
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 132

The Train Driving Licences and Certificates
Regulations (Northern Ireland) 2010

PART 2

LICENSING AND CERTIFICATION OF TRAIN DRIVERS

Requirement for licences and certificates

4.—(1) Subject to paragraph (10) a railway undertaking must not cause or permit a person to drive a train unless that person is authorised to do so by a train driving licence issued by the Department or a safety authority.

(2) Subject to paragraph (6) and (10), a railway undertaking must not cause or permit any person to drive a particular category of train, or to drive a train on particular infrastructure, unless that person is authorised to do so by a train driving certificate issued by it.

(3) Subject to paragraphs (6) and (10), a person may not drive a train unless that person is authorised to do so by—

- (a) a train driving licence, and
- (b) a train driving certificate for the category of train driven and the infrastructure used.

(4) Subject to paragraph (10), a person who drives a train must have their train driving licence and their train driving certificate with them whilst driving it or otherwise be able on board the train to satisfy the Department or their inspector duly appointed under regulation 40, that they are so authorised to drive the train by the required train driving licence and train driving certificate.

(5) Subject to paragraph (10), a railway undertaking must take reasonable steps to ensure that a person they cause or permit to drive a train has their train driving licence and their train driving certificate with them whilst driving it, or are otherwise able to satisfy the requirements of paragraph (4)

(6) Subject to paragraph (7) and if a railway undertaking so decides a train driver it causes or permits to drive a train on specific infrastructure need not be authorised by their train driving certificate to drive it on that infrastructure in the following cases—

- (a) where a disturbance to railway services has occurred which requires the re-routing of the train or the maintenance of tracks, as specified by the infrastructure manager concerned;
- (b) an exceptional one-off service which uses a historical train;
- (c) an exceptional one-off freight service provided that the infrastructure manager concerned has agreed;
- (d) the delivery of, or demonstration of, a new train; or
- (e) to enable the training or the examination of the train driver.

(7) Paragraph (6) does not apply unless—

- (a) subject to regulation 41(9), another train driver, who holds a train driving licence and a train driving certificate relating to the specific infrastructure, accompanies and supervises the driver in the cab whilst the train is driven on that infrastructure; and
- (b) the infrastructure manager of the specific infrastructure is given prior notice.

(8) An infrastructure manager may not oblige a railway undertaking to make a decision under paragraph (6).

(9) A train driving licence issued by a safety authority on the basis of an exemption from the medical requirements set out in Schedule 1 is not valid in Northern Ireland.

(10) Subject to regulation 41(10), a person who is training to be a train driver may drive a train without being authorised to do so by a train driving licence or a train driving certificate provided that a train driver, who is authorised by a train driving certificate relating to the category of train driven and the infrastructure used, accompanies and supervises that person in the cab whilst that person drives the train.

Licence and certificate characteristics

5.—(1) The form of a train driving licence issued by the Department and a train driving certificate, issued by a railway undertaking under these Regulations must comply with the requirements set out in Schedule 2.

(2) In particular, a train driving certificate must show the categories within which the train driver may drive comprising either or both of—

- (a) Category A — shunting locomotives, work trains, maintenance railway vehicles and all other locomotives when they are used for shunting; and
- (b) Category B — carriage of passengers or goods or both.

Ownership of train driving licence

6. A train driving licence is owned by the person named in it as the holder.

Ownership of the train driving certificate

7. A train driving certificate is owned by the railway undertaking which issued it to the holder.