
STATUTORY INSTRUMENTS

2005 No. 1902

ROAD TRAFFIC

The Motor Cars (Driving Instruction) Regulations 2005

<i>Made</i>	- - - -	<i>6th July 2005</i>
<i>Laid before Parliament</i>		<i>14th July 2005</i>
<i>Coming into force</i>		
<i>for all regulations other than regulations 10 and 11</i>		<i>10th August 2005</i>
<i>for the purpose of regulations 10 and 11</i>		<i>1st January 2007</i>

The Secretary of State for Transport, in exercise of the powers conferred upon him by sections 123(2), 125(3), 125(5), 125A(5), 125A(6), 125A(7), 125B(2), 125B(6), 127(2), 129(5) 132, 133B(2), 134 and 135(1) of the Road Traffic Act 1988(1), and after consulting with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

PART 1

Preliminary

Citation and commencement

1.—(1) These Regulations may be cited as the Motor Cars (Driving Instruction) Regulations 2005.

(2) Regulations 10 and 11 of these Regulations shall come into force on 1st January 2007 and all other regulations hereof shall come into force on 10th August 2005.

Interpretation

2.—(1) In these Regulations—
“the Act” means the Road Traffic Act 1988;

(1) 1988 c. 52. Section 125(3) was amended by S.I. 1999/357, regulation 2; sections 125(5) and 132 were amended by the Transport Act 2000, section 260 and Schedule 29; sections 125A and 125B were amended by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c. 31) section 1 and sections 127(2) and 129(5) were inserted by sections 6 and 2 respectively of that Act.

“approved driving instructor” means a person whose name is entered in the register;

“continued ability and fitness test” means the test of continued ability and fitness to give instruction in the driving of motor cars or appropriate motor cars referred to respectively in sections 125(5) and 125B(6)(b) of the Act and the nature and content of which is prescribed in regulation 12;

“driving ability and fitness test” means the practical test of driving ability and fitness to drive referred to in sections 125(3)(a) and 125A(6)(a) of the Act and the nature of which is prescribed in regulation 6;

“examination” means the examination of ability to give instruction in the driving of motor cars referred to in sections 125(3)(a) and 125A(6)(a) of the Act;

“examiner”, in relation to part of the examination or the continued ability and fitness test, means an officer of the Secretary of State or any other person appointed by the Secretary of State to conduct that part of the examination or that test;

“instructional ability and fitness test” means the practical test of ability and fitness to give instruction in the driving of motor cars referred to in sections 125(3)(a) and 125A(6)(a) of the Act and the nature of which is prescribed in regulation 7 of these Regulations;

“licence” means a licence to give driving instruction granted under section 129 of the Act;

“the register” has the meaning given by section 123(1)(a) of the Act;

“the Registrar” means the officer of the Secretary of State by whom the register is, on behalf of the Secretary of State, compiled and maintained; and

“written examination” means the written examination referred to in sections 125(3)(a) and 125A(6)(a) of the Act and the nature of which is prescribed in regulation 5 of these Regulations.

(2) In these Regulations a reference to part of the examination is a reference to one of the 3 parts of the examination set out in regulation 3(2).

PART 2

Examination of Ability to Give Instruction

General provisions

3.—(1) A person who desires to submit himself for any part of the examination shall supply the Registrar with such particulars as the Secretary of State may determine.

(2) The examination shall consist of—

- (a) the written examination;
- (b) the driving ability and fitness test; and
- (c) the instructional ability and fitness test.

(3) Where a person has passed the written examination (whether before or after these Regulations are made) he shall not be eligible to take it again during the following 2 years.

(4) Subject to the provisions of this regulation, a person shall be regarded as having passed the examination only if the following conditions are fulfilled in his case—

- (a) he has on the same day passed both the written examination and the element of the driving ability and fitness test that tests hazard perception;
- (b) he has passed the remaining elements of the driving ability and fitness test on his first, second or third attempt after he had passed the written examination and the element of the driving ability and fitness test that tests hazard perception;

- (c) within 2 years after passing the written examination and having passed all of the elements of the driving ability and fitness test he made an application to take the instructional ability and fitness test; and
 - (d) he has passed the instructional ability and fitness test on his first, second or third attempt after he had passed the written examination and on a date appointed by the Registrar in respect of an application made in accordance with sub-paragraph (c).
- (5) Where a person has—
- (a) passed the written examination before 14th November 2002;
 - (b) passed the elements of the driving ability and fitness test, other than the test of hazard perception, on his first, second or third attempt after he had passed the written examination; and
 - (c) fulfilled the conditions specified in sub-paragraphs (c) and (d) of regulation 3(4), he shall be regarded as having passed the examination.
- (6) For the purposes of this regulation and regulation 13—
- (a) where a person has commenced the driving ability and fitness test or the instructional ability and fitness test and does not complete the test, the person shall be treated as having failed the test in question unless the Registrar is satisfied that the person had a reasonable excuse for not completing that test;
 - (b) subject to sub-paragraph (c), a reference to the passing of the written examination or the driving ability and fitness test (including paragraph (4)(a)) shall, in relation to a person who has passed that examination or test (as the case may be) on more than one occasion, be read as a reference to the last of those occasions;
 - (c) if a person takes the written examination on an occasion when he is not eligible to take it he shall not in any circumstances be regarded as having passed on that occasion.
- (7) For the purposes of this regulation a person shall be deemed to have made an application on the date that his application and the fee prescribed by these Regulations are received by the Registrar.

