
STATUTORY INSTRUMENTS

1987 No. 1378

The Motor Vehicles (Driving Licences) Regulations 1987

PART II

LICENCES

Minimum ages for holding or obtaining licences

4.—(1) Subsection (1) of section 96 of the 1972 Act (which specifies the minimum age for holding or obtaining a licence to drive certain classes of motor vehicles) shall have effect as if in the Table in that subsection—

- (a) in item 2, the age of 17 were substituted for the age of 16 in relation to all motor cycles other than—
 - (i) mopeds;
 - (ii) motor cycles which are mowing machines; or
 - (iii) motor cycles which are vehicles controlled by a pedestrian;
- (b) in item 3, the age of 16 were substituted for the age of 17 in the case of a person to whom an award of a mobility allowance has been made in pursuance of section 37A of the Social Security Act 1975(1) provided that where the award was made before he attained the age of 16 it is in force when he attains that age;
- (c) in item 4, in relation to an agricultural tractor which—
 - (i) is so constructed that the whole of its weight is transmitted to the road surface by means of wheels;
 - (ii) has an overall width not exceeding 2.45 metres;
 - (iii) is chargeable with duty under section 1 of the Vehicles (Excise) Act 1971 by reference to paragraph 1 of Schedule 3 to that Act as being an agricultural machine or, by virtue of the provisions of section 7(1) of that Act, is not chargeable with duty thereunder; and
 - (iv) is driven without a trailer attached to it, other than a trailer which has an overall width not exceeding 2.45 metres and which is either a two-wheeled or close-coupled four-wheeled trailer,the age of 16 were substituted for the age of 17, but in the case of a person who has not passed the test of competence prescribed under section 85(2) of the 1972 Act to drive such a tractor, only while taking, proceeding to or returning from, such a test;
- (d) in item 6, the age of 17 were substituted for the age of 21 in relation to a road roller falling within that item if the roller—
 - (i) is propelled otherwise than by steam;
 - (ii) has an unladen weight not exceeding 11,690 kilograms; and

(1) 1975 c. 14; section 37A was inserted by section 22(1) of the Social Security Pensions Act 1975 (c. 60).

- (iii) is not constructed or adapted for the conveyance of a load other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools, loose equipment and objects such as are mentioned in paragraph (3) below,
- and if no wheel of the roller is fitted with a pneumatic, soft or elastic tyre;
- (e) in item 6, the age of 18 were substituted for the age of 21 in the case of a person employed by a Health Authority or, in Scotland, the Common Services Agency⁽²⁾ when driving a vehicle for the purposes of an ambulance service of such an Authority or of that Agency;
- (f) in item 6, the age of 18 were substituted for the age of 21 in the case of a person who fulfils the conditions—
- (i) that he is employed by a registered employer; and
- (ii) that he is a registered employee of such an employer,
- in relation to any vehicle (other than a road roller) which is a heavy goods vehicle (hgv) of a class to which his training agreement applies and is owned by his employer or by a registered hgv driver training establishment;
- (g) in item 6, the age of 18 were substituted for the age of 21 in relation to a large passenger vehicle where—
- (i) the driver of the vehicle is not engaged in the carriage of passengers and either holds a licence to drive a public service vehicle granted under section 22 of the 1981 Act, is undergoing a test of his ability to drive a public service vehicle in pursuance of regulations for the time being in force under that section, or is acting under the supervision of a person who holds such a licence; or
- (ii) the driver is engaged in the carriage of passengers—
- (a) on a regular service over a route which does not exceed 50 kilometres; or
- (b) on a national transport operation when the vehicle used is constructed and equipped to carry not more than 17 persons including the driver,
- and the vehicle is operated under a PSV operator's licence granted under section 12 of the 1981 Act, a permit granted under section 19 of the 1985 Act or a community bus permit granted under section 22 of that Act, and in each case the driver holds a licence to drive the vehicle granted under section 22 of the 1981 Act;
- (h) in items 5 and 6, the age of 17 were substituted for the ages of 18 and 21 respectively in the case of members of the armed forces of the Crown in relation to any vehicle when being used in the course of urgent work of national importance in accordance with an order of the Defence Council in pursuance of the Defence (Armed Forces) Regulations 1939 which were continued permanently in force in the form set out in Part C of Schedule 2 to the Emergency Laws (Repeal) Act 1959⁽³⁾ by section 2 of the Emergency Powers Act 1964⁽⁴⁾;
- (i) in items 5 and 6, the age of 17 were substituted for the ages of 18 and 21 respectively in the case of a member of the armed forces of the Crown when receiving instruction in the driving of heavy goods vehicles of any class in preparation for a test of competence prescribed under section 119 of the 1972 Act to drive vehicles of that class, or when taking, proceeding to, or returning from any such test.

