

1969 No. 85

ROAD TRAFFIC

The Motor Cars (Driving Instruction) Regulations 1969

<i>Made</i> - - -	24th January 1969
<i>Laid before Parliament</i>	4th February 1969
<i>Coming into Operation</i>	17th March 1969

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

	<i>Regulation</i>
Commencement and citation	1
Revocation	2
Saving	3
Interpretation	4

PART II

EXAMINATION OF ABILITY TO GIVE INSTRUCTION

General Provisions	5
Written part of examination	6
Practical part of examination	7
Exemptions from either part of examination	8
Ineligibility for submission to either part of examination within three months after failure	9

PART III

TEST OF CONTINUED ABILITY AND FITNESS TO GIVE INSTRUCTION

Test of continued ability and fitness to give instruction	10
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PART IV

SUPPLEMENTARY

Fees	11
Official title of registered person and certificate of registration	12
SCHEDULE—Form of certificate of registration	<i>Page 254</i>

The Minister of Transport, in exercise of his powers under sections 3, 4, 8, 10, and 18 of the Road Traffic (Driving Instruction) Act 1967^(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

PART I
PRELIMINARY

Commencement and citation

1. These Regulations shall come into operation on the 17th March 1969 and may be cited as the Motor Cars (Driving Instruction) Regulations 1969.

Revocation

2. The Motor Vehicles (Approved Driving Instructors) Regulations 1964^(b), which by virtue of section 20(2) of the Act have effect as if made under section 10 of the Act, are hereby revoked.

Saving

3. A certificate authorised to be displayed by Regulation 3 of the Motor Vehicles (Approved Driving Instructors) Regulations 1964 shall, whilst it remains valid, be treated as if prescribed by these Regulations.

Interpretation

4.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Act” means the Road Traffic (Driving Instruction) Act 1967;

“candidate” means a person submitting himself for the examination or a part thereof or for the test;

“examination” means the examination of ability to give instruction in the driving of motor cars referred to in condition (a) in section 3(1) of the Act and prescribed in Part II of these Regulations;

“examiner” means an officer of the Minister appointed to conduct an examination or test;

“the Minister” means the Minister of Transport;

“the Register” means the register of approved driving instructors set up by the Minister in pursuance of section 23 of the Road Traffic Act 1962^(c) and required to be continued by section 3(1) of the Act;

“the Registrar” means the officer of the Minister by whom, on behalf of the Minister, the Register is compiled and maintained; and

“test” means the test of continued ability and fitness to give instruction in the driving of motor cars referred to in section 3(2) of the Act and prescribed in Part III of these Regulations.

(2) In these Regulations, unless the context otherwise requires, any reference to any enactment or instrument shall be construed as a reference to that enactment or instrument as amended, re-enacted or replaced by any subsequent enactment or instrument.

(3) The Interpretation Act 1889^(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were an Act of Parliament thereby repealed.

(a) 1967 c. 79.

(b) S.I. 1964/359 (1964 I, p. 548).

(c) 10 & 11 Eliz. 2. c. 59.

(d) 52 & 53 Vict. c. 63.

PART II

EXAMINATION OF ABILITY TO GIVE INSTRUCTION

General provisions

5.—(1) A candidate for the examination shall supply the Registrar with such particulars as the Minister may determine.

(2) The examination shall consist of a written and a practical part.

(3) Unless the person who is applying to have his name entered in the Register is exempted under Regulation 8 of these Regulations from the written part of the examination, he must pass such written part before he takes the practical part thereof, and he must have passed such written part not earlier than three years before the date on which he takes the practical part thereof.

Written part of examination

6. The written part of the examination for entry to the Register shall consist of a theoretical examination, which each candidate shall be required to answer from his own knowledge, on all or any of the following subjects:—

- (a) the principles of road safety generally and their application in particular circumstances;
- (b) the techniques of driving a motor car correctly, courteously and safely, including control of the vehicle, road procedure, recognising hazards and taking proper action, dealing properly with pedestrians and other road users and the use of safety equipment;
- (c) the tuition required to instruct a pupil in driving a motor car, including the items set out in sub-paragraph (b) of this paragraph, the correction of the pupil's errors, the manner of the instructor, the relationship between instructor and pupil and simple vehicle adaptation for disabled drivers;
- (d) the Highway Code and other matters in the booklet in which it is published;
- (e) the booklet "Your Driving Test" (D.L. 68) issued by the Minister of Transport and published by H.M. Stationery Office;
- (f) the interpretation of the reasons for failure appended to the Statement of Failure to pass the test of competence or of fitness to drive prescribed by Regulation 19(2) of the Motor Vehicles (Driving Licences) Regulations 1963(a); and
- (g) knowledge, adequate to the needs of driving instruction, of the mechanism and design of a motor car.

