STATUTORY INSTRUMENTS

1981 No. 154

Road Traffic (Northern Ireland) Order 1981

PART V

REGULATION OF GOODS VEHICLES AND PUBLIC SERVICE VEHICLES, TOGETHER WITH THE DRIVERS OF SUCH VEHICLES, AND CONTROL OF LARGE PRIVATE PASSENGER VEHICLES

[F1 Special provisions relating to licensing of drivers of large goods vehicles and passenger-carrying vehicles

[F1 Revocation or suspension of licences

73 F2.—(1) A large goods vehicle or passenger-carrying vehicle driver's licence—

(a) must be revoked if there come into existence, in relation to its holder, such circumstances relating to his conduct as may be prescribed;

(b) must be revoked or suspended if his conduct is such as to make him unfit to hold such a licence;

and where the licence is suspended under sub-paragraph (b) it shall during the time of suspension be of no effect.

(2) Where it appears that the conduct of the holder of a licence falls within both sub-paragraph (a) and sub-paragraph (b) of paragraph (1), proceedings shall be taken or continued under sub-paragraph (a) and not under sub-paragraph (b) and accordingly the power to suspend the licence, rather than revoke it, shall not be available.

(3) Without prejudice to section 17 of the Interpretation Act (Northern Ireland) 1954, regulations made for the purposes of**[F3** this Article or Article 74**][F4** or any of Articles 73A, 74 or 74A**]**

(a) may make different provision for large goods vehicles and for passenger-carrying vehicles and for different descriptions of persons; and

(b) shall provide for the determination of the cases in which,

F4 (i) **[** under Article 74, a person whose licence has been revoked, or

(ii) under Article 74A, a person on whom a notice is served in pursuance of Article 73A(1)(a),**]**

is to be disqualified indefinitely or for a period and, if for a period, for the determination of the period.

[

F4 (4) The Department shall determine any question arising—

(a) under paragraph (1)(b) as to whether a person is or is not, by reason of his conduct, fit to hold a large goods vehicle or passenger-carrying vehicle driver's licence, as the case may be, or

(b) under Article 73A(1)(b) as to whether the holder of an LGV Community licence or PCV Community licence is or is not, by reason of his conduct, fit to be authorised by virtue of Article 15A(1) to drive in Northern Ireland a large goods vehicle or passenger-carrying vehicle (as the case may be).**]**

(5) Where, under**[**[F4] paragraph (4)(a)**]**, the Department determines that the holder of the licence is not fit to hold a large goods vehicle or passenger-carrying vehicle driver's licence, as the case may be, it shall also determine whether the conduct of the holder of the licence is such as to require the revocation of his licence or only its suspension; and, if the former, whether the holder of the licence should be disqualified under Article 74(2)(a) (and, if so, for what period) or under Article 74(2)(b).

[
[F4](5A) Where, under paragraph (4)(b), the Department determines that a Community licence holder is not fit to be authorised by virtue of Article 15A(1) to drive in Northern Ireland a large goods vehicle or passenger#carrying vehicle (as the case may be), it shall also determine whether the Community licence holder—

(a) should be disqualified under Article 74A(2)(a) (and, if so, for what period) or under Article 74A(2)(b), or

(b) should be granted, free of charge, a large goods vehicle or passenger#carrying vehicle driver's licence (and, if so, from what date it shall take effect).**]**

(6) For the purposes of paragraphs (4) and (5) the Department may require the holder of the licence to furnish such information as it may require and may, by notice to the holder, require him to attend the Department at the time and place specified by the Department to furnish the information and to answer such questions (if any) relating to the subject matter of the reference as may be put to him.

(7) If the holder of the licence fails without reasonable excuse to furnish information to or to attend before or answer questions properly put to him when required to do so under **[**[F5]paragraph (6)**]**,

[
[F4](a) in a case where the licence in question is an LGV Community licence or a PCV Community licence, the holder shall cease to be authorised by virtue of Article 15A(1) to drive in Northern Ireland a large goods or passenger#carrying vehicle (as the case may be) from such date as is specified in a notice served on the holder by the Department; and

(b) in any other case, the Department may revoke the licence or suspend it for such period as the Department thinks fit.**]**

(8) Where the Department determines to revoke or suspend a person's licence under paragraph (1), it shall notify the holder of the licence of its determination.**]**

F1 1991 NI 3
F2 mod. by SR 1994/365
F3 1996 NI 10
F4 SR 1996/426
F5 Words in art. 73(7) substituted (15.11.2007) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts.1(3)(4), 86(1), **Sch. 7 para. 4**; S.R. 2007/454, **art. 2**, Sch.