Candidate to produce particulars

4.—(1) Without prejudice to the generality of regulation 3(1) a person shall, before submitting himself to any part of the examination, produce to the examiner the particulars specified in paragraphs (2) to (5) below.

(2) Subject to paragraph 3, in the case of the written examination and the driving ability and fitness test, the person must produce either—

- (a) a licence in the form of a photocard together with any relevant counterpart of that licence; or
- (b) a licence in a form other than a photocard together with—
 - (i) a current passport; or
 - (ii) a current cheque guarantee card or credit card that bears a photograph and signature of that person.

(3) Where a person has produced particulars in accordance with paragraph (2) before submitting himself to the written examination, that person need not produce those particulars again before undertaking the element of the driving ability and fitness test that tests hazard perception.

(4) In the case of the instructional ability and fitness test, the person must produce either—

- (a) a licence in the form of a photocard together with any relevant counterpart of that licence; or
- (b) a licence in a form other than a photocard together with—

- (i) a current passport;
 - (ii) a current cheque guarantee card or credit card that bears a photograph and signature of that person; or
 - (iii) a current licence issued under section 129(2) of the Act.
- (5) For the purposes of this regulation, unless otherwise specified, “licence” means—
- (a) a current licence to drive a motor car (not being a provisional licence) granted under Part 3 of the Act;
 - (b) a current licence to drive a motor car (not being a licence corresponding to a provisional licence) granted under the law in force in Northern Ireland; or
 - (c) a Community licence by which he is authorised to drive a motor car in Great Britain.

Written examination

5. The written examination shall consist of a theoretical examination, in which the candidate is required to answer from his own knowledge, on all or any of the following subjects—

- (a) the principles of road safety generally and their application in particular circumstances;
- (b) the techniques of driving a motor car correctly, courteously and safely, including control of the vehicle, road procedure, recognising hazards, taking proper action with respect to hazards, dealing properly with pedestrians and other road users and the use of safety equipment;
- (c) the tuition required to instruct a pupil on the matters set out in sub-paragraph (b), the correction of the pupil’s errors, the manner of the instructor, the relationship between instructor and pupil and simple vehicle adaptation for disabled drivers;
- (d) the theory of learning and the theory and practice of teaching and assessment;
- (e) the Highway Code and other matters in the booklet in which it is published;
- (f) the edition of the publication entitled “The Official Guide to Learning to Drive” for the time being issued by the Department for Transport and published by the Stationery Office;
- (g) the explanation and interpretation of—
 - (i) reasons for the failure of the theory test or the practical test appended to a statement of failure to pass that test prescribed by regulation 47(2) or, as the case may be, regulation 48(1) of the Motor Vehicles (Driving Licences) Regulations 1999(2);
 - (ii) weaknesses in the understanding of driving theory or in driving technique which are apparent from the documentation appended to a theory test or practical test pass certificate issued under either of those regulations;
- (h) knowledge, adequate to the needs of driving instruction, of the mechanism and design of a motor car; and
- (i) the edition of the publication entitled “Driving—the essential skills” for the time being issued by the Department for Transport and published by the Stationery Office.

Driving ability and fitness test

6.—(1) Subject to paragraph (8), the driving ability and fitness test shall consist of tests of hazard perception, eyesight and driving technique.

- (2) The candidate must—

- (a) take the test of hazard perception immediately after he has completed the written examination;
 - (b) reach the qualifying standard in respect of the test of hazard perception before he may take the remaining elements of the driving ability and fitness test; and
 - (c) reach the qualifying standard in the tests of eyesight and driving technique on the same occasion.
- (3) The test of hazard perception shall—
- (a) be conducted by means of the exhibition of film clips that take the perspective of the driver of a motor vehicle and show, at some point during each film clip, one or more hazards to traffic occurring on or near the road; and
 - (b) require the candidate (using electronic equipment provided for the purpose and capable of recording the exact moment of each response) to indicate during each film clip the moment he observes a hazard relating to traffic on the road.

And for the purposes of this paragraph “film clip” means a sequence of visual images displayed electronically.

(4) A candidate taking the test of hazard perception must satisfy the examiner that his performance in the test of hazard perception demonstrates the necessary ability to perceive hazards on the road.

(5) The test of eyesight shall be a test of the candidate’s ability to read in good daylight, (with the aid of glasses or contact lenses if worn), a motor vehicle registration mark containing letters and figures—

- (a) 79 millimetres in height and 50 millimetres wide at a distance of 27 metres; or
- (b) 79 millimetres in height and 57 millimetres wide at a distance of 27.5 metres.

(6) A candidate taking the test of driving technique must satisfy the examiner on—

- (a) his expert handling of the controls;
- (b) his use of correct road procedure;
- (c) his anticipation of the actions of other road users and taking of appropriate action;
- (d) his sound judgement of distance, speed and timing; and
- (e) his consideration for the convenience and safety of other road users.

(7) A candidate taking the test of driving technique must satisfy the examiner of his ability to meet the requirements specified in Schedule 1 to these Regulations.

(8) Where a candidate has—

- (a) passed the written examination before 14th November 2002;
- (b) passed the elements of the driving ability and fitness test, other than the test of hazard perception, on his first, second or third attempt after he had passed the written examination; and
- (c) fulfilled the conditions specified in sub-paragraphs (c) and (d) of regulation 3(4),

the driving ability and fitness test shall consist only of tests of eyesight and driving technique and paragraphs 2(a) and (b), (3) and (4) shall not apply to him.

