A removal of this industry will have a major impact on tax revenue.”

“Vehicles are to many not just a mode of transport they are a passion and treat vehicles as works of art. They not only bring joy to themselves but also to thousands of admirers at shows and exhibitions whilst bringing in millions of pounds to the industry and economy.”

“It will potentially put companies who provide after market products out of business as well as events that hold shows etc, this has a knock on to secondary and tertiary SMEs who rely on income from such places.”

The Government's good intentions were accepted, but the proposed offences were felt to be misdirected and unnecessary

- Many respondents accepted the good intentions behind these proposals
- Several respondents stressed that modifications are typically made to improve, not reduce, a vehicle's level of safety or security
- Concerns were raised that banning modifications could have the opposite to the desired effect

Quotes

"I do not object to a law preventing modifications that reduce safety or increase the environmental impact of a vehicle, however there are many other modifications which can be made to improve a vehicle's safety and emissions such as improved brakes, suspension, lights and tyres etc."

"Adding alloy wheels to a vehicle currently on steel wheels from the factory for example is a weight saving example that actually improves the emissions of the vehicle. It's fair to say that the majority of people who modify cars do so to older (10 years plus) vehicles, these people keep these cars on the road which again is a proven way of decreasing the carbon footprint."

"I am concerned that whereas historically I have been able to upgrade brakes or suspension to higher performing variants when the original manufacturer equipment fails, any blunt implementation of this law could limit buyers to OEM [Original Equipment Manufacturer] equipment which given the number of recalls that are issued is questionably better. Modifications should carry a TUV approval standard as in Germany

as I agree poor quality kit could compromise safety."

"Currently each modification I make to my motorcycle is recorded with my insurance underwriter, legitimising my use of the machine on the road. A tightening of the rules will in my opinion encourage a return of modifications being made without the approval of insurers and the law, for example, the use of exhaust systems not approved for use on public highways, [the reasons for which are as much about] personal safety ("loud pipes save lives" for example being a popular sound bite) as for performance improvement."

A lack of clarity to the proposals is a source of concern

- Many respondents raised concerns about a lack of clarity on which specific modifications would fall foul of these new offences
- Respondents were also not clear who would be responsible for identifying vehicles which had been modified illegally, and were concerned this could result in inconsistent enforcement

Quotes

"Be very specific in your wording instead of using loose terms that can be interpreted however a police officer sees fit. We already have grey areas in regards to number plate positions, sun strips and fixed position seats that are causing thousands of pounds in fines to be issued monthly as the guidance isn't clear, let's not create more grey areas."

"My concern is the industry will be unsure of the validity of the multitude of modifications available and automatically ban them out of

fear of the consequences of making a wrong decision.”

“How will the sale of modifications that do improve vehicles be regulated? Will there be a panel of automotive engineers checking/approving certain items for sale or is it entirely the retailers responsibility to prove the product is not adversely affecting safety and emissions? If the retailer has more paperwork to complete this will further impact their profits which are already being reduced.”

“I am concerned that the Government's assurance that they “would like to emphasise that our policy intention is to prevent modifications that have a negative impact on road safety, vehicle security and the environment” is not sufficient to prevent broad interpretation by the courts for the proposed offence of “removing, reducing the effectiveness of, or rendering inoperative a system, part or component for a vehicle”. In seems to me that this offence would be, if interpreted thus, a blanket ban on removing any and all components present on a vehicle when bought from the manufacturer, regardless of their impact on vehicular safety.”

Banning modifications could make vehicles less accessible to drivers with particular physical needs

- Several respondents, including some with a disability, told us that their vehicle had been modified so it met their physical needs
- Respondents who had modified a vehicle to meet their physical needs were concerned that restricting modifications could make it harder for them to get around as they would like

Quotes

“The proposed law will prevent any freedom of choice in a wide range of matters, way beyond the headline issue. I am taller than the average person therefore I might require a larger screen on a motorcycle over standard or I might choose to replace worn or poorly performing braking parts with superior performance parts.”

“I use after market stuff because i can't pay the price of car and motorcycle companies parts and need special bits because i am disabled”

“A tinted front wind screen with a wind deflector is not a standard fitting and as a taller rider I need both. If not you are discriminating against taller riders. Further the changes to brake levers to allow adjustments for people with smaller hands, heat grips which do not come as standard, a new seat which is water proof has more grip and more comfortable for the older gentle man.”

Restricting access to aftermarket parts could force many older and classic cars off the roads and negatively affect the environment

- Many respondents highlighted the importance of aftermarket parts to the restoration and maintenance of older cars, including ‘classic’ cars
 - Restricting owners’ right to fit aftermarket parts to their older car could render older and ‘classic’ cars obsolete.
 - Making older cars obsolete could have a negative effect on the environment by increasing the number of drivers
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buying new cars, the production of which generates significant carbon emissions

Quotes

"I drive a classic sports car built in the UK. The car itself was produced in relatively small numbers and so many parts are now unavailable to purchase. When parts fail I prefer to replace like-for-like with modern alternatives, or upgrade to improve performance or safety."

"A lot of these vintage motorcycles which are part of Britain's heritage are only running today because of the manufacturing and fitting of replacement non standard parts."

