

*This Statutory Rule has been issued to correct an error in the title of S.R. 2015 No. 357 and is being issued free of charge to all known recipients of that Statutory Rule*

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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 357**

**ROAD TRAFFIC AND VEHICLES**

**The Motor Vehicles (Driving Licences) (Amendment No. 3)  
Regulations (Northern Ireland) 2015**

*Made* - - - - *14th October 2015*

*Coming into operation* - *30th November 2015*

The Department of the Environment makes the following Regulations, in exercise of the powers conferred by Articles 4(7) and (8), 5(3), (4) and (5), 11(4), 13(1) and (3)(a), 14(4) and 19C(1), (1A)(a) and (f) and (2) of the Road Traffic (Northern Ireland) Order 1981(a).

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment No. 3) Regulations (Northern Ireland) 2015 and shall come into operation on 30<sup>th</sup> November 2015.

**Amendment of the Motor Vehicles (Driving Licences) Regulations**

2.—(1) The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(b) are amended in accordance with paragraphs (2) to (10).

(2) In regulation 7(5)(i) (applications for the grant of licences: general), for “40 millimetres” substitute “45 millimetres”.

(3) In regulation 10 (fees for licences), after paragraph (2) add—

“(3) When an application is made for a licence which, but for this paragraph, would attract more than one fee, only one fee shall be paid and where the fees are different, that fee shall be the higher or highest of them.”.

(4) In regulation 11(2) (meaning of qualified driver)(c), for sub-paragraph (a) substitute—

“(a) “disabled driver” means a person who holds a relevant licence which is limited by virtue of a declaration made with his application for the licence or a notice served under Article 9(5)(b) of the Order to vehicles of a particular class;”.

(5) In regulation 27 (further requirements at tests), after paragraph (1)(d) insert—

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(a) S.I. 1981/154 (N.I. 1)

(b) S.R. 1996 No. 542; relevant amending Regulations are S.R. 1997 No. 383, S.R. 1999 No. 358, S.R. 2003 No. 371, S.R. 2011 No. 21, S.R. 2012 Nos. 170 and 451 and S.R. 2015 No. 6

(c) Regulation 11 was substituted by regulation 2 of S.R. 1999 No. 358

(d) Paragraph (1) was substituted by regulation 2(5) of S.R. 2015 No. 6

“(1A) Paragraph (1) shall not apply in the case of a person who submits himself for an appropriate driving test pursuant to Article 41 of the Offenders Order or for any part of such a test.”.

(6) In regulation 47G(2)(a)(evidence of completion of course)(a) for “and” substitute “or”.

(7) In regulation 52(1)(a) (disabilities requiring medical investigation: High Risk Offenders), after “body” insert “equalled or”.

(8) In regulation 55 (persons who become resident in Northern Ireland)—

(a) after paragraph (1) insert—

“(1A) A person who becomes resident in Northern Ireland who is—

- (i) the holder of a British external licence granted in the Isle of Man, Jersey or Guernsey authorising the driving of large and medium sized goods vehicles or passenger carrying vehicles, as the case may be, of any class, and
- (ii) not disqualified for holding or obtaining a licence in Northern Ireland,

shall, during the period of one year after he becomes so resident, be treated for the purposes of Article 3 of the Order as the holder of a licence authorising him to drive large and medium sized goods vehicles or passenger carrying vehicles, as the case may be, of all classes which he is authorised to drive by that licence.”;

(b) for paragraph (2)(b) substitute—

“(2) The statutory provisions in paragraph (2A) shall apply in relation to—

- (a) holders of relevant permits and holders of British external licences of the classes mentioned in paragraph (1A); or
- (b) those licences and permits (as the case may be),

with the modifications contained in paragraph (2A).