⁽²⁾ the Common Services Agency is constituted under the National Health Service (Scotland) Act 1978 (c. 29), section 10.

⁽³⁾ 1959 c. 19.

⁽⁴⁾ 1964 c. 38.

(2) For the purposes of paragraph (1)(c) any implement fitted to a tractor shall be deemed to form part of the tractor notwithstanding that it is not a permanent or essentially permanent fixture, and in that paragraph—

- (i) “overall width”, in relation to a vehicle, means the width of the vehicle measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of any driving mirror and so much of the distortion of any tyre as is caused by the weight of the vehicle; and
- (ii) “close-coupled”, in relation to wheels on the same side of a trailer, means fitted so that at all times while the trailer is in motion they remain parallel to the longitudinal axis of the trailer and that the distance between the centres of their respective areas of contact with the road surface does not exceed 840 millimetres.

(3) For the purposes of paragraph 1(d) the unladen weight of a vehicle shall be treated as including the weight of any object for the time being attached to the vehicle, being an object specially designed to be so attached for the purpose of temporarily increasing the vehicle’s gross weight.

(4) In paragraph 1(f) and in this paragraph—

“heavy goods vehicle” has the same meaning as in section 124 of the 1972 Act;

“registered” means registered for the time being by the Training Committee in accordance with the relevant provisions of the training scheme;

“the Training Committee” means the committee which has been established by the employers' associations and the trade unions in the road goods transport industry with a constitution approved by the Secretary of State and which is known as the National Joint Training Committee for Young HGV Drivers in the Road Goods Transport Industry;

“the training scheme” means the scheme which has been established by the Training Committee with the approval of the Secretary of State for training young drivers of hgvs and which provides for—

- (a) the registration by the Training Committee of employers who are willing and able to provide hgv driver training for persons employed by them;
- (b) the registration by the Training Committee of persons operating establishments for providing hgv driver training;
- (c) a syllabus for hgv driver training; and
- (d) the registration by the Training Committee of individual employees who are undergoing, or are to undergo, hgv driver training in the service of a registered employer in accordance with a form of agreement approved by the Training Committee;

and “training agreement”, in relation to an individual who is undergoing, or is to undergo, such training as aforesaid, means his agreement therefor with his registered employer in pursuance of the training scheme.

(5) In paragraph (1)(g), “large passenger vehicle” means a motor vehicle which is constructed solely to carry passengers and their effects and is adapted to carry more than nine persons inclusive of the driver and expressions used which are also used in the Community Drivers' Ages and Hours of Work Regulation have the same meaning as in that instrument.

(6) In paragraph (5), “the Community Drivers' Ages and Hours of Work Regulation” means Council Regulation (EEC) 3820/85(5) as read with regulation 4 of the Community Drivers Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986(6).

(5) O.J. No. L370/1 of 31.12.85.

(6) S.I. 1986/1456.

Applications for the grant of licences

5. Applications for the grant of a licence may be received and dealt with at any time within two months before the date on which the grant of the licence is to take effect.

Refusal of a provisional licence for group D

6.—(1) Notwithstanding anything in section 88 of the 1972 Act and subject to paragraph (2), the licensing authority shall refuse to grant a provisional licence authorising the driving of a motor cycle of a class included in group D if the applicant has held such a licence and the licence applied for would come into force—

- (a) except in the circumstances specified in sub-paragraph (b) of this paragraph, within the period of one year beginning at the end of the period for which the previous licence authorised (or would, if not surrendered or revoked, have authorised) the driving of such a motor cycle; or
 - (b) where the licence would be for a period of less than two years and the previous licence was surrendered or revoked, within the period of two months beginning on the date of such surrender or revocation.
- (2) Paragraph (1) shall not apply—
- (a) where the previous licence was granted before 1st October 1982;
 - (b) where the applicant appears to the Secretary of State to be a person suffering from a relevant or prospective disability within the meaning of section 87 of the 1972 Act; or
 - (c) where the previous licence was surrendered or revoked in pursuance of section 89(2) or (3) of the 1972 Act.

