

1991 No. 99

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) Regulations (Northern Ireland) 1991

Made 20th March 1991

Coming into operation 1st April 1991

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The Department of the Environment, in exercise of the powers conferred on it by Articles 2 (2)(a), 4(2), (3) and (7) of, and paragraphs 1(b), 2(1), 4(1)(a) and (3), 5(4) and (7), 7, 8(2) and (4) and 11 of Part I of Schedule 2 to the Road Traffic (Amendment) (Northern Ireland) Order 1991(c) and of all other powers enabling it in that behalf, and with the approval of the Department of Finance and Personnel(d) as regards regulation 4, makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) Regulations (Northern Ireland) 1991 and shall come into operation on 1st April 1991.

Interpretation

2.—(1) In these Regulations—

“articulated goods vehicle combination” has the same meaning as in Article 19D of the 1981 Order(e);

(a) See definition of “Department”

(b) See definition of “prescribed”

(c) S.I. 1991 No. 197 (N.I. 3)

(d) Formerly the Department of Finance. See S.I. 1982/338 (N.I. 6) Art. 3

(e) S.I. 1981 No. 154 (N.I. 1): Art. 19D was inserted in Schedule 1 to the Road Traffic (Amendment) (Northern Ireland) Order 1991

- “full” in relation to an existing heavy goods vehicle licence or a large goods vehicle driver’s licence means such a licence which is not a provisional heavy goods vehicle licence or a provisional large goods vehicle driver’s licence as the case may be;
- “Great Britain ordinary driving licence” means a licence to drive a motor vehicle granted under the law for the time being in force in Great Britain equivalent to Part II of the 1981 Order but does not include such a licence in so far as it authorises a person to drive large goods vehicles or passenger-carrying vehicles of any category;
- “hgv trainee driver’s licence” means an existing heavy goods vehicle licence which—
- (i) is a licence to drive heavy goods vehicles of class 1, 1A, 2, 2A, 3 or 3A,
 - (ii) was applied for by a person under the age of 21 on the date of the application, and
 - (iii) has effect for a period during the whole or part of which the holder is under the age of 21;
- “holder”, in relation to a licence, means the person to whom the licence was granted;
- “large goods vehicle” has the same meaning as in Article 78 of the 1981 Order;
- “large goods vehicle driver’s licence” has the same meaning as in Article 70(2) of the 1981 Order;
- “lgv trainee driver’s licence” has the same meaning as in the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991(a);
- “licence” means an existing licence;
- “the 1981 Order” means the Road Traffic (Northern Ireland) Order 1981;
- “the 1991 Order” means the Road Traffic (Amendment) (Northern Ireland) Order 1991;
- “ordinary driving licence” means a licence to drive a motor vehicle granted under Part II of the 1981 Order other than a large goods vehicle driver’s licence or a passenger-carrying vehicle driver’s licence;
- “passenger-carrying vehicle driver’s licence” has the same meaning as in Article 70(2) of the 1981 Order;
- “relevant endorsement” means an endorsement on an ordinary driving licence or its counterpart, of particulars of a conviction in pursuance of Article 197 of the 1981 Order;
- “standard” in relation to an existing heavy goods vehicle licence or a large goods vehicle driving licence means such a licence which is not a hgv or a lgv trainee driver’s licence as the case may be;

“traffic commissioner” in relation to a Great Britain licence means the traffic commissioner who granted the licence except, in relation to service personnel, where the traffic commissioner is the traffic commissioner for the South Eastern Traffic Area.

(2) In these Regulations, any reference to a class of heavy goods vehicle or public service vehicle is a reference to a class specified in column (2) of Part I or II, as the case may be, of Schedule 1, and in the case of a class identified by a number in relation to that number, and reference to a category of vehicle is a reference to a category specified in column (2) of Schedule 2 to the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991 or in column (2) of Schedule 4 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1989(a), and in the case of a category identified by a letter in relation to that letter.

PART II

LICENCES

Withdrawal of ordinary driving licence or Great Britain ordinary driving licence

3. If the holder of a licence is disqualified for holding or obtaining an ordinary driving licence under the 1981 Order, or if such a licence is refused or revoked under Article 9 of the 1981 Order, or if he is disqualified under section 34, 35 or 36 of the Road Traffic Offenders Act 1988(b) for holding or obtaining a Great Britain (ordinary) driving licence, or if such a licence is refused or revoked under any provision of that law that corresponds to the said Article 9, he shall surrender his first mentioned licence to the Department.