"Older cars, especially classics, can be hard to find OEM parts for, leaving people with no choice but to use Aftermarket "upgrades" if they want to continue to use good quality parts. These changes will confuse people as to whether or not they can use certain parts or not."

The MOT system provides the necessary safeguards, but could be made more robust

- Many respondents felt the MOT test should ensure that unsafe or environmentally harmful modifications are identified, without the need for imposing additional new offences
- Several respondents felt that reforming the MOT system could help ensure that testing stations are better equipped to make informed decisions about the safety, security, and emissions of the vehicles they inspect

Quotes

"The current MOT regulations in my view are sufficient to combat any dangerous modifications to a road vehicle which would may impact road safety, random roadside checks by VOSA and traffic enforcement officers could be utilised to check compliance."

"A modified vehicle MOT could check against OEM manufacturer data to see if modifications have improved or negatively impacted safety - for example, improved brake pads improve braking performance and therefore reduce stopping distance, equals a safety vehicle."

"MOT stations should have stronger powers to inspect vehicles and all owners should prove that their vehicle has been regularly serviced. If the owner wishes to upgrade their vehicle then it should be re-tested after the upgrade to ensure the integrity of the car. The testing station should have access to the insurance data base to check that the changes have been registered. A list of any major changes could be noted on the MOT certificate similar to the section on advisories which could then be checked by the police if required."

"The government already has a scheme to do this; the MOT system. However, this has seen a dumbing down of the tester's ability to comment on and reject vehicles. The advice is 'pass and advise'. MOT testers do have a lot of experience, and they can make judgements. I can understand that DVSA has concerns with opening things up to more individual assessment, but it has progressively reduced training, local support and surveillance. The IVA scheme relies heavily on the individual tester's skill, so it is

not impossible for an MOT tester to make a judgement, and then refer it to a DVSA IVA inspector... if most of the centres had not been closed down."

The police need additional training and increased funding

- Many respondents felt the police should be provided with improved training to help them identify unsafe or environmentally damaging modifications
- Several also called for increased funding for the police to help them enforce the law as it stands

Quotes

"Relying on cameras to enforce better driving i.e speeding does not solve this. Police on the roads are needed and this in itself improves peoples awareness of road safety and the importance of maintaining vehicles to keep them legal."

"The current system works, if an individual uses illegal and unsafe parts, such as slick race tyres, performance exhaust etc the vehicle will fail it's MOT. Or, if stopped by the police potentially fined. This system must be retained, perhaps a solution could be for the police to be given training to be able to identify unsafe equipment quicker?"

"Fund road traffic policing and ensure Traffic Officers maintain their existing right to stop vehicles they suspect to be illegal under present legislation. Legislation is adequate already. Funding for traffic operations (including policing of distracted driving offences) could be increased."

Insurance providers already help to disincentivise modifications which are unsafe or environmentally damaging, but could have a greater role

- Many respondents told us they are required to notify their insurance provider of any modification they have made to their vehicle, as a condition of their policy. However, some felt this should be made a legal requirement
- Some respondents felt that additional requirements on insurance providers could support police action, including by supporting enhanced road-side insurance checks

Quotes

"Modifications already must be declared to your insurers so have them issue a physical document (and an entry on the MID) listing declared changes. When a vehicle is stopped by Police this document can simply be checked against the vehicle there and then the owner dealt with accordingly noting that undeclared changes invalidates insurance so these drivers are breaking existing law."

"I regularly see/hear vehicles that are obviously not in 'factory tune' due to modified exhausts or ECU 'upgrades'. It would be useful if the police could stop these vehicles and do an insurance check to see if the insurance companies have been informed."

"The use of insurance data would ensure full vehicle disclosure. Current ANPR systems allow interrogation of vehicle and driver status, therefore adding coding for modification would not impact on cost."

There are other steps the Government could take to achieve the same goals

- Many respondents suggested other actions they felt could help to protect road safety, vehicle security, and the environment. These included increased penalties for dangerous driving, and the use of noise-indicator signs
- Several respondents told us about systems used successfully in other countries which the UK could adopt

Quotes

“I would also like to see noise-indicator signs much like the speed-indicator signs currently in use, as it's easy to know how fast you are going but more difficult to know how loud. More socially conscious enthusiasts would most likely adjust to avoid driving louder vehicles at night.”

“The government should focus on increasing the penalty fines and points on licenses for offensive behaviour and dangerous driving, and if cars break MOT rules they should be

seized but if people are being reasonable with their modifications, there shouldn't be any issues.”

“Is closing off the relatively small modification arena simply playing at the edges of the issue [of protecting the environment], in comparison to industry, air travel and conventional transport? Could this effort go into improving infrastructure for electric vehicles, providing support for bio fuels, supporting research into alternative fuels such as hydrogen distribution for fuel cells?”

“Germany has a system called TUV which is a quality assurance certificate. All modifications made to road cars MUST be using parts that have this TUV certification to ensure that the vehicle stays safe to use on the road and is not liable to negatively affect the environment.”

“Australia has a defect [recall] system which could be adopted. Vehicles found below the outlined government standard would then have "fix list" issued to be rectified within a reasonable nominated time.”