Instructional ability and fitness test

7.—(1) The instructional ability and fitness test shall be a test in which the candidate is required to demonstrate his knowledge and ability by giving practical driving instruction to an examiner as if the examiner were—

- (a) a novice or partly trained pupil;

- (b) a pupil who is at about driving test standard; or
- (c) a qualified driver undertaking driver development training;

and the examiner may at his discretion choose two of these roles that he will play when conducting the test.

(2) The candidate shall, in respect of one or both of those roles as the examiner shall specify, instruct the examiner in such of the following subjects as the examiner shall specify as the basis of the instruction—

- (a) explaining the controls of the vehicle;
 - (b) moving off;
 - (c) making normal stops;
 - (d) reversing, and while doing so entering limited openings to the right or to the left;
 - (e) turning to face the opposite direction, using forward and reverse gears;
 - (f) parking close to the kerb, using forward and reverse gears;
 - (g) using mirrors and explaining how to make an emergency stop;
 - (h) approaching and turning corners;
 - (i) judging speed, and making normal progress;
 - (j) road positioning;
 - (k) dealing with road junctions;
 - (l) dealing with cross roads;
 - (m) dealing with pedestrian crossings;
 - (n) meeting, crossing the path of, overtaking and allowing adequate clearance for, other vehicles and other road users; and
 - (o) giving correct signals.
- (3) The candidate's knowledge and ability shall be assessed on—
- (a) the method, clarity, adequacy and correctness of his instruction;
 - (b) the observation and correction of the examiner's driving errors; and
 - (c) his manner generally.

Motor car to be provided for practical part of examination

8.—(1) A candidate for the driving ability and fitness test or the instructional ability and fitness test shall provide, at his own expense, a motor car for the purposes of the test, in respect of which the following conditions are satisfied.

- (2) Subject to paragraph (3) below, the vehicle must—
- (a) have four wheels and be constructed solely for the carriage of passengers and their effects and be fitted with a rigid roof, with or without a sliding panel; and
 - (b) have a readily adjustable driving seat and a seat for a forward-facing front passenger;
 - (c) have a steering wheel on its off-side;
 - (d) be provided with a means whereby the driver may, independently of the use of the accelerator or the brakes, gradually vary the proportion of the power being produced by the engine which is transmitted to the road wheels; and
 - (e) be otherwise suitable for the purposes of the test.

(3) In the case of a vehicle provided by a candidate who fulfils the conditions mentioned in section 125A(1)(a) and (b) of the Act, paragraph (2)(d) above shall not apply.

(4) In the case of a vehicle provided for the purposes of a driving ability and fitness test, the vehicle must—

- (a) have fitted to the front passenger seat a head restraint and seat belt;
- (b) have a rear view mirror for use by the occupant of the front passenger seat, in addition to the rear view mirror provided for use by the driver of the vehicle; and
- (c) not, during the conduct of the test, carry the distinguishing mark prescribed by regulation 16(2) of the Motor Vehicles (Driving Licences) Regulations 1999.

(5) In the case of a vehicle provided for the purpose of an instructional ability and fitness test, the vehicle must—

- (a) be capable of being driven by the examiner;
- (b) have fitted to the driver's seat a seat belt and head restraint;
- (c) have a rear view mirror for use by the driver of the vehicle; and
- (d) have in force in relation to it an insurance policy that meets the conditions set out in paragraph (6);

and throughout the test there shall be displayed in a conspicuous manner on the front and on the back of the vehicle distinguishing marks in the form prescribed by regulation 16(2) of the Motor Vehicles (Driving Licences) Regulations 1999.

(6) The policy of insurance referred to in regulation 8(5)(d) shall—

- (a) comply with the requirements of section 145 of the Act in relation to the candidate as driver of the vehicle;
- (b) comply with the requirements of that section in relation to the examiner as the driver of the vehicle as if the section applied to persons in the public service of the Crown; and
- (c) insure the examiner as driver of the vehicle in respect of liability for damage to the vehicle during the test.

PART 3

The Register

Additional conditions for entry of name on register

9.—(1) To the conditions as to which the Registrar must be satisfied before entering the name of a person in the register—

- (a) under section 125 of the Act, or
- (b) under section 125A of the Act,

(as the case may be) there is added the condition specified in paragraph (2) below.

(2) The condition is that both the application for entry of the person's name in the register and the prescribed fee have been received by the Registrar not later than the expiration of the period of one year beginning on the date when the person passed that examination.

Additional conditions for removal of names from the register

10.—(1) To the conditions, specified in section 128(2) and 128(2A) of the Act, that the Registrar must be satisfied are fulfilled before removing the name of a person from the register under section 128(1) of the Act there is added the condition specified in paragraph (2) below.

- (2) The condition is that the applicant has failed—
- (a) to pass the test specified in regulation 6(2)(a) as part of the driving ability and fitness test;
 - (b) to pass the test of continued ability and fitness specified in regulation 12(2)(b); or
 - (c) to satisfy the Registrar, whether by virtue of his performance in a test equivalent to those tests or other form of assessment, that he has the necessary ability to perceive hazards on the road.

Additional condition for retention of names on the register

11.—(1) To the relevant conditions, specified in section 127(3) and 127(3A) of the Act, as to which the Registrar must be satisfied before retaining the name of a person in the register under section 127(2) of the Act there is added the relevant condition specified in paragraph (2) below.