Duplicate licences

4.—(1) If a licence has been lost, the holder shall forthwith notify the Department and the Department, if satisfied that the licence has been lost and on payment of the fee specified in paragraph (5), shall issue a duplicate licence.

(2) If a licence referred to in paragraph (1) is subsequently recovered by the holder he shall forthwith return it to the Department.

(3) If a licence becomes defaced, the holder shall forthwith return it to the Department and on such return the Department shall, on payment of the fee specified in paragraph (5), issue a duplicate licence.

(4) A duplicate licence issued in accordance with paragraph (1) or (3) shall have the same effect as the licence which it replaced.

(5) The fee for the issue of a duplicate licence shall be £6.00.

(6) A duplicate licence shall not be valid until signed by the person to whom it is issued.

(a) S.R. 1989 No. 238; relevant amending regulations are S.R. 1990 No. 412

(b) 1988 c. 54

Custody and production

5.—(1) Save as provided in paragraph (2), on being required to do so by an examiner, or by any constable, the holder of a licence shall forthwith produce his licence for examination.

(2) If any person is unable to produce his licence when required to do so in accordance with paragraph (1) it shall be a sufficient compliance with that paragraph if—

- (a) in a case where the licence was required by a constable to be produced, within 7 days after the production of the licence was so required, it is produced in person by the holder for examination at such police station as may have been specified by him at the time its production was required; or
- (b) in a case where the licence was required by an examiner to be produced, within 10 days after the production of the licence was so required, it is made available for examination at such office as specified at the time its production was required.

(3) Where a licence has been suspended or revoked, then if the holder of the licence fails to deliver it for endorsement, cancellation or transmission as required by regulation 7, a constable may require him to produce it, and upon its being produced may seize it and deliver it for endorsement, cancellation or transmission in accordance with that regulation.

(4) In this regulation—

“examiner” means an inspector of vehicles or driving examiner in the Department; and

“licence” includes an existing Great Britain licence.

Revocation of licences

6.—(1) For the purposes of paragraph 4(1)(a)(i) of Part I of Schedule 2 to the 1991 Order (obligatory revocation of licence), the following physical disabilities are prescribed—

(a) an epileptic attack since attaining the age of 5 years;

(b) abnormal sight in one or both eyes where—

(i) in the case of a person who held a licence on 1st January 1983 and who holds such a licence on 1st April 1991, the visual acuity is worse than 6/12 with the better eye and worse than 6/36 with the other eye and, if corrective lenses are worn, the uncorrected acuity in each eye is worse than 3/60, or

(ii) in any other case, the visual acuity is worse than 6/9 in the better eye and worse than 6/12 in the other eye and, if corrective lenses are worn, the uncorrected acuity in each eye is worse than 3/60;

(c) sight in only one eye unless—

(i) in the case of a person who held a licence on 1st January 1983 and who holds such a licence on 1st April 1991 the Department knew of the disability before 1st January 1991 and the visual acuity in that eye is no worse than 6/12, or

- (ii) in the case of a person who did not hold a licence on 1st January 1983 but who holds such a licence on 1st April 1991 the Department knew of the disability before 1st January 1991 and the visual acuity in that eye is no worse than 6/9;

(d) diabetes subject to insulin treatment.

(2) For the purposes of paragraph 4(1)(a)(ii) of Part I of Schedule 2 to the 1991 Order (obligatory revocation of licence) the prescribed circumstances relating to the conduct of the holder of an existing goods vehicle licence who is under the age of 21 is that his ordinary driving licence, or in the case of such a licence which came into force after 1st January 1991 the counterpart of that licence, bears more than one relevant endorsement.

(3) In this regulation references to measurements of visual acuity are references to visual acuity measured on the Snellen Scale.

Surrender of licences

7. The holder of a licence, or an existing Great Britain licence, which has been suspended or revoked shall within 7 days of receipt of notice, either delivered to him personally or sent by recorded delivery service to his last known address, of the decision to suspend or revoke the licence, send or deliver such licence together with his ordinary driving licence to the Department for endorsement and retention during the period of the suspension, or for cancellation, or transmission to the traffic commissioner in Great Britain, as the case may require.

