

1990 No. 1115

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
(No. 2) Regulations 1990**

<i>Made - - - -</i>	<i>22nd May 1990</i>
<i>Laid before Parliament</i>	<i>24th May 1990</i>
<i>Coming into force</i>	<i>18th June 1990</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 89(3), (4) and (5), 105 and 108(1) of the Road Traffic Act 1988(a), and of all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of that Act, and with the approval of the Treasury, hereby makes the following Regulations:

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1990 and shall come into force on 18th June 1990.

2.—(1) The Motor Vehicles (Driving Licences) Regulations 1987(b) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (1) of regulations 3 (Interpretation) the words ““clerk to the traffic commissioner” means the clerk to the traffic commissioner for any traffic area constituted for the purposes of the 1981 Act” shall be deleted.

(3) In regulation 18 (Appointments for tests and notice of cancellation thereof)—

- (a) in paragraph (1) for the words “the clerk to the traffic commissioner” there shall be substituted the words “the licensing authority”;
- (b) in paragraph (2) for the words “the said clerk” in the second line and for the words “the clerk” in the third line there shall be substituted the words “the licensing authority”;
- (c) in paragraph (3) for the words “the clerk to the traffic commissioner by whom the appointment was made” there shall be substituted the words “the licensing authority”; and
- (d) in paragraph (4) for the words “is situated the office of the clerk to the traffic commissioner to whom notice cancelling an appointment for a test falls to be given” there shall be substituted the words “the applicant is due to take his test”.

(4) In regulation 19 (Fees in respect of tests)

- (a) in paragraph (3)(b) for “£24.00” there shall be substituted
 - “(i) £24.00 if the application for the test, with which the fee is required to be paid by Regulation 18(2) above, is made before 18th June 1990; and

(a) 1988 c.52; section 89(4) is to be read with the Department of Transport (Fees) Order 1988 (S.I. 1988/643), where the relevant entry is in Schedule 1, Table III, item 4A; section 105 was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), Schedule 3, paragraph 14 and the Driving Licences (Community Driving Licence) Regulations 1990 (S.I. 1990/144), Schedule 1, paragraph 6.

(b) S.I. 1987/1378; the relevant amending instruments are S.I. 1988/965, 1989/762, 1612, 1990/842.

- (ii) £26.00 if that application is made on or after that date.”
 - (b) in paragraph (3)(c) for “£18.00” there shall be substituted
 - “(i) £18.00 if the application for the test, with which the fee is required to be paid by Regulation 18(2) above, is made before 18th June 1990; and
 - (ii) £19.50 if that application is made on or after that date.”
 - (c) in paragraph (5) for “£18.00” there shall be substituted “£19.50”.
- (5) In regulation 22 (Evidence of results of tests)
- (a) in paragraph (3) for the words “the clerk to the traffic commissioner” there shall be substituted the words “the licensing authority”.

Signed by authority of the Secretary of State for Transport

21st May 1990

Robert Atkins
Parliamentary Under-Secretary of State,
Department of Transport

We approve the making of these Regulations

22nd May 1990

Kenneth Carlisle
John Taylor
Two of the Lords Commissioners of
Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Driving Licences) Regulations 1987.

Regulation 19(3)(b) is amended so as to increase the fee payable in respect of Part II of the test for motor bicycles and the test for motor vehicles of category P (mopeds) from £24 to £26.

Regulation 19(3)(c) is amended so as to increase the fee payable in respect of any other test (other than Part I of the test for motor bicycles which is not affected by these Regulations and remains at £15.60) from £18 to £19.50. There continues to be no fee payable in respect of a test to be taken in an invalid carriage.

Regulation 19 (5) is amended so as to increase the fee payable to the Commissioner of Police of the Metropolis, in respect of a test of a person who is the holder of or is an applicant for a licence to drive a motor cab by virtue of the Metropolitan Public Carriage Act 1869 (c.115), from £18 to £19.50.

Regulations 3, 18 and 22 have been amended so as to reflect the fact that the clerk to the traffic commissioner for any traffic area constituted for the purposes of the Transport Act 1985 (c.67) is no longer responsible for dealing with applications for driving tests to be conducted by an examiner appointed under paragraph (1)(a) of regulation 14.

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