- (2) The relevant condition is that the applicant has—
- (a) passed the test specified in regulation 6(2)(a) as part of the driving ability and fitness test;
 - (b) passed the test of continued ability and fitness specified in regulation 12(2)(b); or
 - (c) satisfied the Registrar, whether by virtue of his performance in a test equivalent to those tests or other form of assessment, that he has the necessary ability to perceive hazards on the road.

PART 4

Test of Continued Ability and Fitness to Give Instruction

Nature of test and provision of a motor car

12.—(1) The following provisions shall have effect where a person is required to undergo the continued ability and fitness test.

- (2) The test shall, at the discretion of the Registrar, consist of either—
- (a) the practical test which shall, at the discretion of the examiner, consist of either the test described in—
 - (i) paragraph (3) below; or
 - (ii) paragraph (5) below; or
 - (b) where a person has not satisfied any of the requirements specified in paragraphs (a) to (c) of regulation 11(2), the test of hazard perception described in paragraphs (9) and (10).
- (3) The form of test referred to in paragraph (2)(a)(i) above is a test in which the person undergoing the test (“the candidate”) is required to demonstrate his knowledge and ability by giving practical driving instruction to an examiner as if the examiner were—
- (a) a novice or partly trained pupil;
 - (b) a pupil who is at about driving test standard; or
 - (c) a full driving licence holder with at least a year’s experience since passing the driving test.
- (4) Where the examiner elects to conduct the test by the method described in paragraph (3) above he may at his discretion choose which one or more of the roles described therein he will play but

he shall not choose the role referred to in paragraph (3)(c) unless he is satisfied that it is reasonable to do so having regard to the nature of the driving instruction given or likely to be given by the candidate in the course of his business.

- (5) The form of test referred to in paragraph (2)(a)(ii) is a test—
- (a) carried out on a road in a motor car in which the examiner is present; and
 - (b) the candidate is giving instruction to a pupil;

for the purpose of enabling the examiner to make an assessment of the candidate's instructional ability with particular regard to the qualities specified in paragraph (6) below.

- (6) The qualities referred to in paragraph (5) above are—
- (a) his method, clarity, adequacy and correctness of instruction;
 - (b) his observation and proper correction of the pupil's errors;
 - (c) his manner, patience and tact in dealing with the pupil; and
 - (d) his ability to inspire confidence.

(7) Where the examiner elects to conduct the test by the method described in paragraph (3) above the candidate shall provide at his own expense a motor car in respect of which the conditions specified in paragraphs (2), (3) where applicable, (5) and (6) of regulation 8 above are satisfied save that where the test is conducted in accordance with paragraph (3)(c) above the requirement contained in regulation 8(5) to display prescribed distinguishing marks shall be disregarded.

(8) Where the examiner elects to conduct the test by the method described in paragraph (5) above, the candidate shall, at his own expense, provide or procure the provision of a motor vehicle that—

- (a) has a seat belt fitted to the rear seat of the vehicle; and
- (b) is otherwise suitable for the conduct of such a test.

(9) The form of test referred to in paragraph (2)(b) is a test which shall—

- (a) be conducted by means of the exhibition of film clips that take the perspective of the driver of a motor vehicle and show, at some point during each film clip, one or more hazards to traffic occurring on or near the road; and
- (b) require the candidate (using electronic equipment provided for the purpose and capable of recording the exact moment of each response) to indicate during each film clip the moment he observes a hazard relating to traffic on the road.

And, for the purposes of this paragraph "film clip" means a sequence of visual images displayed electronically.

(10) A candidate taking the test referred to in paragraph (2)(b) must satisfy the examiner that his performance in the test demonstrates the necessary ability to perceive hazards on the road.

(11) Before undergoing the continued ability and fitness test a person must produce to the examiner the certificate issued to him under regulation 18.

PART 5

Licences under Section 129 of the Act

Additional conditions to be satisfied for the grant of a licence

13.—(1) To the conditions as to which the Registrar is required to be satisfied for the grant of a licence under section 129 of the Act, there are added the following conditions which shall have effect subject to paragraph (3) below and to regulation 3(6).

- (2) The additional conditions are—
- (a) that the person has passed the driving ability and fitness test after passing the written examination;
 - (b) that he passed the driving ability and fitness test on his first, second or third attempt after he had passed the written examination;
 - (c) that he makes the application within 2 years after passing the written examination;
 - (d) that he has not failed the instructional ability and fitness test more than twice since he passed the written examination;
 - (e) except in the case of an application for a substitute licence, that he has received within the period of 6 months ending on the date of his application for a licence not less than 40 hours training which fulfils the requirements of paragraph (3) below;
 - (f) in the case of an application to which sub-paragraph (e) applies, that he delivers with his application evidence, in the form specified in Part 2 of Schedule 2 to these Regulations, that he has received the training specified in that sub-paragraph;
 - (g) that he submits with his application for a licence—
 - (i) the name, address and registration number of the approved driving instructor who has consented to take responsibility either for his supervision in accordance with regulation 15(2) below or, as the case may be, the provision of supplementary training in accordance with regulation 15(3) to (5) (and the counter-signature of the application by that approved driving instructor shall be taken as sufficient evidence of such consent), and
 - (ii) the address from which he will be providing paid driving instruction if different from the address of the approved driving instructor referred to in paragraph (i) above;
 - (h) that the Registrar is satisfied that the approved driving instructor referred to in sub-paragraph (g)(i) above is fit and able to undertake responsibility for the supervision or, as the case may be, the training of that person in accordance with regulation 15 below (and in determining whether or not he is able to undertake that responsibility the Registrar shall have regard to the number of licence holders in respect of whom he has already consented to undertake similar responsibility).
- (3) This paragraph requires that the training—
- (a) is given by an approved driving instructor,
 - (b) includes training in all the matters specified in Part 1 of Schedule 2 to these Regulations, and
 - (c) is training of which at least 10 hours is conducted in a motor car where the approved driving instructor and the person being trained are accompanied, if at all, by no more than one other person who is receiving training of the same nature.
- (4) A person shall be deemed to have made an application on date that his application and the fee prescribed by these Regulations are received by the Registrar.
- (5) In this Part of these Regulations “substitute licence” means a licence granted pursuant to an application made in accordance with section 129(6) of the Act (so as to come into effect immediately upon the expiry of a previous licence).