Disqualification

8.—(1) Where in pursuance of paragraph 4(1)(a)(i) of Part I of Schedule 2 to the 1991 Order the Department has revoked a person's licence the Department shall order that person to be disqualified indefinitely.

(2) Where in pursuance of paragraph 4(1)(a)(ii) of Part I of Schedule 2 to the 1991 Order the Department has revoked a person's hgv trainee driver's licence the Department shall order that person to be disqualified until he reaches 21 years of age or for such longer period as the Department may determine.

(3) For the purposes of paragraph 5(7) of Part I of Schedule 2 to the 1991 Order, the prescribed classes of large goods vehicles are categories C and C plus E and the prescribed classes of passenger-carrying vehicles are categories D and D plus E.

Removal of disqualification

9.—(1) Subject to paragraphs (2) and (3), the Department may under paragraph 5(4) of Part I of Schedule 2 to the 1991 Order remove a disqualification imposed under paragraph 5(2)(a) of that Schedule if the application for the removal of the disqualification is made after the expiration of whichever is relevant of the following periods from the commencement of the disqualification, that is to say—

(a) two years, if the disqualification is for less than four years;

(b) one half of the period of the disqualification, if it is for less than ten years, but not less than four years;

(c) five years in any other case, including disqualification for an indefinite period.

(2) The applicant must have incurred no further relevant endorsements.

(3) Where an application under paragraph (1) for the removal, under paragraph 5(4) of Part I of Schedule 2 to the 1991 Order, of a disqualification is refused, a further such application shall not be entertained if made within three months after the date of refusal.

PART III

PROVISIONAL AND TRAINEE HGV LICENCE HOLDERS

Provisional standard licences for heavy goods vehicles

10.—(1) A full standard existing licence to drive heavy goods vehicles of class 2, 2A, 3 or 3A shall also be treated (in so far as it does not by virtue of regulation 12 operate as a full licence to drive such vehicles) as a provisional standard licence to drive heavy goods vehicles of a class in respect of which the holder is not by reason of his age disqualified under Article 17(1) of the 1981 Order for holding or obtaining a large goods vehicle driver's licence.

(2) Subject to paragraph (3), a provisional standard existing heavy goods vehicle licence, including a full standard licence which is treated as a provisional standard licence under paragraph (1), shall be subject to the following conditions, which are prescribed conditions for the purposes of paragraph 2(1) of Part I of Schedule 2 to the 1991 Order, that is to say, the holder shall not drive a heavy goods vehicle of any class which he may drive by virtue of the licence or a large goods vehicle of any category which he is entitled to drive by virtue of regulation 12—

(a) otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard heavy goods vehicle licence or a full standard large goods vehicle driver's licence to drive the vehicle; and

(b) unless there is clearly displayed in a conspicuous manner on the front and on the back of the vehicle a distinguishing mark—

(i) before the expiry of 5 years after these Regulations come into operation in either form A or B set out in Schedule 2; or

(ii) after the expiry of that period, in form B set out in that Schedule.

(3) The condition specified in paragraph (2)(a) shall not apply whilst the holder of the licence is undergoing a test of competence to drive large goods vehicles of any category, being a test for which provision is made under Article 5 of the 1981 Order and the conditions specified in paragraph (2)(a) and (b) shall not apply in relation to the driving of a large goods vehicle of any category where the holder of the licence has passed such a test for a vehicle of that category.

HGV trainee drivers' licences

11.—(1) Every hgv trainee driver's licence shall be subject to the following conditions, which are prescribed conditions for the purposes of paragraph 2(1) of Part I of Schedule 2 to the 1991 Order—

- (a) that the holder shall not drive a heavy goods vehicle of any class for which the licence is issued or for which the licence is treated as a provisional licence unless the holder is the registered employee of a registered employer named in the licence and either—
- (i) the vehicle is a heavy goods vehicle of a class to which the holder's training agreement applies and which is stated in the licence, and the vehicle is owned or operated by that registered employer or by a registered hgv driver training establishment named in the licence; or
 - (ii) the holder is a part-time member of the armed forces of the Crown and the vehicle is owned by the Secretary of State for Defence and used for naval, military or air force purposes, and
- (b) in the case of a holder of an hgv trainee driver's full licence, that he shall not drive a heavy goods vehicle of any class for which the licence is issued, if the vehicle is being used to draw a trailer, otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard existing heavy goods vehicle licence or a full standard large goods vehicle driver's licence to drive the vehicle.

