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STATUTORY RULES OF NORTHERN IRELAND

2001 No. 402

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 2001

Made - - - -	*14th November 2001*
Coming into operation	*14th January 2002*

The Department of the Environment, in exercise of the powers conferred on it by Articles 5(3), 13(3)(*a*) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 2001 and shall come into operation on 14th January 2002.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**2**).

Amendment to regulation 2 (interpretation)

2. In regulation 2(1)(**3**) of the principal Regulations, after the definition of "controlled by a pedestrian" there shall be inserted the following definitions—

> ""disability assessment licence" means a provisional licence granted to enable a person to drive a motor vehicle for the purpose of preparing for, and taking, a disability assessment test;
>
> "disability assessment test" means a test of competence to drive for which a person is required, by notice under Article 11(5)(*c*) of the Order to submit himself;".

(**1**) S.I.1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"; Articles 5 and 13 were substituted by S.I. 1991/197 (N.I. 3), Schedule 1; Article 5 was amended by S.R. 1996 No. 426, Schedule 1, paragraph 2; Article 13 was amended by S.R. 1996 No. 426, Schedule 1, paragraph 5

(**2**) S.R. 1996 No. 542; relevant amending Regulations are S.R. 1997 No. 383, S.R. 1999 No. 358 and S.R. 2000 No. 297

(**3**) Regulation 2(1) was amended by S.R. 1997 No. 383, regulation 2(2)

Amendent to regulation 12 (conditions attached to provisional licences)

3. In regulation 12(**4**) of the principal Regulations, after paragraph (8) there shall be inserted the following—

"(8A) The holder of a disability assessment licence shall not drive a vehicle of a class which he is authorised to drive by virtue of the licence otherwise than during a period which—

(a) commences with the beginning of such period prior to the taking of the disability assessment test required by a relevant notice as is specified in writing by the Department when serving that notice; and

(b) ends with the completion of the test,

and, for these purposes, a "relevant notice" is a notice under Article 11(5)(*c*) of the Order requiring the person to submit to a disability assessment test.".

Amendments to regulation 18 (persons by whom practical and unitary tests may be conducted)

4.—(1) Regulation 18(**5**) of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1), for the words "in paragraph (2)" there shall be substituted "in paragraph (1A) or (1B)".

(3) After paragraph (1A) there shall be inserted—

"(1B) A practical test which is conducted as a disability assessment test shall be conducted by—

(a) an examiner appointed for the purposes of paragraph (1)(*a*); or

(b) a person appointed by the Department for the purpose of conducting the test.".

Sealed with the Official Seal of the Department of the Environment on 14th November 2001.

L.S.

Sam Foster
Minister of the Environment

(**4**) Regulation 12 was amended by S.R. 1999 No. 358, regulation 3
(**5**) Regulation 18 was amended by S.R. 1997 No. 383, regulation 5 and S.R. 2000 No. 297, regulation 2

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (S.R. 1996 No. 542).

Where an application has been made for a full driving licence following the revocation of such a licence, or the refusal of its renewal, on medical grounds, the Department may serve a notice under Article 11(5)(*c*) of the Road Traffic (Northern Ireland) Order 1981 requiring the applicant to take a driving test to assist in determining whether he is fit to regain his licence. The Regulations provide that a provisional licence granted for this purpose may only be used during such period up to and including the taking of a test as is specified by the Department when serving the notice (regulation 3).

The Regulations also specify by whom the tests may be conducted (regulation 4(3)).