
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 468

ROADS

ROAD TRAFFIC AND VEHICLES

**Motorways Traffic (Amendment)
Regulations (Northern Ireland) 1997**

Made - - - - - *27th October 1997*

Coming into operation *8th December 1997*

The Department of the Environment, in exercise of the powers conferred on it by Article 20(3) of the Roads (Northern Ireland) Order 1993(1) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Motorways Traffic (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 8th December 1997.

Amendment

2. For regulation 11 of the Motorways Traffic Regulations (Northern Ireland) 1984(2) substitute the following regulation—

“11.—(1) Subject to paragraph (3), a person shall not drive on a motorway a motor vehicle to which this regulation applies if he is authorised to drive that vehicle only by virtue of his being the holder of a provisional licence.

(2) This regulation applies to—

(a) a vehicle in category A, B or P; and

(b) a vehicle in sub-category C1 or D1 (not for hire or reward) if the provisional licence was in force at a time before 1st January 1997.

(3) Paragraph (1) shall not apply in relation to a vehicle if the holder of the provisional licence has passed a test of competence prescribed under Article 5(3) of the Road Traffic (Northern Ireland) Order 1981(3) for the grant of a licence to drive that vehicle.

(1) S.I. 1993/3160 (N.I. 15); see Article 2(2) for the definition of “the Department”

(2) S.R. 1984 No. 160 as amended by S.R. 1994 No. 190

(3) S.I. 1981/154 (N.I. 1); Articles 5(3), 13(3) and 14(2) were substituted by Sch. 1 to S.I. 1991/197 (N.I. 3)

- (4) In this regulation—
- (a) the expression “in force” and expressions relating to vehicle categories shall be construed in accordance with regulations 2(2) and 3(2) respectively of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996⁽⁴⁾; and
 - (b) “provisional licence”, in relation to any vehicle, means a licence—
 - (i) granted under Article 13(3) of the Road Traffic (Northern Ireland) Order 1981; or
 - (ii) which authorises its holder by virtue of Article 14(2) of that Order to drive all other classes of motor vehicle.”.

Revocation

4. The Motorways Traffic (Amendment) Regulations (Northern Ireland) 1994⁽⁵⁾ are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on

L.S.

27th October 1997.

J. Carlisle
Assistant Secretary

⁽⁴⁾ S.R. 1996 No. 542
⁽⁵⁾ S.R. 1994 No. 190

EXPLANATORY NOTE

(This note is not part of the Regulations.)

By virtue of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 ([S.R. 1996 No. 542](#)), separate driving tests were introduced in respect of motor cars with trailers (category B+E), trucks and vans of between 3·5 tonnes and 7·5 tonnes maximum authorised mass (sub-categories C1 and C1+E) and buses having more than 8 but not more than 16 passenger seats whether or not they carry passengers for hire or reward (sub-categories D1 and D1+E). Provisional licences to drive these classes of vehicle may, however, only be issued to persons already holding at least a full licence to drive motor cars (category B). Those regulations thereby implement that part of Council Directive [91/439/EEC](#) of 29th July 1991 (O.J. No. L237, 24.8.91, p. 1) relating to driving tests.

These Regulations further amend Regulation 11 of the Motorways Traffic Regulations (Northern Ireland) 1984 (“the 1984 Regulations”) so as to enable a person who holds a provisional licence for such vehicles to drive them on a motorway. The 1984 Regulations already permit persons holding a provisional licence to drive on motorways large goods vehicles (category C) and passenger-carrying vehicles which are driven for hire or reward (category D) since these licences may only be issued to persons holding category B licences.

The Regulations also include transitional measures to prevent persons who currently hold provisional licences to drive some medium-sized goods vehicles and small buses (entitlement having been given concurrently with a provisional licence for category B) from driving them on motorways before they have at least a full category B licence.

The Motorways Traffic (Amendment) Regulations (Northern Ireland) 1994 are revoked.

Any person who acts in contravention of Regulation 11 of the 1984 Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale (£2,500).