(2) Subject to paragraphs (3) and (4), a hgv trainee driver's provisional licence, including a hgv trainee driver's full licence which is treated as a hgv trainee driver's provisional licence, shall be subject to the following conditions (additional to that prescribed by paragraph (1)), which are prescribed conditions for the purposes of paragraph 2(1) of Part I of Schedule 2 to the 1991 Order that is to say, that the holder shall not drive a heavy goods vehicle of any class which he may drive by virtue of the licence—

- (a) otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard existing heavy goods vehicle licence or a full standard large goods vehicle driver's licence to drive the vehicle;
- (b) unless there is clearly displayed in a conspicuous manner on the front and on the back of the vehicle a distinguishing mark—
 - (i) before the expiry of 5 years after these Regulations come into operation in either form A or B set out in Schedule 2;
 - (ii) after the expiry of that period in form B set out in that Schedule;
- (c) if the vehicle is being used to draw a trailer, unless the combination of the vehicle and trailer falls within category C plus E.

(3) The condition specified in paragraph (2)(a) shall not apply while the holder of a hgv trainee driver's provisional licence (including a full licence which is treated as a provisional licence) is undergoing a test of competence to drive large goods vehicles of any category, being a test for which provision is made under Article 5 of the 1981 Order.

(4) Where the holder of a hgv trainee driver's provisional licence (including a full licence which is treated as a provisional licence) has passed a test for a large goods vehicle of a category for which the licence is, or is treated as, a provisional licence, the conditions specified in paragraph (2) (except (a) where the vehicle is in category C and is being used to draw a

trailer or is in category C plus E) shall not apply so far as regards the driving of a vehicle in that category.

(5) In this regulation, unless the context otherwise requires—

“registered” means registered for the time being by the Training Committee in accordance with the relevant provisions of the training scheme;

“training agreement”, in relation to an individual who is undergoing, or is to undergo, hgv driver training, means his agreement therefor with his registered employer in pursuance of the training scheme;

“the Training Committee” means the Committee which has been established with a constitution approved by the Department and which is known as the Northern Ireland Joint Training Committee for Young HGV Drivers in the Road Goods Transport Industry in Northern Ireland;

“the training scheme” means the scheme which has been established by the Training Committee with the approval of the Department (given for the purpose of regulations under Article 17 of the 1981 Order) for training young drivers of heavy goods vehicles and which provides for—

- (i) the registration by the Training Committee of employers who are willing and able to provide hgv driver training for persons employed by them,
- (ii) the registration by the Training Committee of persons operating establishments for providing hgv driver training,
- (iii) a syllabus for hgv driver training, and
- (iv) the registration by the Training Committee of individual employees who are undergoing, or are to undergo, hgv driver training in the service of a registered employer in accordance with a form of agreement approved by the Training Committee.

PART IV

SUPPLEMENTARY

Entitlement to drive large goods and passenger-carrying vehicles

12. The holder of a licence other than a hgv trainee driver's licence conferring entitlement to drive vehicles of a class specified in an entry in column (1) of Part I or Part II, as the case may be, of Schedule 3 (including a licence conferring such entitlement by virtue of regulation 10(1)) shall also be entitled during the currency of that licence to drive large goods and passenger-carrying vehicles of a category specified in the entry opposite thereto in column (2) of Part I or II, as the case may be, and in respect of a licence for vehicles in class 3 or 3A which is restricted to vehicles having a permissible maximum weight not exceeding 10 tonnes by virtue of—

- (a) paragraph 3(3) and (5) of Schedule 2 to the Road Traffic (Drivers' Ages and Hours of Work) (Northern Ireland) Order 1976(a); or
- (b) paragraph (1) or (2) of regulation 27 of the Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1981(b) before they ceased to have effect with the repeal of Articles 70 to 79 of the 1981 Order by Article 5 of the 1991 Order;

without any such restriction.

Offences

13. The holder of a licence who contravenes, or fails to comply, without reasonable excuse, with any provision of regulation 3, 4, 5(1) and (2) or 7 shall be guilty of an offence.

Revocations

14. The Regulations specified in Schedule 4 are revoked.

Sealed with the Official Seal of the Department of the Environment on 20th March 1991.

(L.S.)

