Road Traffic Act 1988

1988 CHAPTER 52

[X1][F1]PART IV

LICENSING OF DRIVERS OF HEAVY GOODS VEHICLES]

General and supplemental

[F1117 Regulations.

(1) The Secretary of State may make regulations for the purpose of carrying the provisions of this Part of this Act into effect.

(2) Without prejudice to the generality of subsection (1) above, the regulations may—

(a) make provision with respect to tests of competence to drive heavy goods vehicles and, in particular, the nature of such tests, the qualifications, selection, appointment and removal of the persons by whom they may be conducted, and evidence of the results of the test,

(b) require applicants for such tests or for heavy goods vehicle drivers' licences (whether full or provisional) to have such qualifications, experience and knowledge (including, in the case of applicants for licences, qualifications with respect to health and driving conduct and, if the applicant is to be authorised to drive vehicles of any class at an age below the normal minimum age for driving vehicles of that class, with respect to participation in an approved training scheme for drivers) as may be prescribed,

(c) require a person submitting himself for a test to produce for the purposes of the test a vehicle of the class in respect of which he is to be tested, loaded or unloaded according as may be prescribed, and, in the case of a loaded vehicle, impose requirements about its loading,

(d) restrict the issue of provisional licences, in the case of prescribed classes of applicants or in prescribed circumstances, to such classes of vehicle as may be prescribed,

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Changes to legislation: *Road Traffic Act 1988, Section 117 is up to date with all changes known to be in force on or before 04 October 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(e) provide that a full licence to drive a heavy goods vehicle of a particular class shall also be treated for the purposes of this Part of this Act as a provisional licence to drive heavy goods vehicles of another prescribed class,

(f) make provision for preventing a person holding more than one licence and for facilitating the identification of licence holders,

(g) make provision with respect to applications for and the issue of heavy goods vehicle drivers' licences,

(h) make provision with respect to the custody and production of any heavy goods vehicle driver's licence or any Northern Ireland licence (within the meaning of section 121 of this Act) or any licence under Part I of the [M1]Road Traffic Act (Northern Ireland) 1970 or Part II of the [M2]Road Traffic (Northern Ireland) Order 1981 to drive heavy goods vehicles of any description, and require the return to a prescribed licensing authority of any such licence which has expired or been suspended or revoked,

(j) require the payment of a fee of a prescribed amount by a person who applies for a test and provide for the repayment of any such fee in the prescribed circumstances,

(k) provide that a person submitting himself for, but failing to pass, a test shall not be eligible to submit himself for another test before the expiration of a prescribed period, except under an order made by a court or sheriff under section 115 of this Act,

(l) provide for the issue of a new licence in place of a licence lost or defaced on payment of the prescribed fee,

(m) make provision about the effect of a change in the meaning of heavy goods vehicle or in the classification of heavy goods vehicles for the purposes of this Part of this Act on heavy goods vehicle drivers' licences then in force or issued or on the granting of such licences afterwards,

and different provision may be made by the regulations for different cases.

(3) In subsection (2)(b) above—

"approved training scheme for drivers" means a training scheme for drivers (as defined in section 101(5) of this Act) approved for the time being by the Secretary of State for the purposes of regulations under this section, and

"normal minimum age for driving", in relation to the driving of vehicles of any class, means the age which is in force under section 101 of this Act (but apart from any approved training scheme for drivers) in relation to that class of vehicle.

(4) Regulations under this section may provide that a person who contravenes or fails to comply with any specified provision of the regulations is guilty of an offence.

(5) The Secretary of State may by regulations provide that this Part of this Act shall not apply to heavy goods vehicles of such classes as may be prescribed either generally or in such circumstances as may be prescribed.**]**

Textual Amendments

F1 Pt. IV (ss. 110–122): by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 1(1)(2)(7), 16, **Sch. 6** it is provided that Pt. IV (first appearing in text) shall cease to have effect and is repealed (1.4.1991) and by s. 2(1) of that 1989 Act (coming into force 1.4.1991) it is provided that there shall be inserted as Part IV (appearing second in text) of this 1988 Act the provisions set out in Schedule 2 to that 1989 Act which– (a) apply both to the licensing of the drivers

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of large goods vehicles and to the licensing of the drivers of passenger-carrying vehicles (as there defined); and (b) re-enact and assimilate certain of the provisions of Part IV of the 1988 Act (as originally enacted) and of section 22 of the Public Passenger Vehicles Act 1981 to take account of the abolition by section 1 above of special licences to drive heavy goods vehicles and public service vehicles and the granting after the appointed day of licences to drive such vehicles under Part III of the 1988 Act

Marginal Citations

M1 1970 c. 2 (N.I.).

M2 S.I. 1981/160.

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