



# Road Traffic (Driver Licensing and Information Systems) Act 1989

## 1989 CHAPTER 22

### PART I

#### DRIVING LICENCES

#### **1 Abolition of special licences for driving HGVs and PSVs**

- (1) On the appointed day Part IV of the Road Traffic Act 1988 and section 22 of the Public Passenger Vehicles Act 1981 (which require special driving licences to be held for driving heavy goods vehicles and public service vehicles) shall cease to have effect but the repeal of those provisions does not imply that it is lawful for a person to drive a heavy goods vehicle or a public service vehicle of any class on or after that day on the authority of an existing licence under Part III of the 1988 Act (ordinary licences) and, for the purposes of section 87 of that Act (offence of driving without Part III licence), his licence shall not be taken to authorise him to drive vehicles of those classes.
- (2) Subsection (1) above shall not, however, invalidate existing licences for driving heavy goods vehicles or public service vehicles and the holder of such a licence may, during the currency of that licence and his existing licence under Part III of the 1988 Act, continue to drive any heavy goods vehicle or public service vehicle which the first-mentioned licence authorises him to drive or a goods vehicle of any class or, as the case may be, a passenger-carrying vehicle of any class prescribed for the purposes of this subsection without obtaining a new licence under the said Part III.
- (3) Any of the following proceedings pending at the appointed day, that is to say—
  - (a) any application questioning the conduct of a test of competence to drive under section 115 of the 1988 Act, and
  - (b) any reconsideration by, or appeal from, a licensing authority under section 116 of the 1988 Act or section 23 of the 1981 Act,

may be continued and, as the case may be, any order relative to the test (or fees) made or licence issued notwithstanding the repeals made by this Act and any order of eligibility to take a test so made shall be treated as relating to a corresponding test

and any heavy goods vehicle or public service vehicle driver's licence so issued shall be treated as an existing licence.

- (4) Where, during the currency of a person's existing licence for driving heavy goods vehicles or public service vehicles, his existing licence under Part III of the 1988 Act is revoked or surrendered, it shall be his duty to surrender his first-mentioned licence to the traffic commissioner for the traffic area in which he resides.
- (5) A person who without reasonable excuse fails to comply with the duty under subsection (4) above is guilty of an offence.
- (6) The provisions of Part I of Schedule 1 to this Act have effect for the purpose of re-enacting with modifications and assimilating the provisions of Part IV of the 1988 Act and the 1981 Act for the purposes of licences under those Acts continued in force by subsection (2) above and the transitory provisions of Part II of that Schedule shall also have effect.

- (7) In this Part of this Act—

“the appointed day” means the day appointed for the coming into force of this section;

“existing”, in relation to a licence, means in force immediately before the appointed day;

“traffic area” means a traffic area constituted for the purposes of the 1981 Act;

“traffic commissioner” means a traffic commissioner appointed for the purposes of the 1981 Act;

“the 1981 Act” means the Public Passenger Vehicles Act 1981;

“the 1988 Act” means the Road Traffic Act 1988;

and in subsection (2) above the reference to the vehicles which the holder of a heavy goods vehicle driver's licence is authorised to drive includes a reference to the vehicles which he is authorised to drive by virtue of regulations under paragraph 8(2)(a) of Schedule 1 to this Act and the reference to prescribed classes of goods vehicles or passenger-carrying vehicles is a reference to classes of goods vehicles or passenger-carrying vehicles (within the meaning of the 1988 Act) prescribed under that paragraph.