Fees for licences

7. The fee payable for a licence granted on or after 1st September 1986 shall be, in the case of a licence of a description, and in certain instances granted in particular circumstances, specified in column (1) of the Table in this regulation, the fee specified in relation to that licence in column (2) of that Table.

(1) Description of Licence	(2) Amount of Fee
<p>1. The first licence granted on or after 1st September 1986 to a person who has not before that date held either</p> <ul style="list-style-type: none"> (a) a full licence for any class of vehicle which was granted on or after 1st January 1976, or (b) a provisional licence granted on or after 1st October 1982 not being in either case a licence granted in exchange for a subsisting licence. 	£15.00
<p>2. A licence (not falling within paragraph 1 above) granted to a person who, at no time during the period of 10 years ending on the date of coming into force of the licence, has held a licence for any class of vehicle.</p>	£15.00

(1) Description of Licence	(2) Amount of Fee
<p>3. A licence (not being a first full licence or a licence falling within paragraph 1 or 2 above) which is</p> <ul style="list-style-type: none"> (a) a full licence authorising its holder to drive a class of vehicles for which he has not, during the period of 10 years ending on the date of coming into force of the licence, held a full licence, or (b) a provisional licence, or a full licence not authorising the driving of vehicles of any class in groups A, B, C or E, and which authorises its holder to drive, as a provisional licence holder, vehicles of any class in group D— <ul style="list-style-type: none"> (i) where the period for which it authorises him to drive such vehicles is a period of two years ending before the date the licence would expire, or (ii) where the holder's last licence in force did not authorise him to drive such vehicles, or (c) a full or provisional licence granted in exchange for a subsisting licence, except where the licence— <ul style="list-style-type: none"> (i) is granted free of charge pursuant to section 87(5A)(b) or section 89(4) of the 1972 Act or (ii) is granted in exchange for a licence which was revoked under section 87(5) of that Act or could have been revoked under that section or section 87(5A)(b). 	£5.00
<p>4. A duplicate licence.</p>	£5.00

Duration of provisional licences

8.—(1) Subject to paragraph (2), for the purposes of subsection (1A) of section 89 of the 1972 Act there is hereby prescribed—

- (a) a motor cycle of a class falling within group D;
- (b) a period of two years; and

- (c) in relation to a licence granted to the holder of a previous licence which was surrendered, revoked or treated as being revoked, the circumstances—
 - (i) that the licence would come into force within the period of one year beginning on the date the previous licence was surrendered, revoked, or treated as being revoked; and
 - (ii) that the licence when granted would be for a period of one month or more.
- (2) Paragraph (1) shall not apply in the case of a licence granted in pursuance of section 89(1)(aa) or (4) of the 1972 Act.

Conditions attached to provisional licences

9.—(1) Subject to paragraphs (2), (3), (4) and (5), the holder of a provisional licence shall comply with the following conditions in relation to motor vehicles of a class which he is authorised to drive by virtue of the provisional licence, that is to say he shall not drive or ride such a motor vehicle—

- (a) otherwise than under the supervision of a qualified driver who is present with him in or on the vehicle;
- (b) unless a distinguishing mark in the form set out in Schedule 2 is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle;
- (c) while it is being used to draw a trailer; and
- (d) in the case of a motor bicycle not having attached thereto a side-car, while carrying on it a person who is not a qualified driver:

Provided that where the holder of a provisional licence has passed a test which authorises him to be granted a full licence to drive or ride a particular class of vehicles the above-mentioned conditions shall cease to apply in relation to the driving or riding (as the case may be) by him of motor vehicles of that class.

(2) The condition specified in paragraph (1)(a) shall not apply when the holder of the provisional licence—

- (a) is undergoing a test or a test of competence to drive heavy goods vehicles under Part IV of the 1972 Act;
- (b) is driving a vehicle (not being a motor car) constructed to carry only one person and not adapted to carry more than one person;
- (c) is driving a vehicle the unladen weight of which does not exceed 815 kilograms, being a vehicle propelled by electrical power, constructed or adapted to carry only one person and constructed or adapted for the carriage of goods or burden of any description;
- (d) is driving a road roller the unladen weight of which does not exceed 3050 kilograms, being a vehicle constructed or adapted for the carriage of goods or burden of any description;
- (e) is riding a motor bicycle, whether or not having attached thereto a side-car; or
- (f) is driving a motor vehicle on a road in an exempted island.

