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STATUTORY INSTRUMENTS

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**1991 No. 197**

**The Road Traffic (Amendment) (Northern Ireland) Order 1991**

**PART II**

**DRIVER LICENSING**

**Abolition of special licences for driving heavy goods vehicles and public service vehicles**

4.—(1) On the appointed day Articles 70 to 79 of the principal Order (which require special driving licences to be held for driving heavy goods vehicles and public service vehicles) shall cease to have effect but the repeal of those provisions does not imply that it is lawful for a person to drive a heavy goods vehicle or a public service vehicle of any class on or after that day on the authority of an existing licence under Part II of the principal Order (ordinary licences) and, for the purposes of Article 3 of that Order (offence of driving without Part II licence), his licence shall not be taken to authorise him to drive vehicles of those classes.

(2) Paragraph (1) shall not, however, invalidate existing licences for driving heavy goods vehicles or public service vehicles and the holder of such a licence may, during the currency of that licence and his existing licence under Part II of the principal Order continue to drive any heavy goods vehicle or public service vehicle which the first-mentioned licence authorises him to drive or a goods vehicle of any class or, as the case may be, a passenger-carrying vehicle of any class prescribed for the purposes of this paragraph without obtaining a new licence under the said Part II.

(3) In paragraph (2) the reference to the vehicles which the holder of a heavy goods vehicle driver's licence is authorised to drive includes a reference to the vehicles which he is authorised to drive by virtue of regulations under paragraph 7(2)(a) of Schedule 2 and the reference to prescribed classes of goods vehicles is a reference to classes of goods vehicles (within the meaning of the principal Order) prescribed under that paragraph of that Schedule.

(4) Any proceedings pending at the appointed day with respect to an application under Article 78 of the principal Order questioning the conduct of a test of competence to drive a heavy goods vehicle may be continued and, as the case may be, any order relative to the test (or fees) made or licence issued notwithstanding the repeals made by this Order and any order of eligibility to take a test so made shall be treated as relating to a corresponding test and any heavy goods vehicle or public service vehicle driver's licence so issued shall be treated as an existing licence.

(5) Where, during the currency of a person's existing licence for driving heavy goods vehicles or public service vehicles, his existing licence under Part II of the principal Order is revoked or surrendered, it shall be his duty to surrender his first-mentioned licence to the Department.

(6) A person who without reasonable excuse fails to comply with the duty under paragraph (5) is guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) The provisions of Part I of Schedule 2 have effect for the purpose of re-enacting with modifications and assimilating the provisions of Articles 70 to 79 of the principal Order for the purposes of licences under those Articles continued in force by paragraph (2) and the transitory provisions of Part II of that Schedule shall also have effect.

(8) In this Article “existing” in relation to a licence, means in force immediately before the appointed day.

(9) In this Article and Article 5 “the appointed day” means the day appointed under Article 1(2) for the coming into operation of Articles 3 to 6.

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**Modifications etc. (not altering text)**

**C1** [Art. 4](#): transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), [art. 1\(2\)](#), **Sch. 5 Pt. 2** (with [art. 9\(2\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Traffic (Amendment) (Northern Ireland) Order 1991, Section 4.