
STATUTORY INSTRUMENTS

1987 No. 1378

The Motor Vehicles (Driving Licences) Regulations 1987

PART IV

SUPPLEMENTARY

Disabilities

24.—(1) The following disabilities are prescribed for the purposes of section 87(1) of the 1972 Act—

- (a) epilepsy;
- (b) severe mental handicap;
- (c) liability to sudden attacks of disabling giddiness or fainting, other than such attacks falling within paragraph (1)(d);
- (d) liability to sudden attacks of disabling giddiness or fainting which are caused by any disorder or defect of the heart as a result of which the applicant for the licence or, as the case may be, the holder of the licence has a device implanted in his body, being a device which, by operating on the heart so as to regulate its action, is designed to correct the disorder or defect; and
- (e) inability to read in good daylight (with the aid of glasses or contact lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of—
 - (i) 20.5 metres, in any case except that mentioned below; or
 - (ii) 12.3 metres, in the case of an applicant for a licence authorising the driving of vehicles of a class included in group K only.

(2) Epilepsy is prescribed for the purposes of section 87(3)(b) of the 1972 Act and an applicant for a licence suffering from epilepsy shall satisfy the conditions that—

- (a) he shall have been free from any epileptic attack during the period of two years immediately preceding the date when the licence is to have effect; or
- (b) in the case of an applicant who has had such attacks whilst asleep during that period, he shall have had such attacks only whilst asleep during a period of at least three years immediately preceding the date when the licence is to have effect; and
- (c) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public.

(3) The disability prescribed in paragraph (1)(d) is prescribed for the purpose of section 87(3)(b) of the 1972 Act and an applicant for a licence suffering from that disability shall satisfy the conditions that—

- (a) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public; and

- (b) he has made adequate arrangements to receive regular medical supervision by a cardiologist (being a supervision to be continued throughout the period of the licence) and is conforming to those arrangements.
- (4) The following disability is prescribed for the purposes of paragraphs (a) and (c) of section 87(3) of the 1972 Act namely, a disability which is not progressive in nature and which consists solely of any one or more of the following:—
 - (a) the absence of one or more limbs;
 - (b) the deformity of one or more limbs; and
 - (c) the loss of use of one or more limbs.
- (5) The disability prescribed in paragraph (1)(e) is prescribed for the purposes of section 87A(2)(b) of the 1972 Act.
 - (a) (6) (a) In paragraph (1)(b), the expression “severe mental handicap” means a state of arrested or incomplete development of mind which includes severe impairment of intelligence and social functioning.
 - (b) In paragraph (3)(b), the expression “cardiologist” means a registered medical practitioner who specialises in disorders or defects of the heart and who, in that connection, holds a hospital appointment.
 - (c) In paragraph (4), references to a limb include references to a part of a limb, and the reference to loss of use, in relation to a limb, includes a reference to a deficiency of limb movement or power.

Persons who become resident in Great Britain

- 25.**—(1) A person who becomes resident in Great Britain shall during the period of one year after he becomes so resident be treated for the purposes of section 84(1) and (2) of the 1972 Act as the holder of a licence authorising him to drive motor vehicles of the classes which he is authorised to drive by any permit of which he is a holder, if he satisfies the conditions specified in paragraph (2).
- (2) The conditions mentioned in paragraph (1) are that:—
- (a) the person who becomes resident shall be the holder of a permit which is for the time being valid; and
 - (b) he is not disqualified for holding or obtaining a licence in Great Britain.
- (3) The following enactments relating to licences or licence holders shall apply in relation to permits or the holders of permits (as the case may be) subject to modifications in accordance with the following provisions:—
- (a) section 105(2) of the 1972 Act (which relates to the duties of a court when they order a disqualification or an endorsement) shall apply as if for the words “shall also on the production of the licence” onwards there were substituted the words “shall also on the production of the permit retain it and forward it to the licensing authority who shall keep the permit until the disqualification has expired or been removed or the person entitled to the permit leaves Great Britain and in any case has made a demand in writing for its return to him”;
 - (b) section 101(4) of the 1972 Act (which relates to the duty of a licence holder to produce it to a court) shall apply as if the references to a licence included a reference to a permit, but with the omission of the words, “before making any order under subsection (1) above” and the words “then, unless he satisfies the court that he has applied for a new licence and has not received it”;
 - (c) section 95(4) of the 1972 Act (which relates to the duty of a court when they order a disqualification to be removed) shall apply in relation to the holder of a permit as if for

the words “endorsed on the licence” onwards there were substituted the words “notified to the licensing authority”;