(3) The condition specified in paragraph (1)(c) shall not apply when the holder of the provisional licence is driving an agricultural tractor, nor shall it prevent the holder of a provisional licence from driving an articulated vehicle.

(4) The condition specified in paragraph (1)(d) shall not apply when the holder of the provisional licence is riding a pedal cycle of the tandem type to which additional means of propulsion by mechanical power are attached.

(5) Any holder of a provisional licence need not comply with this regulation during any period in which—

- (a) he is treated, by virtue of regulation 25, for the purposes of section 84(1) and (2) of the 1972 Act as the holder of a licence; or
- (b) he is entitled, by virtue of article 2(1) of the Motor Vehicles (International Circulation) Order 1975(7),

to drive motor vehicles of a class which he is authorised to drive by virtue of the provisional licence.

(6) In this regulation—

“exempted island” means any island outside the mainland of Great Britain from which motor vehicles, unless constructed for special purposes, can at no time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicles but this expression “exempted island” does not include any of the following islands, namely, the Isle of Wight, St. Mary’s (Isles of Scilly), the islands of Arran, Barra, Bute, Great Cumbrae, Islay, the island which comprises Lewis and Harris, Mainland (Orkney), Mainland (Shetland), Mull, the island which comprises North Uist, Benbecula and South Uist, Skye and Tiree;

“leg disability” means a disability which consists solely of any one or more of the following—

- (a) the absence of a leg or legs;
- (b) the deformity of a leg or legs; or
- (c) the loss of use of a leg or legs,

and references to a leg include references to a foot or part of a leg or foot, and the reference to loss of use, in relation to a leg, includes a reference to a deficiency of movement or power in the leg;

“qualified driver” means a person who holds—

- (i) a full licence authorising him to drive as a full licence holder a motor vehicle of the same class as the vehicle being driven by the holder of the provisional licence; or
- (ii) in the case only of the supervision of the driver of a motor car by a person whose licence is limited, in pursuance of an application in that behalf by him or under section 87(4)(ii) of the 1972 Act solely on account of a leg disability to motor vehicles of a particular construction or design, a full licence authorising him so to drive motor cars of a class falling within the same group as the motor car being driven by the holder of the provisional licence.

Restricted provisional licences

10. A provisional licence shall be restricted so as to authorise only the driving of motor vehicles of a class included in group K in any case where the applicant is unable to read in good daylight at a distance of 20.5 metres (with the aid of glasses or contact lenses if worn) a registration mark which is fixed to a motor vehicle and comprises letters and figures 79.4 millimetres high.

Full licences not carrying provisional entitlement

11.—(1) Section 88(4) of the 1972 Act shall not apply in the case of a licence which—

- (a) is limited to vehicles of a particular construction or design whether pursuant to an application in that behalf by the holder of the licence or pursuant to section 87(4)(ii) of the 1972 Act; or
- (b) authorises its holder to drive vehicles of a class included in group K only.

(7) [S.I. 1975/1208](#); the relevant amending instruments are [S.I. 1980/1095](#) and [1985/459](#).

(2) Section 88(4) of the 1972 Act in its application to a full licence granted on or after 1st October 1982 which does not authorise the driving of a vehicle of a class included in group A, B, C, or E shall have effect subject to the limitation that it shall not authorise the holder of such a licence to drive any motor cycle of a class included in group D subject to the same conditions as if he were authorised by a provisional licence to drive the last mentioned vehicles.

Signature of licences

12. Every person to whom a licence is granted shall forthwith sign it in ink with his usual signature.

Lost or defaced licences

13.—(1) If the holder of a licence—

- (a) satisfies the licensing authority that—
 - (i) the licence has been lost or defaced; and
 - (ii) the holder is entitled to continue to hold the licence; and
- (b) pays the fee prescribed by regulation 7,

the licensing authority shall issue to him a duplicate licence and shall endorse thereon any particulars endorsed upon the original licence and the duplicate so issued shall have the same effect as the original.

(2) If at any time while a duplicate licence is in force the original licence is found, the person to whom the original licence was issued, if it is in his possession, shall return it to the licensing authority, or if it is not in his possession, but he becomes aware that it is found, shall take all reasonable steps to obtain possession of it and if successful shall return it as soon as may be to the licensing authority.