



Road Traffic (Driver Licensing and Information Systems) Act 1989

1989 CHAPTER 22

PART I

DRIVING LICENCES

4 Tests of competence and related conditions of entitlement to driving licence.

- (1) Section 89 of the 1988 Act (tests of competence to drive and related conditions of entitlement to driving licence) shall be amended as provided in subsections (2) to (4) below.
- (2) In subsection (1) (conditions of entitlement to driving licence), for paragraphs (a) to (d) there shall be substituted the following paragraphs—
- “(a) that at some time during the period of two years ending with the date the application is made but not earlier than the appointed day he has passed—
- (i) the test of competence to drive prescribed by virtue of subsection (3) below, or
 - (ii) a Northern Ireland test of competence to drive which corresponds to such a test, or
 - (iii) a test of competence which under subsection (6) below is a sufficient test;
- or that, if it is available to him, he satisfies the alternative requirement of section 89A of this Act; or
- (b) that at some time not earlier than the appointed day he has held—
- (i) a full licence authorising the driving of vehicles of that class, or
 - (ii) a full Northern Ireland licence authorising the driving of vehicles of that or a corresponding class;

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or that, if it is available to him, he satisfies the alternative requirement of section 89A of this Act; or

- (c) that at some time during the period of two years ending with the date the application is made he has passed a test of competence to drive vehicles of that or a corresponding class conducted under any relevant external law or for the purpose of obtaining a British Forces licence; or
- (d) that at some time not earlier than the appointed day he has held a full British external licence or a full British Forces licence to drive vehicles of that or a corresponding class or that, if it is available to him, he satisfies the alternative requirement of section 89A of this Act; or
- (e) that at some time during the period of two years ending with the date the application is made he has passed a test of competence to drive vehicles of that or a corresponding class conducted under the law of another member State or of Gibraltar or a designated country or territory; or
- (f) that, at the time of the application for the licence—
 - (i) he holds an exchangeable licence authorising the driving of vehicles of that or a corresponding class, and
 - (ii) he is normally resident in Great Britain or (where the exchangeable licence is a Community licence) the United Kingdom but has not been so resident for more than the prescribed period.”

(3) For subsection (2) there shall be substituted the following subsection—

“(2) For the purposes of subsection (1) above—

- (a) a licence which has been revoked under section 99(3) of this Act or any corresponding provision of the law of Northern Ireland or under any corresponding provision of the relevant external law as a licence granted in error shall be disregarded for the purposes of paragraph (b) or, as the case may be, paragraph (d) of that subsection;
- (b) a test of competence to drive any class of goods vehicle or any class of passenger-carrying vehicle conducted under a relevant external law is to be disregarded for the purposes of paragraph (c) of that subsection unless the Secretary of State, by order made by statutory instrument, designates that law as one which makes satisfactory provision for tests of competence to drive such vehicles;
- (c) a British external licence to drive any class of goods vehicle or any class of passenger-carrying vehicle is to be disregarded for the purposes of paragraph (d) of that subsection unless the Secretary of State, by order made by statutory instrument, designates the relevant external law under which it is granted as one which makes satisfactory provision for the granting of such licences.”

(4) After section 89 of the 1988 Act there shall be inserted the following section—

“89A The alternative requirements to those in section 89.

- (1) The alternative requirements referred to in section 89(1) of this Act are the following.

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- (2) The requirement which is alternative to that specified in section 89(1)(a) on an application by a person for a licence authorising the driving of motor vehicles of any class other than any class of goods vehicle or passenger-carrying vehicle prescribed for the purposes of subsection (3) below—
- (a) is available to that person if the application is made within the period of ten years beginning with the appointed day, and
 - (b) is that at some time before the appointed day and during the period of ten years ending with the date the application is made he has passed—
 - (i) the test of competence to drive prescribed by virtue of section 89(3) of this Act or a test of competence to drive which corresponds to such a test, or
 - (ii) a Northern Ireland test of competence to drive which corresponds to any test falling within (i) above, or
 - (iii) a test of competence which under section 89(6) of this Act is a sufficient test or a test of competence to drive which corresponds to such a test.
- (3) The requirement which is alternative to that specified in section 89(1)(a) on an application by a person for a licence authorising the driving of any class of goods vehicle or passenger-carrying vehicle prescribed for the purposes of this subsection—
- (a) is available to that person if the application is made within the period of five years beginning with the appointed day, and
 - (b) is that at some time before the appointed day and during the period of five years ending with the date the application is made he has passed—
 - (i) a test of competence to drive a heavy goods vehicle or public service vehicle of a class corresponding to the class of vehicle to which his application relates, or
 - (ii) a corresponding Northern Ireland test of competence to drive a heavy goods vehicle or public service vehicle of a class which corresponds to the class of goods vehicle or passenger-carrying vehicle to which his application relates.
- (4) The requirement which is alternative to that specified in section 89(1)(b) on an application by a person for a licence authorising the driving of motor vehicles of any class other than any class of goods vehicle or passenger-carrying vehicle prescribed for the purposes of subsection (5) below is that at some time before the appointed day but not earlier than 1st January 1976 he has held—
- (a) a full licence authorising the driving of vehicles of a class corresponding to the class of motor vehicle to which his application relates, or
 - (b) a full Northern Ireland licence authorising the driving of vehicles of a class corresponding to the class of motor vehicle to which his application relates.
- (5) The requirement which is alternative to that specified in section 89(1)(b) on an application by a person for a licence authorising the driving of any class of goods vehicle or passenger-carrying vehicle prescribed for the purposes of this subsection is that at some time before the appointed day but not earlier

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than the beginning of the period of five years ending with the appointed day he has held—

- (a) a full heavy goods vehicle or a public service vehicle driver’s licence authorising the driving of vehicles of a class corresponding to the class of vehicle to which his application relates, or
 - (b) a full Northern Ireland licence to drive heavy goods vehicles of a class corresponding to the class of vehicle to which his application relates or a Northern Ireland licence to drive public service vehicles of a class corresponding to the class of vehicle to which his application relates.
- (6) The requirement which is alternative to that specified in section 89(1)(d) on an application by a person for a licence authorising the driving of motor vehicles of any class—
- (a) is available to that person if the application is made within the period of ten years beginning with the appointed day, and
 - (b) is that at some time before the appointed day and during the period of ten years ending with the date the application is made he has held a full British external licence or a full British Forces licence to drive vehicles of that or a corresponding class.
- (7) In this section “heavy goods vehicle” and “public service vehicle” have the same meaning as they had for the purposes of Part IV of this Act or section 22 of the Public Passenger Vehicles Act 1981 before their repeal by section 1 of the Road Traffic (Driver Licensing and Information Systems) Act 1989.”

Commencement Information

II S. 4 wholly in force at 1.4.1991 see s. 17(2) and S.I. 1990/2610, art. 2, Sch.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 18(b)(d) by [2000 c. 38 s. 274](#)[Sch. 31 Pt. 5\(1\)](#)