Duration of licence

14. A licence shall remain in force until—

- (a) the expiration of a period of 6 months commencing on the date of the grant, or

(b) the day immediately following the day on which the holder of the licence failed the instructional ability and fitness test at the third attempt, whichever shall first occur.

Conditions subject to which licences are granted

15.—(1) A licence is granted subject to such of the conditions specified in paragraphs (2) to (5) below as apply to it.

(2) Unless it is a licence to which the conditions specified in paragraph (3) below apply, a licence which is not a substitute licence is subject to the following conditions, namely that the licence holder must—

- (a) for one-fifth of the total time he spends giving paid instruction in the driving of a motor car, receive direct supervision from an approved driving instructor present with him in the car;
- (b) maintain, for each working day while the licence is in force, a record in the form specified in Schedule 3 to these Regulations of the time he spends giving such instruction;
- (c) sign the record at the end of every working day and, if he has received supervision from an approved driving instructor on any day, procure that the instructor also signs it;
- (d) produce on request, for examination by a person authorised by the Registrar in that behalf, all the records maintained under sub-paragraph (b) above during the period ending on the day before the date of the request and further, if required to do so, deliver those records to such a person for retention by him;
- (e) not later than 7 days after the expiry of the licence, deliver to a person authorised by the Registrar in that behalf all the records maintained under sub-paragraph (b) above during the period when the licence was in force, other than such records as have been delivered under sub-paragraph (d) above and not returned to him.

(3) If a person elects in writing at the date of his application for a licence to undertake supplementary training the conditions specified in paragraph (2) above shall not apply to the licence which shall instead be subject to the following conditions, namely that the licence holder must—

- (a) undertake during the period expiring on the first relevant date not less than 20 hours supplementary training;
- (b) not later than the day immediately following the first relevant date deliver to a person authorised by the Registrar in that behalf evidence, in the form specified in Part 2 of Schedule 2 to these Regulations, that he has received that supplementary training;
- (c) if he has not passed the instructional ability and fitness test on the first occasion on which he took that test, or (if earlier) by the expiration of a period of 3 months beginning on the date when the licence was granted—
 - (i) undertake during the period expiring on the second relevant date not less than 5 hours further supplementary training; and
 - (ii) not later than the day immediately following the second relevant date deliver to a person authorised by the Registrar in that behalf evidence, in the form specified in Part 2 of Schedule 2 to these Regulations, that he has received that further supplementary training.

(4) A substitute licence coming into force immediately upon the expiry of a previous licence which, by virtue of an election made by the holder upon his application for it, was subject to the conditions specified in paragraph (3) above is subject to the following conditions, namely that the licence holder must—

- (a) undertake during the period expiring on the third relevant date not less than 5 hours further supplementary training, and

(b) not later than the day immediately following the third relevant date deliver to a person authorised by the Registrar in that behalf evidence, in the form specified in Part 2 of Schedule 2 to these Regulations, that he has received that further supplementary training.

(5) Every licence is subject to the condition that, in the event of the licence holder arranging to have the supervision or supplementary training referred to above, or any part thereof, undertaken by a different approved driving instructor from the person named in his application, he must submit to the Registrar full details of any consequential changes to the particulars submitted under regulation 13(2)(g) above resulting from the new arrangement together with the consent (in any form permitted under regulation 13(2)(g)) of the new approved driving instructor to that arrangement.

(6) In this regulation—

“first relevant date” means—

- (a) the last day of the period of 3 months beginning on the date when the licence is granted, or
- (b) the day on which the licence holder first applies to take the instructional ability and fitness test,

whichever first occurs;

“second relevant date” means—

- (c) the last day of the period of 3 months beginning—
 - (i) on the first relevant date if that date is the expiration of the period of 3 months referred to above, or
 - (ii) in any other case, on the day on which the licence holder first failed the instructional ability and fitness test, or
- (d) the first day after the first relevant date on which he applies to take the instructional ability and fitness test;

whichever first occurs;

“supplementary training” means training in the giving of practical driving instruction, including training in all of the matters specified in Part 1 of Schedule 2 to these Regulations, given by an approved driving instructor of which at least one quarter is training in a motor car where the licence holder and instructor, if accompanied at all, are accompanied by no more than one other licence holder who is receiving training at the same time;

“third relevant date” means—

- (a) the last day of the period of 3 months beginning on the date when the licence is granted; or
- (b) the first day after the date on which the licence is granted on which he applies to take the instructional ability and fitness test,

whichever first occurs;

“working day” means any day during which the licence holder gives paid instruction in the driving of a motor car.

Form of licences

16.—(1) A licence granted by virtue of section 129(2)(a) of the Act shall be in the form set out in, and contain the particulars required by, Part 1 of Schedule 4 to these Regulations.