Practical part of examination

7.—(1) The practical part of the examination for entry to the Register shall consist of tests of eyesight, driving technique and instructional ability, and the candidate shall be required to reach the qualifying standard in all three tests on one and the same occasion.

(2) The test of eyesight shall be a requirement that the candidate read in good daylight, a motor vehicle registration mark containing white letters and figures $3\frac{1}{2}$ inches in height on a black surface at a distance of 100 feet, or $3\frac{1}{8}$ inches in height at a distance of 90 feet, in either case with the aid of glasses if worn.

(3) The test of driving technique shall be as follows:—

- (a) The candidate shall be required to satisfy the examiner that he has an adequate knowledge of the principles of good driving and road safety

and that he can apply them in practice. In particular, he shall be required to satisfy the examiner on all or any of the following subjects:—

- (i) his expert handling of controls;
- (ii) his use of correct road procedure;
- (iii) his anticipation of the actions of other road users and taking of appropriate action;
- (iv) his sound judgment of distance, speed and timing; and
- (v) his consideration for the convenience and safety of other road users.

(b) The candidate will be asked to demonstrate his ability to perform all or any of the following manoeuvres:—

- (i) move away straight ahead or at an angle;
- (ii) overtake, meet or cross the path of other vehicles and take an appropriate course;
- (iii) turn right hand and left hand corners;
- (iv) stop the vehicle as in an emergency;
- (v) drive the vehicle backwards and whilst so doing enter limited openings to the right and to the left; and
- (vi) turn the vehicle around in the road to face in the opposite direction by the use of forward and reverse gears.

(4) The following provisions shall have effect with regard to the test of instructional ability, that is to say:—

(a) The candidate shall be required to demonstrate his knowledge and ability by giving practical driving instruction to the examiner acting as his pupil, assuming the examiner to be, successively, an absolute novice, a learner driver with some knowledge, and a learner driver who is at about driving test standard, and for each of these three phases the examiner will nominate one or more of the following subjects as the basis of the instruction:—

- (i) explanation of the controls;
- (ii) moving off and making normal progress;
- (iii) driving the vehicle backwards and while so doing entering limited openings to the right or to the left;
- (iv) turning the vehicle around in the road to face in the opposite direction, using forward and reverse gears;
- (v) parking close to the kerb, using reverse gear;
- (vi) using the mirror, and explaining how to make an emergency stop;
- (vii) approaching corners;
- (viii) judgment of speed and general road positioning;
- (ix) dealing with road junctions;
- (x) dealing with cross roads;
- (xi) meeting, crossing the path of, and overtaking other vehicles; and
- (xii) allowing adequate clearance for other road users, and dealing with pedestrian crossings.

(b) The candidate shall be assessed on the method, clarity, adequacy and correctness of his instruction, the observation and correction of driving errors committed by his pupil and his manner generally.

- (c) A candidate for the practical part of the examination shall provide, at his own expense, a motor car for the purposes of that part, in respect of which the following conditions shall apply:—
- (i) the vehicle shall have four wheels and either shall be constructed solely for the carriage of passengers and their effects and fitted with a rigid roof, with or without a sliding panel, or shall be a dual-purpose vehicle, that is to say, a vehicle constructed or adapted for the carriage of both passengers and goods or burden of any description being a vehicle of which the unladen weight does not exceed 2 tons and which satisfies the conditions as to construction specified in sub-paragraph 14 (2) of Schedule 5 to the Road Traffic Regulation Act 1967(a);
 - (ii) the vehicle shall be in proper condition, shall carry no advertisements or signs which might cause other road users to believe that it is being used for the purposes of giving driving instruction or that the driver is not a qualified driver, shall have a readily adjustable driving seat and a seat for a forward-facing front passenger, shall have its steering wheel on its off side, and shall be provided with a means whereby the driver may, independently of the use of the accelerator or the brakes, gradually vary the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle;
 - (iii) there shall be in existence an insurance covering the vehicle during the practical part of the examination against any liability of the candidate or the examiner as the driver or the person in charge of the vehicle for the death of or injury to third parties as required by Part VI of the Road Traffic Act 1960(b) and to any passengers in the vehicle, including official passengers, and against any liability of the examiner whilst he is driving or in charge of the vehicle for damage to the vehicle or to any other property; and
 - (iv) the candidate shall have with him two distinguishing marks in the form set out in Schedule 4 to the Motor Vehicles (Driving Licences) Regulations 1963, which are capable of being displayed when required during the practical part of the examination in a conspicuous manner on the front and on the back of the vehicle.