- (d) section 161(1) and (4) of the 1972 Act (which authorise a police constable to require the production of a licence) shall apply as if the references to a licence included a reference to a permit;
- (e) section 164(2) of the 1972 Act (which authorises a police constable to arrest a driver committing certain offences unless the driver gives his name and address or produces his driving licence) shall apply as if the references to a licence included a reference to a permit; and
- (f) section 169(1) of the 1972 Act (which relates to the forgery and misuse of licences) shall apply as if the reference in paragraph (a) of subsection (2) of that section to a licence included a reference to a permit.

(4) In this regulation “permit” means a “domestic driving permit” a “Convention driving permit” or a “British Forces (BFG) driving licence” as defined in article 2(6) of the Motor Vehicles (International Circulation) Order 1975⁽¹⁾ not being a domestic driving permit or a British Forces (BFG) driving licence in the case of which any order made, or having effect as if made, by the Secretary of State is for the time being in force under article 2(5) of that Order.

Statement of date of birth

26. The circumstances in which a person specified in section 161(1) of the 1972 Act shall, on being required by a police constable, state his date of birth are as follows:—

- (1) where that person fails to produce forthwith for examination his licence on being required to do so by a police constable under that section; or
- (2) where, on being so required, that person produces a licence—
 - (a) which the police constable in question has reason to suspect—
 - (i) was not granted to that person;
 - (ii) was granted to that person in error; or
 - (iii) contains an alteration in the particulars entered on the licence (other than as described in paragraph (b) below) made with intent to deceive; or
 - (b) in which the driver number has been altered, removed or defaced.
- (3) In paragraph (2), “driver number” means the number described as the driver number in the licence.

Learner motor cycles

27. For the purposes of section 88(2)(c) of the 1972 Act (provisional licence not to authorise the driving of certain motor cycles) the first use of a motor cycle shall be taken to have occurred on the date of first use as determined in accordance with paragraph (2) of regulation 3.

Invalid carriages

28. For the purposes of Part III of the 1972 Act and all regulations made thereunder the maximum weight specified in section 190(5) of that Act (which defines the expression “invalid carriage” for the purposes of the Act) shall be varied from 254 kilograms to 510 kilograms.

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

Entitlement to groups

29. The groups of vehicles specified in column 2 of the table in Schedule 3 are hereby designated as groups for the purposes of paragraphs (a) and (b) of section 85(1) of the 1972 Act.

Effect of changes in classification of vehicles by reason of changed definition of “moped”

30.—(1) In licences (whether full or provisional) issued before 1st August 1977—

- (a) any reference to motor vehicles of group E shall be construed as a reference to motor vehicles of new group E;
- (b) any reference to motor vehicles of group L shall be construed as reference to motor vehicles of new group L;
- (c) any reference to motor vehicles of any other group the constitution of which was affected by the amendments made by the Motor Vehicles (Driving Licences) (Amendment) Regulations 1976(2) shall be construed as references to motor vehicles of the group in question as so amended in constitution; and
- (d) any reference to a moped shall be construed by reference to the revised definition of “moped”.

(2) In relation to an application for the grant of a licence by a person who—

- (a) before 1st August 1977 held a licence granted under Part III of the 1972 Act, or under any enactment which that Part replaced, or under a relevant external law (as defined in section 85(1) of the 1972 Act) to drive motor vehicles of a class included in old group E; or
- (b) before that date passed a test to drive motor vehicles of a class included in old group E or a test which by virtue of regulation 20(6) is regarded as a test to drive such motor vehicles,

and in relation to any licence issued in pursuance of such applications, the licence which he held, or the test which he passed, before that date shall for the purposes of section 85(1) and (4) of the 1972 Act (restrictions on grant of licences etc.) be regarded as a licence or test (as the case may be) to drive vehicles of a class included in new group E.