(2) A licence granted by virtue of section 129(2)(b) of the Act shall be in the form set out in, and contain the particulars required by, Part 2 of Schedule 4 to these Regulations.

PART 6

Supplementary

Fees

17.—(1) The fee to be paid by a person who applies in respect of a matter mentioned in an item in column 2 of the Table below shall be the amount specified in that item in column 3 of that Table.

<i>(1)</i> Item No	<i>(2)</i> Matter in respect of which application is made	<i>(3)</i> Fee
1	Submission to the written examination	£50
2	Submission to the driving ability and fitness test	£79
	— prior to 1st April 2006	
	— on and from 1st April 2006	£82
3	Submission to instructional ability and fitness test	£79
	— prior to 1st April 2006	
	— on and from 1st April 2006	£82
4	Retention of name in the register	£200
5	A licence	£125
6	Entry to the register following the passing of the examination	£200
7	Entry to the register without passing the examination by virtue of section 125(7), 125B(3) or 126(3) or (4) of the Act	£200

(2) The fee payable by a person required to undergo the continued ability and fitness test specified in regulation 12(2)(b) is—

- (a) nil for the first time that the person takes the test; and
- (b) £20.50 in all other cases.

(3) The fee specified in paragraph (2) is payable at the time that the person makes an appointment to undergo the test.

Official title of registered person and certificate of registration

18.—(1) The official title for use by persons whose names are in the register shall be “Driving Standards Agency Approved Driving Instructor (Car)”.

(2) The certificate for issue to persons whose names are in the register by virtue of section 125(3) of the Act, as evidence of their names being therein, shall be in the form set out in Part 1 of Schedule 5 to these Regulations.

(3) The certificate for issue to persons whose names are in the register by virtue of section 125A(5) of the Act, as evidence of their names being therein, shall be in the form set out in Part 2 of Schedule 5 to these Regulations.

Form of badge

19. The badge for use by persons whose names are in the register as evidence of their names being therein shall be in the form set out in Schedule 6 to these Regulations.

Exhibition of certificate of registration or licence

20.—(1) The prescribed manner of fixing to and exhibiting on a motor car a certificate or a licence for the purposes of section 123(2) of the Act is the manner specified in paragraph (2).

(2) The certificate or licence shall be—

- (a) fixed to and immediately behind the front windscreen of the motor car on its nearside edge, and
- (b) exhibited so that the particulars on the back of the certificate or licence are clearly visible in daylight from outside the motor car and the particulars on the front of the certificate or licence are clearly visible from the front nearside seat of the vehicle, where fitted.

(3) The prescribed form of certificate for the purposes of section 123(2) is—

- (a) in the case of persons whose names are in the register by virtue of section 125(3) of the Act, a certificate in the form set out in Part 1 of Schedule 5 to these Regulations; and
- (b) in the case of persons whose names are in the register by virtue of section 125A(5) of the Act, a certificate in the form set out in Part 2 of Schedule 5 to these Regulations.

Emergency control assessment

21. The period prescribed for the purposes of sections 125B(6)(a) and 133B(2) shall be the period of four months beginning with the date on which written notice is given to a person of the Registrar's decision to require him to submit himself for a further emergency control assessment.

Revocations and transitional provisions

22. The Regulations specified in Schedule 7 to these Regulations are revoked to the extent specified.

Signed by authority of the Secretary of State

6th July 2005

S. J. Ladyman
Minister of State
Department for Transport

SCHEDULE 1

Regulation 6(7)

REQUIREMENTS FOR TEST OF DRIVING TECHNIQUE

A. Vehicle Safety Checks

1. Describe how to perform a check on the condition and safety of three components of the vehicle, chosen at the examiner's discretion, from the list of components specified in paragraph 2 below, and demonstrate an actual check on the condition of two further components, similarly chosen from the list.

2. The components are: tyres, steering, brakes, lights, reflectors, direction indicators, audible warning device, and the liquids used in the braking system, steering system, engine or elsewhere in the vehicle as a coolant, lubricant, cleaner or otherwise.

B. Preparation to drive

3. Adjust the seat as necessary to obtain a correct seating position.

4. Adjust rear view mirrors, head restraint and seat belt.

5. Check that the doors are closed.

C. Technical control of the vehicle

6. Start the engine and move off smoothly (uphill and downhill as well as on the flat).

7. Accelerate to a suitable speed while maintaining a straight course, including during gear changes.

8. Adjust speed to negotiate left or right turns at junctions, possibly in restricted spaces, while maintaining control of the vehicle.

9. Brake accurately to stop where directed, if need be by performing an emergency stop.

10. Perform the following manoeuvres—

(a) reverse in a straight line and reverse right or left round a corner while keeping within the correct traffic lane;

(b) turn the vehicle to face the opposite way, using forward and reverse gears; or

(c) park the vehicle and leave a parking space (parallel, oblique or right-angle) both forwards and in reverse, on the flat, uphill and downhill.

D. Behaviour in traffic

11. Observe (including the use of the rear view mirrors) road alignment, markings, signs and potential or actual risks.

12. Communicate with other road users using the authorised means.

13. React appropriately in actual risk situations.

14. Comply with road traffic regulations and the instructions of the police and traffic controllers.

15. Move off from the kerb or a parking space.

16. Drive with the vehicle correctly positioned on the road, adjusting speed to traffic conditions and the line of the road.