Trevor Pearson

Assistant Secretary

The Department of Finance and Personnel approves regulation 4.

Sealed with the Official Seal of the Department of Finance and Personnel on 21st March 1991.

(L.S.)

Doreen Brown

Assistant Secretary

SCHEDULE 1

(See regulation 2(2))

PART I

CLASS OF HEAVY GOODS VEHICLE

Column 1 <i>Class</i>	Column 2 <i>Definition</i>
1	An articulated goods vehicle combination without automatic transmission.
1A	An articulated goods vehicle combination with automatic transmission.
2	A heavy goods vehicle without automatic transmission, other than an articulated goods vehicle combination designed and constructed to have more than four wheels in contact with the road surface.
2A	A heavy goods vehicle with automatic transmission, other than an articulated goods vehicle combination, designed and constructed to have more than four wheels in contact with the road surface.
3	A heavy goods vehicle without automatic transmission, other than an articulated goods vehicle combination, designed and constructed to have not more than four wheels in contact with the road surface.
3A	A heavy goods vehicle with automatic transmission, other than an articulated goods vehicle combination, designed and constructed to have not more than four wheels in contact with the road surface.

For the purposes of the above definitions where a vehicle is fitted with two wheels in line transversely and the distance between the centres of their respective areas of contact with the road is less than 457 mm they shall be regarded as only one wheel.