(3) A person whose entitlement to the grant of a licence to drive vehicles of new group E is preserved by this regulation may, notwithstanding anything in section 84(1) and (2) of the 1972 Act (drivers of motor vehicles to have driving licences), at any time pending the grant of such a licence to him drive, and be employed in driving, such vehicles if—

- (a) his application in accordance with section 88(1)(a) of the 1972 Act (provisions as to grant of licences), together with the fee prescribed under that section, for the grant of such a licence has been received by the Secretary of State;
- (b) he satisfies the requirements of subsection (1)(b) and (c) of that section;
- (c) he is not disqualified by reason of age or otherwise for obtaining the licence;
- (d) he is not a person to whom the Secretary of State is required by section 87(2) of the 1972 Act (requirements as to physical fitness of drivers) to refuse to grant the licence;
- (e) in the case of a person on whom notice under subsection (4) of that section, or any enactment which that provision replaced, has been served, the vehicles are of the particular construction and design specified in the notice; and
- (f) he complies, in relation to that driving, with such of the conditions specified in regulation 8(1) as will apply to the driving of those vehicles by him under the authority of that licence, when granted.

(4) In this regulation, references to “old group” and “new group” followed by a letter are references respectively to the group in question as constituted before and after the coming into operation of the Motor Vehicles (Driving Licences) (Amendment) Regulations 1976, and the reference to the revised definition of “moped” is a reference to the definition of that word in regulation 3(1), which was inserted in regulation 3(1) of the Motor Vehicles (Driving Licences) Regulations 1976(3) by the said amendment Regulations.

Effect of changes in classification of vehicles by reason of changed weight limit for motor tricycles

31.—(1) In licences (whether full or provisional) issued before the date of re-classification any reference to motor vehicles of a group identified by a letter shall be construed for all purposes on and after that date as a reference to motor vehicles of the new group as well as the old group identified by that letter.

(2) In relation to an application for the grant of a licence coming into force on or after the date of re-classification by a person who—

- (a) before that date held a licence granted under Part III of the 1972 Act, or under any enactment which that Part III replaced, or under a relevant external law (as defined in section 85(1) of the 1972 Act) to drive motor vehicles of a class included in an old group; or
- (b) before that date passed a test to drive motor vehicles of a class included in an old group or a test which by virtue of regulation 20(6) is regarded as a test to drive such vehicles,

and in relation to any licence issued in pursuance of such an application, the licence which he held, or the test which he passed, before that date shall, for the purposes of section 85(1) and (4) of the 1972 Act (restrictions on the grant of licences etc.), be regarded as a licence or test, as the case may be, to drive vehicles of a class included in the new group as well as the old group identified by the same letter.

(3) In this regulation references to “old group” and “new group” are references respectively to the group in question as constituted before and after the date of re-classification and “the date of re-classification” refers respectively to 12th August 1981 when the weight limit for motor tricycles in group C was increased to 425 kilograms unladen and 2nd September 1985 when that weight limit was increased to 450 kilograms unladen.

Effect of changes in classification of vehicles by reason of deletion of group M

32.—(1) The deletion of group M in Schedule 3 by regulation 9(e) of the Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 1982(4) shall not affect—

- (a) any entitlement of a holder of a licence for vehicles of a class included in that group granted before the date of coming into operation of the said regulation 9(e) to drive vehicles of that class, and vehicles of any other class included in that group, in pursuance of the licence; or
- (b) any such licence ceasing to be in force whether before or after that date, or any right that the person who held the licence would have had to the grant of a further licence on or after that date authorising him to drive such vehicles.

(2) In licences (whether full or provisional) issued before the date of coming into operation of regulation 9(e) of the Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 1982 any reference to groups A or B shall be construed for all purposes on and after that date as a reference to the groups as prescribed in these Regulations on and after that date.

(3) [S.I. 1976/1076](#).

(4) [S.I. 1982/937](#).

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