17. Keep the right distance between vehicles.

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18. Change lanes.
19. Pass parked or stationary vehicles and obstacles.
20. Approach and cross junctions.
21. Turn right and left at junctions or to leave the carriageway.
22. Where the opportunity arises—
 - (a) Pass oncoming vehicles, including in confined spaces.
 - (b) Overtake in various situations.
 - (c) Approach and cross level-crossings.
 - (d) Drive in road tunnels.

E. Alighting from vehicle

Take all precautions necessary when alighting.

SCHEDULE 2

Regulations 13(3) and 15(6)

LICENCE CONDITIONS

PART 1

Matters to be Included in Practical Driving Instruction Training

1. Explaining the controls of the vehicle, including the use of dual controls.
2. Moving off.
3. Making normal stops.
4. Reversing, and while doing so entering limited openings to the right or the left.
5. Turning to face the opposite direction, using forward and reverse gears.
6. Parking close to the kerb, using forward and reverse gears.
7. Using mirrors and explaining how to make an emergency stop.
8. Approaching and turning corners.
9. Judging speed and making normal progress.
10. Road positioning.
11. Dealing with road junctions.
12. Dealing with crossroads.
13. Dealing with pedestrian crossings.
14. Meeting, crossing the path of, overtaking and allowing clearance for other vehicles and road users.
15. Giving correct signals.
16. Comprehension of traffic signs, including road markings and traffic control signs.

17. Method, clarity, adequacy and correctness of instruction.
 18. Observation and correction of errors committed by the pupil.
 19. Manner, patience and tact in dealing with the pupil.
 20. Ability to inspire confidence in the pupil.
- Regulations 13(2), 15(3) and (4)

PART 2

Evidence of Training to be Given to Registrar

1. The name and address of the licence holder.
2. The number of the licence.
3. The name and address of the approved driving instructor responsible for the provision of training or supervision.
4. The name of the person or organisation undertaking the training of persons as driving instructors with whom that approved driving instructor is associated (if any).
5. The matters included in the training.
6. The dates on which training was given.
7. The number of hours of training spent on each matter.

SCHEDULE 3

Regulation 15(2)

RECORD OF INSTRUCTION GIVEN BY LICENCE HOLDER

1. The name and address of the licence holder.
2. The number of the licence.
3. The name and address of the approved driving instructor responsible for supervision of the licence holder.
4. In respect of each working day—
 - (a) the date;
 - (b) the total number of hours spent giving instruction;
 - (c) the periods spent under the supervision of an approved driving instructor.

