

1993 No. 106

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Driving Licences) (Large Goods and
Passenger-Carrying Vehicles) (Amendment) Regulations
(Northern Ireland) 1993**

Made 9th March 1993

Coming into operation 19th April 1993

The Department of the Environment, in exercise of the powers conferred on it by Articles 5(3) and (4), 9(2), 19C and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 19th April 1993.

Regulations amended

2. The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991(b) are amended as follows—

(1) In regulation 3(2) (application), for the first two lines substitute “The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1989(c), except regulations 3, 4(2), 10(a), 11, 12, 21(1)(b) to (e), (3), (4), (5), (6), (7) and (8) and 27 and the”.

(2) In regulation 6(d) (disabilities)—

(a) in paragraph (1) after “in addition to the disabilities prescribed by regulation 21” insert “(1)(b) to (e)”;

(b) for paragraph (1)(a) substitute—

“(a) liability to epileptic seizures;”;

(c) in paragraph (1)(b)(ii) for “in the case of a person who did not hold an existing licence on 1st January 1983 but” substitute “in the case of a person not falling within paragraph (1)(b)(i)”.

(a) S.I. 1981/154 (N.I. 1); see Article 2(2) for the definition of “Department” and “prescribed”, Articles 5, 9 and 19C were substituted by Sch. 1 to S.I. 1991/197 (N.I. 3)

(b) S.R. 1991 No. 100; relevant amending Regulations are S.R. 1992 No. 375

(c) S.R. 1989 No. 238; paras (7) and (8) of regulation 21 were inserted by S.R. 1991 No. 98, reg. 2(7)

(d) Regulation 6 was amended by S.R. 1992 No. 375, reg. 2(1)

(3) In regulation 18 (requirements for tests)—

(a) in paragraph (1)(a) after “paragraph (3)” insert “or paragraph (3A), whichever is appropriate”;

(b) in paragraph (3) for “vehicle” where it first occurs substitute “passenger-carrying vehicle”;

(c) in paragraph (3)(a) and paragraph (3)(b), omit sub-paragraphs (i) and (iv);

(d) after paragraph (3) insert the following paragraph—

“(3A) A large goods vehicle shall not be suitable for the purpose of a test unless—

(a) if the test is taken before 1st July 1996—

(i) in the case of a test for category C, it has a maximum authorised mass which exceeds 7.5 tonnes;

(ii) in the case of a test for category C plus E, it is either—

(A) an articulated goods vehicle combination, or

(B) a combination of vehicles comprising a vehicle in category C and a trailer with at least two axles with a permissible maximum weight in relation to the combination of at least 15 tonnes; and

(b) if the test is taken on or after that date, it is capable of a speed of at least 80 kilometres per hour and—

(i) in the case of a test for category C, it has a maximum authorised mass of at least 10 tonnes and an overall length of at least 7 metres;

(ii) in the case of a test for category C plus E, it is either—

(A) an articulated goods vehicle with a maximum authorised mass of at least 18 tonnes and an overall length of at least 12 metres, or

(B) a combination of vehicles with a maximum authorised mass of at least 18 tonnes and an overall length of at least 12 metres comprising a vehicle in category C with a maximum authorised mass of at least 10 tonnes and an overall length of at least 7 metres and a trailer with an overall length of at least 4 metres.”.

(4) In Schedule 1 (categories of vehicles), in column (2), in the entry describing the vehicles in—

(a) category C and category D for “750 kg or a trailer of any mass with a single axle” substitute “, in the case of a trailer with a single axle, 5 tonnes or, in the case of any other trailer, 750 kg”;

(b) category C plus E and category D plus E for “750 kg and with more than a single axle” substitute “, in the case of a trailer with a single axle, 5 tonnes or, in the case of any other trailer, 750 kg”.

(5) For Part II of Schedule 6 substitute the provisions set out in the Schedule to these Regulations.

460

Road Traffic and Vehicles

No. 106

Sealed with the Official Seal of the Department of the Environment on 9th
March 1993.

(L.S.)

Trevor Pearson

Assistant Secretary

SCHEDULE

(see regulation 2(5))

“PART II

FORM OF STATEMENT OF FAILURE TO PASS A TEST OF COMPETENCE TO DRIVE A
LARGE GOODS VEHICLE OR PASSENGER-CARRYING VEHICLE

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

MOTOR VEHICLES (DRIVING LICENCES) (LARGE GOODS AND
PASSENGER-CARRYING VEHICLES) REGULATIONS (NORTHERN
IRELAND) 1991

Statement of Failure

Name _____

has been examined on a vehicle of category _____ with/without automatic
transmission/whilst drawing a trailer* and has failed to pass the test of competence to
drive prescribed for the purposes of Article 5 of the Road Traffic (Northern Ireland)
Order 1981 on (date) _____

Signed _____

Appointed by the Department of
the Environment for Northern
Ireland to conduct the test.

*Delete if inapplicable

ISSUED BY THE DEPARTMENT OF THE ENVIRONMENT (N.I.) DRIVER
AND VEHICLE TESTING AGENCY”

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991 ("the principal Regulations") as follows—

1. Epilepsy and an epileptic attack since attaining the age of 5 years are no longer prescribed as relevant disabilities in relation to applicants for and holders of large goods and passenger-carrying vehicle drivers' licences. Instead, a person will not be entitled to hold a large goods or passenger-carrying vehicle driver's licence if he is liable to suffer epileptic seizures (regulation 2(1), (2)(a) and (b)).

2. Regulation 6(1)(b)(ii) of the principal Regulations is amended to ensure that it (rather than regulation 6(1)(b)(iii)) applies to a person who (a) held an existing licence on 1st January 1983, (b) did not hold such a licence on 1st April 1991, but (c) did hold a large goods or passenger-carrying vehicle driver's licence on 1st October 1992 (regulation 2(2)(c)).

3. The principal Regulations set out, in regulation 18, the requirements which a vehicle must meet if it is used on a driving test. These requirements vary depending on the nature of the test and the date on which the test is to be taken. With regard to tests in which the candidate hopes to gain full entitlement to drive vehicles in category C or category C plus E, the requirements for the test vehicle will now change if the test is taken on or after 1st July 1996, not 1st April 1994 as previously provided. Moreover, the requirements for the test vehicle will now change so as to accord with the requirements laid down in the Second Council Directive on the driving licence (91/439/EEC) (regulation 2(3)).

4. Schedule 1 to the principal Regulations has been amended (regulation 2(4)). A combination of vehicles comprising a vehicle in category C (or D) and a single axle trailer weighing more than 5 tonnes is now a combination falling within category C plus E (or D plus E) not category C (or D) as was formerly the case.

5. Finally, Schedule 6 to the principal Regulations has been amended (see regulation 2(5) and the Schedule to these Regulations). A statement of failure to pass a test of competence to drive a large goods or passenger-carrying vehicle no longer has to include the address of the test candidate.

Copies of the EEC Directive referred to in this note can be obtained from Her Majesty's Stationery Office.