Exemptions from either part of examination

8.—(1) A person whose name was included on the 10th May 1967 in the register of instructors maintained either by the Motor Schools Association of Great Britain Limited or the Royal Automobile Club is exempt from the written part of the examination.

(2) A person who has passed the written part of the examination or test required to be taken under section 23 of the Road Traffic Act 1962 before the coming into operation of these Regulations as a condition of approval for the purposes of having his name entered in the Register, and who, within three years of the date on which he passed the said written part of the said examination or test, passes the practical part of the examination (unless he is exempted therefrom by the next following paragraph of this Regulation) is exempt from the written part of the examination.

(3) A person who has passed the practical part of the examination or test required to be taken under section 23 of the Road Traffic Act 1962 before the coming into operation of these Regulations as a condition of approval for the purposes of having his name entered in the Register, is exempt from the practical part of the examination.

Ineligibility for submission to either part of examination within three months after failure.

9.—(1) A person who, having submitted himself on any day for the written or practical part of the examination or test required to be taken under section 23 of the Road Traffic Act 1962, failed to pass that part, shall not be eligible to submit himself for the written or practical part, as the case may be, of the examination before the expiration of the period of three months beginning with that day.

(2) A person who, having submitted himself on any day for the written or practical part of the examination, fails to pass that part, shall not be eligible to submit himself again for that part of the examination before the expiration of the period of three months beginning with that day.

PART III

TEST OF CONTINUED ABILITY AND FITNESS TO GIVE INSTRUCTION

Test of continued ability and fitness to give instruction

10. The following provisions shall have effect with regard to the test, that is to say:—

(1) The test shall consist of the attendance of the examiner while the candidate is giving tuition to a pupil, and the pupil being instructed during such a test shall not be the holder of a licence other than a provisional licence to drive a motor car issued under Part II of the Road Traffic Act 1960.

(2) The candidate shall be assessed on his instructional ability, and, in particular, in respect of the following qualities:—

- (a) his method, clarity, adequacy and correctness of instruction;
- (b) his observation and proper correction of the pupil's errors;
- (c) his manner, patience and tact in dealing with the pupil; and
- (d) his ability to inspire confidence.

(3) The candidate shall provide a motor car which is a passenger vehicle in proper condition for such a test and in respect of which there shall be in existence at the time of the test a proper insurance, and the cover shall include the liability of the driver and the person in charge of the vehicle to passengers in the vehicle.

PART IV

SUPPLEMENTARY

Fees

11.—(1) A person applying to submit himself to the written part of the examination shall pay a fee of five pounds.

(2) A person applying to submit himself to the practical part of the examination shall pay a fee of ten pounds.

(3) The fee to be paid by a person who applies for the retention of his name in the Register for a further period of four years shall be fifteen pounds.

Official title of registered person and certificate of registration

12.—(1) The official title for use by persons whose names are in the Register shall be "Ministry of Transport Approved Driving Instructor".

(2) The certificate for issue to persons whose names are in the Register as evidence of their names' being therein shall be in the form set out in the Schedule to these Regulations.

Given under the Official Seal of the Minister of Transport the 24th January 1969.

(L.S.)

Richard Marsh,
Minister of Transport.

Regulation 12(2)

SCHEDULE

Form of certificate of registration

MINISTRY OF TRANSPORT APPROVED DRIVING INSTRUCTOR

The Minister of Transport has approved

as qualified to give instruction in the driving of motor vehicles.

THIS CERTIFICATE
is valid until the last day of

REGISTRAR

SIGNED

DATE

Signature of holder:

No.....

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision for the purposes of the registration of driving instructors in the Register of Approved Driving Instructors maintained on behalf of the Minister of Transport and hereafter referred to as "the Register".

Part I of the Regulations deals with certain preliminary matters. It, inter alia, revokes the Motor Vehicles (Approved Driving Instructors) Regulations 1964, but provides for certificates of approval, as prescribed by those Regulations for display by persons whose names are in the Register to continue to be valid.

Part II of the Regulations relates to the examination of ability to give instruction in the driving of motor cars, the passing of which is one of the conditions which must be fulfilled before a person's name can be entered in the Register. Regulations 6 and 7 set out details of the examination, which consists of a written and a practical part, and the requirements with which a vehicle used for the practical part must conform. Regulation 8 contains an exemption from the written part of the examination for instructors who were registered with either the Motor Schools Association of Great Britain Limited or the Royal Automobile Club on 10th May 1967.

Part III sets out provisions relating to the test of continued ability and fitness to give instruction, which Approved Driving Instructors may be required to take at intervals.

Part IV prescribes the fees payable for the examination to which Part II relates and for the retention of a person's name in the Register, the official title for use by Approved Driving Instructors and (together with the Schedule) the form of the certificate of registration to be issued to persons whose names are in the Register.