SCHEDULE 4

Regulation 16

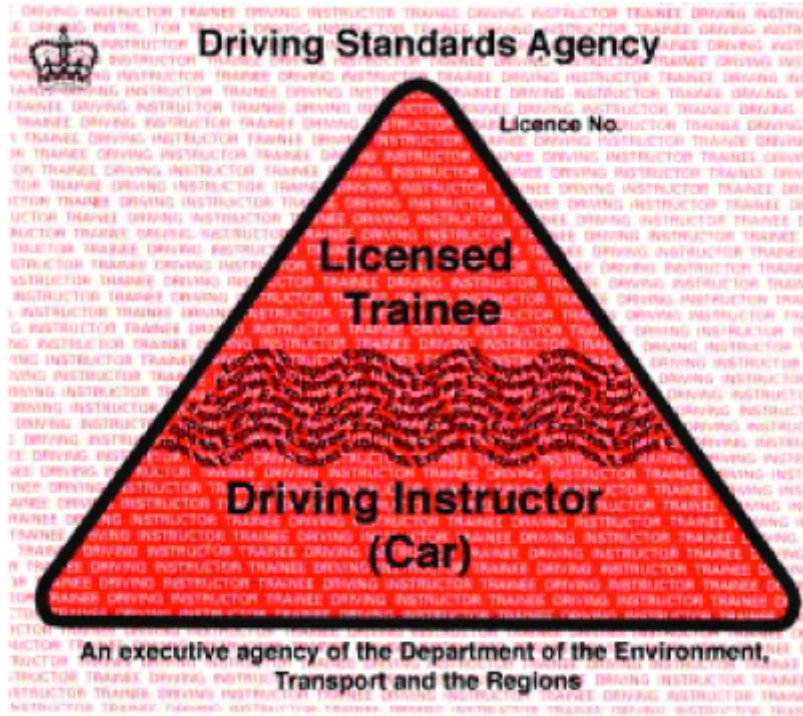
FORMS OF LICENCE

PART 1

Forms of Licence under section 129(2)(a) of the Act

Front of licence

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



Back of licence

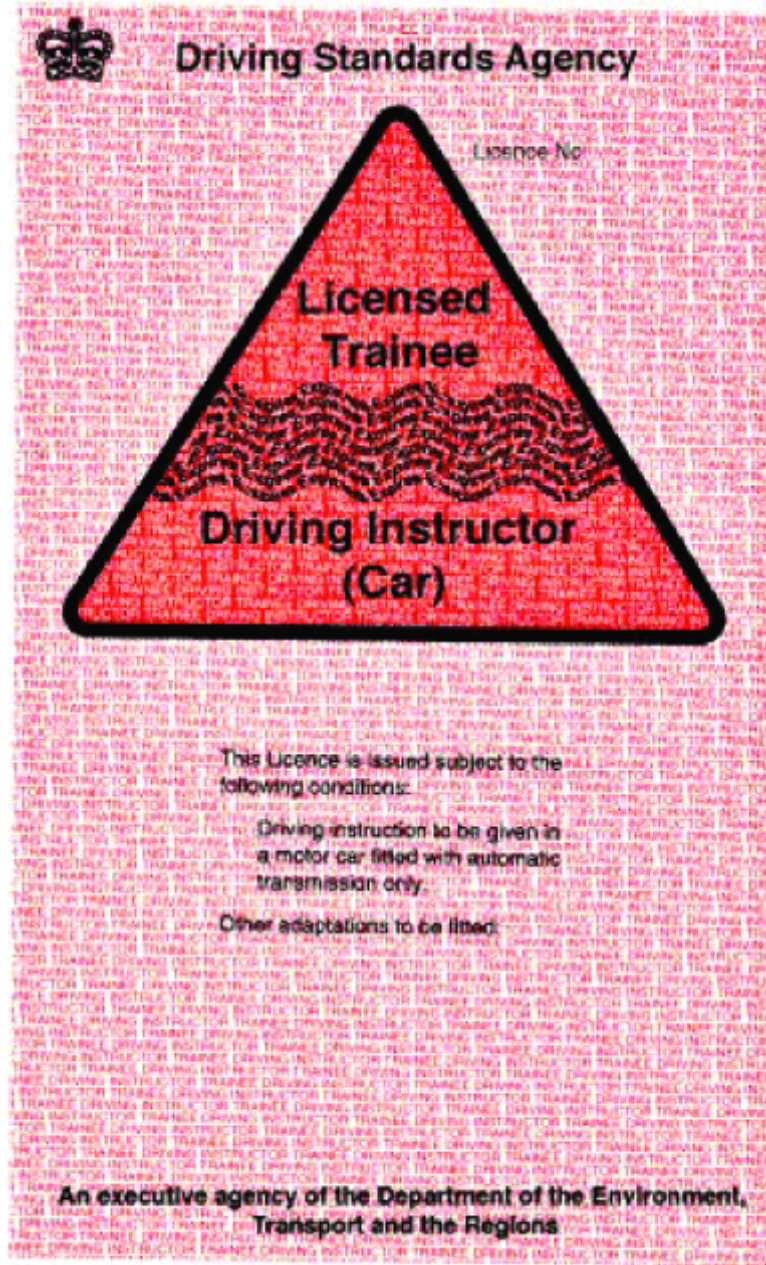


Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 2

Form of Licence under section 129(2)(b) of the Act

Front of licence



Back of licence

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



Back of licence



Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 2

Form of Certificate of Registration under section 125A(5) of the Act
Front of licence



Back of licence

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 6

Regulation 19

FORM OF BADGE



SCHEDULE 7

Regulation 22

REVOCATIONS

<i>(1)</i> <i>Regulations revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocation</i>
The Motor Cars (Driving Instruction) Regulations 1989	S.I. 1989/2057	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 1990	S.I. 1990/1113	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 1991	S.I. 1991/1129	Regulation 3
The Motor Cars (Driving Instruction) (Amendment) Regulations 1992	S.I. 1992/1621	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 1994	S.I. 1994/554	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 1995	S.I. 1995/1218	The whole Regulation

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<i>(1)</i> <i>Regulations revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocation</i>
The Motor Cars (Driving Instruction) (Amendment) Regulations 1996	S.I. 1996/1983	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 1997	S.I. 1997/650	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 1998	S.I. 1998/2247	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 2000	S.I. 2000/1805	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 2002	S.I. 2002/2640	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 2003	S.I. 2003/3027	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) Regulations 2004	S.I. 2004/2871	The whole Regulation
The Motor Cars (Driving Instruction) (Amendment) (No. 2) Regulations 2004	S.I. 2004/3159	The whole Regulation

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the Motor Cars (Driving Instruction) Regulations 1989 and regulations amending those Regulations (all of which are now revoked).

The amendments made are as follows:

- (a) Candidates for parts of the examination are required to produce the evidence of identity and entitlement to drive to the examiner before undertaking each part of the examination (regulation 4).
- (b) A candidate for the test of driving technique (part of the driving ability and fitness test) must satisfy the examiner of his ability to carry out vehicle safety checks (regulation 6(7) and Schedule 1).

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- (c) The examiner of instructional ability and fitness test has the discretion to play two of three specified roles to conduct the test, one of which is a role as a qualified driver undertaking driver development training (regulation 7(1)).
- (d) Motor cars provided by candidates for the purpose of a driving ability and fitness test, the instructional ability and fitness test and the test of continued ability and fitness to give instruction must have a seat belt, head restraint and (where appropriate) an additional rear view mirror available for use by the examiner (regulation 8).
- (e) The fees for the driving ability and fitness test and the instructional ability and fitness test are increased. The following table shows the new fees. The fees were last increased on 8th December 2004.
- (f) The fee for a licence is increased. The following table shows the new fees. The fees were last increased on 1st April 1997.

<i>Subject of fee</i>	<i>Old Fee</i>	<i>New Fee</i>
Driving ability and fitness test		
— before 1st April 2006	£70.00	£79.00
— on or after 1st April 2006.	£79.00	£82.00
Instructional ability and fitness test		
— before 1st April 2006	£70.00	£79.00
— on or after 1st April 2006	£79.00	£82.00
Licence	£100.00	£125.00

In addition, some provisions in Parts 3 and 4 and regulation 8 have been rearranged and some minor drafting changes have been made.

These Regulations are made in conjunction with the Motor Vehicles (Driving Licences) (Amendment) Regulations 2005. A combined full regulatory impact assessment of the effect that these amendments will have on the costs of business is available from the Driving Standards Agency, Stanley House, Talbot Street, Nottingham NG1 5GU.