Changes to legislation:
Road Traffic (Northern Ireland) Order 1981, Section 73 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- Instrument amended by 1994 c. 22 s. 63 Sch.3 para 17
- Instrument rev. in Pt. by 1994 c. 22 s. 65 Sch.5 Pt II

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order Blanket amendment by 2009 c. 1 (N.I.) Sch. 6 para. 1(1)(b)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 Pt. 1 words inserted by 2016 c. 11 (N.I.) s. 18(2)
- Sch. 7 para. 6 repealed by 2010 c. 2 (N.I.) Sch. 4 (The amendment could not be applied as the relevant affected text is not available on legislation.gov.)
- Sch. 7 para. 7 repealed by 2010 c. 2 (N.I.) Sch. 4 (The amendment could not be applied as the relevant affected text is not available on legislation.gov.)
- art. 5(2ZA)-(2ZD) inserted by 2016 c. 11 (N.I.) s. 16(2)(a)
- art. 5(4A) inserted by 2016 c. 11 (N.I.) s. 16(2)(b)
- art. 5A inserted by 2016 c. 11 (N.I.) s. 17(2)
- art. 13(1)(c)(ia) words repealed by S.I. 2007/916 (N.I.) Sch. 5 para. 4(a)(ii)Sch. 8 Pt. 5
- art. 13B-13C inserted by 2016 c. 11 (N.I.) s. 17(3)
- art. 15ZA inserted by 2016 c. 11 (N.I.) s. 18(1)(c)
- art. 19D(1ZA)(1ZB) inserted by 2016 c. 11 (N.I.) s. 17(4)(b)
- art. 19AB19AC substituted for art. 19A 19B by 2016 c. 11 (N.I.) s. 19(3)
- art. 31A(2A)-(2D) inserted (temp.) by S.I. 2019/648 reg. 5(2)(a) (This amendment not applied to legislation.gov.uk. Reg. 5 omitted immediately before IP completion day by virtue of S.I. 2020/1393, regs. 1(2), 2(4))
- art. 31A(2C) words inserted in earlier amending provision S.I. 2019/648, reg. 5(2)(a) by S.I. 2020/818 Sch. 6 para. 39(4)(a) (This amendment not applied to legislation.gov.uk. S.I. 2019/648, reg 5, which inserts art. 31A(2C) omitted (31.12.2020 immediately before IP completion day) by virtue of S.I. 2020/1393, regs. 1(2), 2(4))
- art. 31A(3A)(3B) inserted (temp.) by S.I. 2019/648 reg. 5(2)(b) (This amendment not applied to legislation.gov.uk. Reg. 5 omitted immediately before IP completion day by virtue of S.I. 2020/1393, regs. 1(2), 2(4))
- art. 31A(3B) words inserted in earlier amending provision S.I. 2019/648, reg. 5(2)(b) by S.I. 2020/818 Sch. 6 para. 39(4)(b)(i) (This amendment not applied to legislation.gov.uk. S.I. 2019/648, reg 5, which inserts art. 31A(3B) omitted (31.12.2020 immediately before IP completion day) by virtue of S.I. 2020/1393, regs. 1(2), 2(4))
- art. 31A(3B) words inserted in earlier amending provision S.I. 2019/648, reg. 5(2)(b) by S.I. 2020/818 Sch. 6 para. 39(4)(b)(ii) (This amendment not applied to legislation.gov.uk. S.I. 2019/648, reg 5, which inserts art. 31A(3B) omitted (31.12.2020 immediately before IP completion day) by virtue of S.I. 2020/1393, regs. 1(2), 2(4))
- art. 174(2A)(da) inserted by 2016 c. 11 (N.I.) s. 17(5)(a)(i)
- art. 174(2AB) inserted by 2016 c. 11 (N.I.) s. 17(5)(b)
- art. 177(1)(ba) inserted by 2016 c. 11 (N.I.) s. 19(4)(b)
- art. 177(1A) inserted by 2016 c. 11 (N.I.) s. 19(4)(c)

– art. 177(3)(4) inserted by 2016 c. 11 (N.I.) s. 19(4)(b)
– art.198 am. (prosp.) by 1997 c. 16 s.18Sch.3 paras.8(2)9
– art.198 am. (prosp.) by 1997 c. 16 s.18 Sch.3 paras.8(2)9