
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 542

**Motor Vehicles (Driving Licences)
Regulations (Northern Ireland) 1996**

Part II

Licences

Provisional licences

Provisional licences: interpretation

11.—(1) In regulations 12 and 13—

“provisional licence”, in relation to a class of vehicles, includes a full licence which is treated, by virtue of Article 14 of the Order, as authorising its holder to drive vehicles of that class as if he held a provisional licence therefor;

“qualified driver” means—

- (a) in the case of the supervision of the driver of a motor vehicle of a class included in category B, other than a vehicle in sub-category B1, by a person whose licence is limited by virtue of a notice served under Article 9(5)(b) of the Order to vehicles of a particular class, a person who holds a full licence authorising him to drive a vehicle of a class included in category B, other than a vehicle in sub-category B1, and who would in an emergency be able to take control of the steering and braking functions of that vehicle;
- (b) in any other case, a person who holds—
 - (i) a full licence (other than an LGV trainee driver’s licence),
 - (ii) a full Great Britain licence, or
 - (iii) a Community licence,

authorising him to drive a motor vehicle of the same class as the vehicle being driven by the holder of the provisional licence, and who is either—

(A) at least 21 years of age and has (unless paragraph (2) applies) held the licence referred to above for an aggregate period of 3 years or more, or

(B) a member of the armed services of the Crown acting in the course of his duties for naval, military or air force purposes.

(2) In the case of the supervision of a driver of a large goods or passenger-carrying vehicle of any class, it shall not be a requirement that he shall have held the licence for an aggregate period of 3 years or more.

Conditions attached to provisional licences

12.—(1) Subject to the following paragraphs, the holder of a provisional licence shall comply with the following conditions in relation to motor vehicles of a class which he is authorised to drive by virtue of the provisional licence, that is to say he shall not drive or ride such a motor vehicle—

- (a) otherwise than under the supervision of a qualified driver who is present with him in or on the vehicle;
- (b) unless a distinguishing mark in the form set out in Part 1 of Schedule 3 is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle; or
- (c) while it is being used to draw a trailer.

(2) The condition specified in paragraph (1)(a) shall not apply when the holder of the provisional licence—

- (a) is driving a motor vehicle of a class included in sub-category B1 or B1 (invalid carriages) or in category F, G or H which is constructed to carry only one person and not adapted to carry more than one person;
- (b) is riding a moped or a motor bicycle with or without a side-car.

(3) The condition specified in paragraph (1)(b) shall not apply when the holder of the provisional licence is driving a motor vehicle and a distinguishing mark in the form set out in Part 2 of Schedule 3 is displayed on the motor vehicle in the manner described in paragraph (1)(b).

(4) The condition specified in paragraph (1)(c) shall not apply when the holder of the provisional licence is driving a vehicle of a class included in category B + E, C + E, D + E or F, in relation to motor vehicles of that class.

(5) The holder of a provisional licence authorising the driving of—

- (a) a moped; or
- (b) a motor bicycle with or without a side-car,

shall not drive such a vehicle while carrying on it another person.

(6) The holder of a passenger-carrying vehicle driver's provisional licence shall not drive a vehicle which he is authorised to drive by that licence while carrying any passenger in the vehicle other than—

- (a) the person specified in paragraph (1)(a); or
- (b) a person who holds a passenger-carrying vehicle driver's licence and either is giving or receiving instruction in the driving of passenger-carrying vehicles, or has given or received or is to give or receive, such instruction.

(7) The conditions specified in paragraphs (1)(a) and (6) shall not apply when the holder of the provisional licence is undergoing a test.

(8) The conditions specified in paragraphs (1), (5) and (6) shall not apply in relation to the driving of motor vehicles of a class in respect of which the provisional licence holder has been furnished with a certificate under regulation 37(1)(a) or, as the case may be, certificates under regulations 36(2)(a) and 37(2) stating that he has passed a test for the grant of a licence authorising him to drive vehicles of that class.

(9) In the case of an LGV trainee driver's licence, this regulation shall apply as modified by regulation 43.

Conditions attached to provisional licences: holders of driving permits other than licences granted under Part II of the Order

13. A holder of a provisional licence authorising the driving of vehicles of any class who also holds a permit by virtue of which he is at any time—

- (a) treated, by virtue of regulation 55, as the holder, for the purposes of Article 3 of the Order, of a licence authorising the driving of vehicles of that class; or
- (b) entitled, pursuant to Article 3(1) of the Motor Vehicles (International Circulation) Order (Northern Ireland) 1990(1), to drive motor vehicles of that class,

need not comply with regulation 12 at that time.

Full licences not carrying provisional entitlement

14.—(1) Article 14(2) shall not apply to a licence—

- (a) which authorises the driving only of motor vehicles adapted on account of a disability, whether pursuant to an application in that behalf made by the holder of the licence or pursuant to a notice served under Article 9(5)(b) of the Order;
- (b) in so far as it authorises its holder to drive vehicles of a class included in category B + E, C + E, D + E, K or P or sub-category B1 (invalid carriages), C1, C1 + E, C1 + E (8.25 tonnes), D1 (not for hire or reward), D1 + E or D1 + E (not for hire or reward).

(2) Subject to the following provisions, the holder of a full licence authorising him to drive motor vehicles of a class included in a category or sub-category specified in column (1) of the table may drive—

- (a) in the case where the full licence authorises only the driving of vehicles with automatic transmission, motor vehicles of all classes included in that category or sub-category which have manual transmission; and
- (b) motor vehicles of all classes included in a category or sub-category specified in relation to that category or sub-category, in column (2) of the Table,

as if he were authorised by a provisional licence to do so and the application of Article 14(2) of the Order to those classes of vehicle is limited accordingly.

(3) In the case of a provisional large goods vehicle driver's licence, this regulation shall apply as modified by regulation 43.

TABLE

Column (1) Full licence held	Column (2) Provisional entitlement included
A1	A, B, F and K
A	B and F
B1	A, B and F
B	A, B + E, G and H
C	C1 + E, C + E
D1	D1 + E
D	D1 + E, D + E

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

Column (1) Full licence held	Column (2) Provisional entitlement included
F	B and P
G	H
H	G