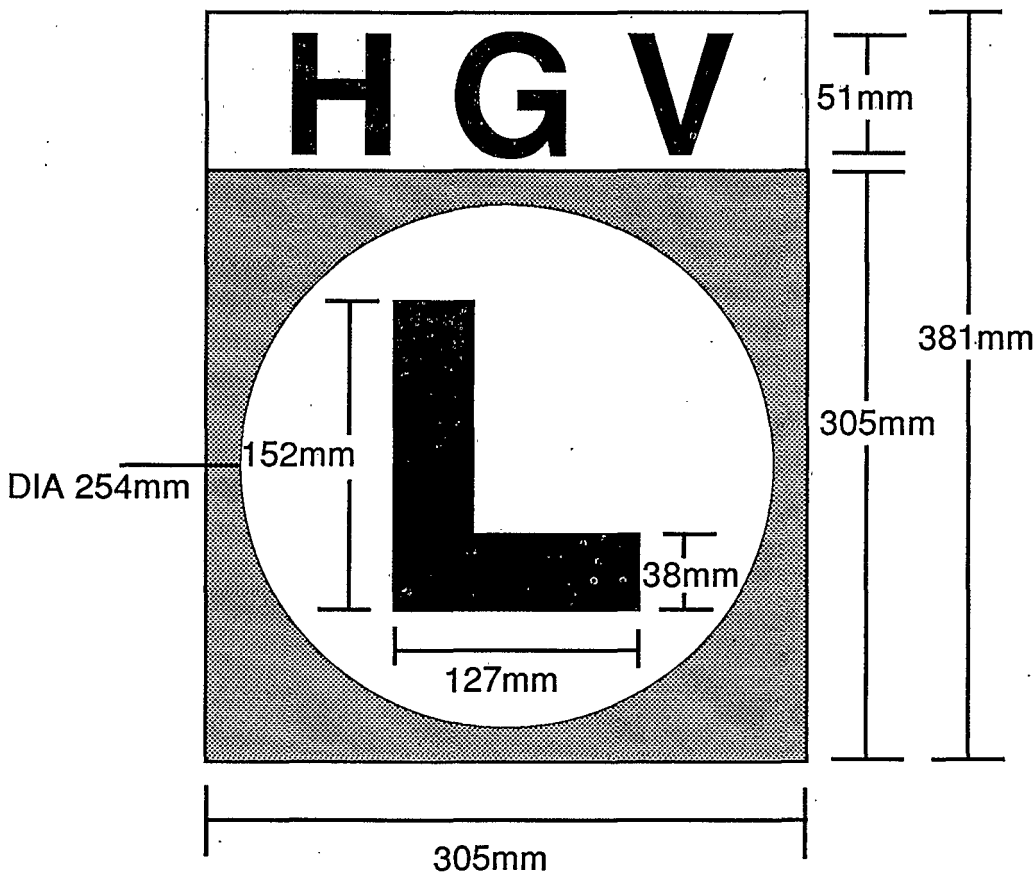
PART II

CLASS OF PUBLIC SERVICE VEHICLE

Column 1 <i>Class</i>	Column 2 <i>Definition</i>
1	All types of omnibus.
1A	All types of omnibus fitted with automatic transmission.
2	All types of single-decked omnibus.
2A	All types of single-decked omnibus fitted with automatic transmission.
3	All types of single-decked omnibus not exceeding 26 (twenty-six) seats.
3A	All types of single-decked omnibus not exceeding 26 (twenty-six) seats and fitted with automatic transmission.
4	All types of single-decked omnibus with not more than 17 (seventeen) seats including the driver's seat.
4A	All types of single-decked omnibus fitted with automatic transmission and with not more than 17 (seventeen) seats including the driver's seat.

Diagram of distinguishing marks to be displayed on a vehicle driven under provisional licence

Form 'A'



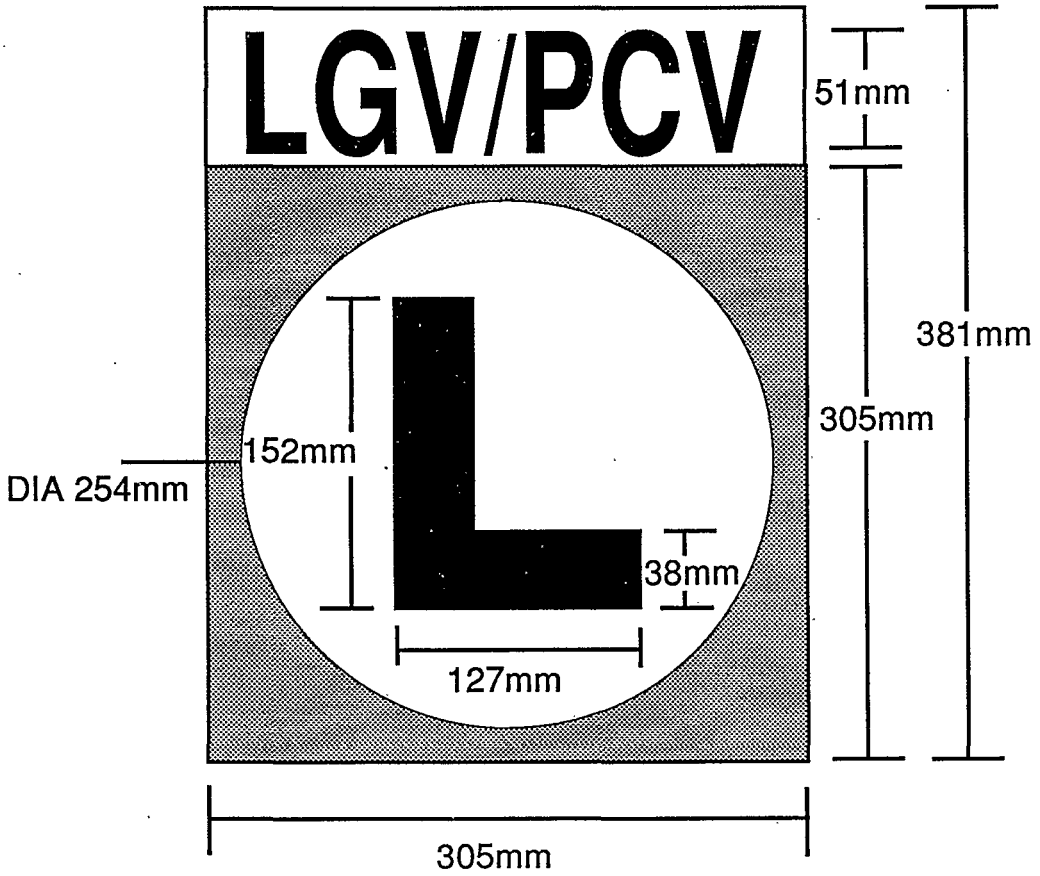
WHITE



RED



LIGHT ORANGE



WHITE



RED



LIGHT ORANGE

SCHEDULE 3

(See regulation 12)

Entitlement to drive corresponding categories of large goods and passenger-carrying vehicles

PART I

Column 1 <i>Class of heavy goods vehicle</i>	Column 2 <i>Category of large goods vehicle</i>
1	C, C plus E
1A	As in 1 but limited to vehicles with automatic transmission
2	C, C plus E but limited to drawbar trailer combinations only
2A	As in 2 but limited to vehicles with automatic transmission
3	As in 2
3A	As in 2A