(2A) The modifications mentioned in paragraph (2) are that—

- (a) Article 11 of the Offenders Order (duty of accused to provide licence) shall apply as if—
  - (i) the references to a licence were references to a relevant permit or a British external licence, and
  - (ii) the words after paragraph (c) were omitted;
- (b) Article 29(1) and (2) of the Offenders Order (production of licence) shall apply as if—
  - (i) the reference to a licence were references to a relevant permit or a British external licence,
  - (ii) the references to the counterpart of a licence were omitted, and
  - (iii) in paragraph (2) the words “, unless he satisfies the court that he has applied for a new licence and has not received it” were omitted;
- (c) Article 47 of the Offenders Order (removal of disqualification) shall apply as if for paragraph (6) there were substituted—

“(6) If under this Article a court orders a disqualification to be removed, the court must cause particulars of the order to be notified to the Department.”;
- (d) Article 52 of the Offenders Order (supplementary provisions as to disqualifications and endorsements) shall apply as if for paragraph (2) there were substituted—

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(a) Regulation 47G was inserted by regulation 2(9) of S.R. 2011 No. 21 and amended by regulation 2(7) of S.R. 2012 No. 451  
(b) Paragraph (2) was amended by regulation 20 of S.R. 1997 No. 383

“(2) Where a court orders the holder of a relevant permit or a British external licence to be disqualified it must send the permit or the licence, on its being produced to the court, to the Department who shall keep it until the disqualification has expired or been removed or the person entitled to it leaves Northern Ireland and in any case has made a demand in writing for its return to him.

“Relevant permit” has the meaning given by regulation 55 of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996.”;

(e) Article 174 of the Order (forgery of documents, etc.) shall apply as if after paragraph (2A)(b) there were inserted—

“(bb) relevant permit (within the meaning of regulation 55 of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996;

(bc) a British external licence;”;

(f) Article 180(2), (3) and (4) of the Order (which authorise a police constable to require the production of a licence) shall apply as if references to a driving licence or licence were references to a relevant permit or a British external licence.”.

(9) In Schedule 6 (specified matters for theory test)(a)—

(a) in Parts 1 and 2, in paragraph C (the road) of each of those Parts after item 3 add—

“4. Safe driving in road tunnels.”; and

(b) in Parts 3 and 4, in paragraph C (the road), of each of those Parts, after item 4 add—

“5. Safe driving in road tunnels.”.

(10) In Schedule 7 (specified requirements for practical or unitary test)(b) in Parts 1 and 2, in paragraph E (behaviour in traffic) of each of those Parts, and in Parts 3 and 4, in paragraph D (behaviour in traffic) of each of those Parts, after item 12(d) add—

“(e) Negotiate roundabouts.

(f) Pass bus or tram stops.

(g) Approach and cross pedestrian crossings.

(h) Drive up or down long inclines on roads.”.

Sealed with the Official Seal of the Department of the Environment on 14<sup>th</sup> October 2015



*Elizabeth Loughran*  
A senior officer of the  
Department of the Environment

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(a) Schedule 6 was substituted by regulation 2 of S.R. 2003 No. 183

(b) Schedule 7 was substituted by regulation 2(3) of, and Schedule 2 to, S.R. 2003 No. 371 and amended by regulation 3(32) of S.R. 2012 No. 170

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Motor Vehicle (Driving Licences) Regulations (Northern Ireland) 1996 (“the 1996 Regulations”) to correct anomalies which exist between the legislation in Great Britain and the legislation in Northern Ireland, with the aim of improving parity of driver licensing law throughout the United Kingdom.

Schedules 6 and 7 to the 1996 Regulations are also amended as a consequence of EU Directive 2014/85 which amends Annex II to EU Directive 2006/126, introducing a requirement for the theory test to include questions on safe driving in road tunnels and by adding more items to the list of specified requirements which may be tested in the practical or unitary test.

An Explanatory Memorandum has been produced and is available from the Road Safety and Vehicle Regulation Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or viewed online at <http://www.legislation.gov.uk>

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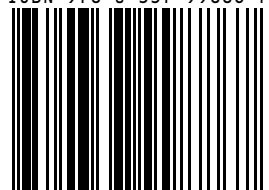
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