PART II

Column 1 <i>Class of public service vehicle</i>	Column 2 <i>Category of passenger-carrying vehicle</i>
All types of omnibus	D, D plus E
All types of omnibus fitted with automatic transmission	D, D plus E but limited to vehicles with automatic transmission
All types of single-decked omnibus	D, D plus E
All types of single-decked omnibus fitted with automatic transmission	D, D plus E but limited to vehicles with automatic transmission
All types of single-decked omnibus not exceeding 26 seats	D
All types of single-decked omnibus not exceeding 26 seats and fitted with automatic transmission	D but limited to vehicles with automatic transmission
All types of single-decked omnibus with not more than 17 seats including the driver's seat	D limited to vehicles with not more than 16 passenger seats

Column 1 <i>Class of public service vehicle</i>	Column 2 <i>Category of passenger-carrying vehicle</i>
All types of single-decked omnibus fitted with automatic transmission and with not more than 17 seats including the driver's seat	D limited to vehicles with not more than 16 passenger seats and with automatic transmission

SCHEDULE 4

(See regulation 14)

Regulations Revoked

<i>Title</i>	<i>Year and Number</i>
Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1981	S.R. 1981 No. 240
Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1982	S.R. 1982 No. 130
Heavy Goods Vehicles (Drivers' Licences) (Amendment No. 2) Regulations (Northern Ireland) 1982	S.R. 1982 No. 430
Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1986	S.R. 1986 No. 368
Heavy Goods Vehicles (Drivers' Licence Fees) (Amendment) Regulations (Northern Ireland) 1988	S.R. 1988 No. 351
Heavy Goods Vehicles (Drivers' Licences) (Test Fees) (Amendment) Regulations (Northern Ireland) 1990	S.R. 1990 No. 272

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. Article 4 of the Road Traffic (Amendment) (Northern Ireland) Order 1991 abolishes the requirements for additional licences for drivers of public service vehicles and heavy goods vehicles from 1st April 1991, but preserves the right of holders of such licences granted before that date, during their currency. Those licences are replaced in a unified system of licensing under Part II of the Road Traffic (Northern Ireland) Order 1981 (as substituted by Article 3 and Schedule 1 to the Road Traffic (Amendment) (Northern Ireland) Order 1991) as large goods vehicles and passenger-carrying vehicles and provisions governing the licensing of these vehicles supplemental to the requirements of Part II of the Road Traffic (Northern Ireland) Order 1981 (as substituted) are contained in the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991.

2. These Regulations provide for the continued validity of existing heavy goods vehicle and public service vehicle licences and lay down the requirements which will govern the holding of such licences until they expire or are revoked or surrendered. They replace the requirements laid down for the holding of such licences, their custody and production, revocation and

surrender and for disqualification contained in the Heavy Goods Vehicles (Driving Licences) Regulations (Northern Ireland) 1981 (as amended) which are revoked by these Regulations and the Public Service Vehicles Regulations (Northern Ireland) 1985 (as amended). The principal changes made as compared to the aforementioned Regulations of 1981 and 1985 are:—

- (a) A duplicate licence issued in accordance with regulation 4 must be signed by the holder upon receipt and until it is signed the licence is not valid.
- (b) Obligatory revocation of vocational licences relating to diabetes requiring insulin treatment and to deficient eyesight. In relation to eyesight special provision is made for existing drivers who acquired licences under less restrictive standards prior to 1983 and monocular drivers who having notified the Department of their condition were allowed to retain their licences notwithstanding the disability.
- (c) The range of vehicles that can be driven on the strength of existing licences are brought into line with the new categories of driving entitlement. This will enable existing holders of class 3 HGV licences to drive all rigid goods vehicles and holders of class 3 PSV licences to drive all rigid buses. Holders of certain PSV licences will be able to drive articulated as well as rigid buses. This rationalisation of existing licences will ensure that drivers are not deprived of entitlement at the commencement date simply because they will not obtain a new style licence with the new categories of entitlement until the existing licence expires.
- (d) A new design of "L Plate" for holders of provisional licences is introduced. Plates of the existing design may be used for 5 years from the commencement of the Regulations. This will allow existing stocks to be run down.

3. Any person guilty of an offence under regulation 13 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £400).