
STATUTORY INSTRUMENTS

1996 No. 2824

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) Regulations 1996

<i>Made</i>	- - - -	<i>8th November 1996</i>
<i>Laid before Parliament</i>		<i>11th November 1996</i>
<i>Coming into force</i>		
<i>as to regulations 20 to 32 and Schedules 5 and 6, for the purposes of tests to be conducted on or after 1st January 1997</i>		<i>2nd December 1996</i>
<i>for the purposes of regulation 34(2)(a)(ii) and (4)(b) and Schedule 6</i>		<i>1st March 1997</i>
<i>for the purposes of regulation 39(6)</i>		<i>1st April 1997</i>
<i>for all other purposes</i>		<i>1st January 1997</i>

The Secretary of State for Transport, in exercise of the powers conferred by the following sections of the Road Traffic Act 1988(1), namely sections 88(5) and (6)(2), 89(2A), (3), (4), (5), (5A), (6), (7) and (9)(3), 91, 92(2) and (4)(4), 97(1), (3), (3A), (3B) and (4)(5), 98(2) and (4)(6), 99(1) and (1A)(7), 99A(3) and (4)(8), 101(2) and (3), 105(1), (2), (3) and (4)(9) and 108(1)(10), 114(1)(11),

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- (1) 1988 c. 52. Relevant amendments are referred to where appropriate below. Amending statutes and instruments are referred to in the footnotes to these Regulations in the following manner: “the 1989 Act” means the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22); “the 1990 Regulations” means the Driving Licences (Community Driving Licence) Regulations 1990 (S.I. 1990/144); “the 1991 Act” means the Road Traffic Act 1991 (c. 40) and “the 1996 Regulations” means the Driving Licences (Community Driving Licence) Regulations 1996 (S.I. 1996/1974).
- (2) Subsection (6) was amended by the 1990 Regulations.
- (3) Subsections (2A) and (5A) were inserted by the 1989 Act, section 6; subsection (3) was amended by the 1991 Act, Schedule 4, paragraph 63; subsection (4) was amended by the 1989 Act, Schedule 3, paragraph 8 and the 1996 Regulations; subsections (7) and (9) were amended by the 1996 Regulations. Subsection (4)(b) is to be read with the Department of Transport (Fees) Order 1988 (S.I. 1988/643), as amended by S.I. 1991/811, 1993/1601, 1995/1684 and 1996/1929, the relevant entries being items 5, 5A and 6 in Schedule 1, Table III.
- (4) Subsection (2) was amended by the 1996 Regulations.
- (5) Subsections (1) and (3) were amended by the 1989 Act, section 6(2) and the 1996 Regulations; subsections (3A) and (3B) were inserted by the 1989 Act, section 6(2) and subsection (3A) was amended by the 1996 Regulations; subsection (4) was amended by the 1996 Regulations.
- (6) Subsection (2) was amended by the 1989 Act, section 5(10); subsections (2) and (4) were amended by the 1989 Act, Schedule 3, paragraph 11; subsection (2) was amended by the 1990 Regulations.
- (7) Subsection (1) was amended by Schedule 3, paragraph 12, of the 1989 Act; subsection (1A) was inserted by section 2(2) of that Act.
- (8) Section 99A was inserted by the 1996 Regulations.
- (9) Subsection (2) was amended by the 1989 Act, Schedule 3, paragraph 14 and by the 1990 and 1996 Regulations.

115(1) and (3)(12), 115A(1)(13), 117(2A)(14), 118(4), 120, 121(15), 164(2)(16), 183(6)(17) and 192(1)(18), after consulting with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988 and, in the case of regulations 12, 27 and 31, with the approval of the Treasury(19), hereby makes the following Regulations:—

PART I PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) Regulations 1996 and shall come into force—

- (a) as to regulations 20 to 32 and Schedules 5 and 6, for the purpose of tests to be conducted on or after 1st January 1997, on 2nd December 1996;
- (b) for the purposes of regulation 34(2)(a)(ii) and (4)(b) and Schedule 6, on 1st March 1997;
- (c) for the purposes of regulation 39(6), on 1st April 1997;
- (d) for all other purposes on 1st January 1997.

Revocation and saving

2.—(1) The regulations specified in Schedule 1 are hereby revoked.

(2) Subject as otherwise herein provided and without prejudice to the operation of sections 16 and 17 of the Interpretation Act 1978(20), the revocation of those regulations shall not affect the validity of any application or appointment made, notice or approval given, licence, certificate or other document granted or issued or other thing done thereunder and any reference in such application, appointment, notice, approval, licence, certificate or other document or thing to a provision of any regulation hereby revoked, whether specifically or by means of a general description, shall, unless the context otherwise requires, be construed as a reference to the corresponding provision of these Regulations.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the following meanings—

“appropriate driving test” and “extended driving test” have the same meanings respectively as in section 36 of the Offenders Act(21);

(10) See the definitions of “prescribed” and “regulations”.

(11) Sections 114, 115, 116 and 117 to 122 (Part IV of the Act) were substituted by the 1989 Act, section 2(1) and Schedule 2.

(12) Section 114(1) was amended by the 1996 Regulations.

(13) Section 115A was inserted by the 1996 Regulations. Subsection (3) was amended by the 1991 Act, Schedule 4, paragraph 64 and the 1996 Regulations.

(14) Subsection (2A) was inserted by the 1991 Act, Schedule 4, paragraph 65.

(15) See the definition of “prescribed”.

(16) Amended by the 1991 Act, Schedule 4, paragraph 68.

(17) Inserted by the 1989 Act, Schedule 3, paragraph 23.

(18) See the definition of “prescribed”.

(19) See section 105(4) of the Road Traffic Act 1988.

(20) 1978 c. 30.

(21) 1988 c. 53. Section 36 was substituted by the 1991 Act, section 32.

“controlled by a pedestrian”, in relation to a vehicle, means that the vehicle either—

- (a) is constructed or adapted for use under such control; or
- (b) is constructed or adapted for use either under such control or under the control of a person carried on it but is not for the time being in use under, or proceeding under, the control of a person carried on it;

“dual purpose vehicle” means a motor vehicle which is constructed or adapted both to carry or haul goods and to carry more than 8 persons in addition to the driver;

“exempted goods vehicle” and “exempted military vehicle” have the meanings respectively given in regulation 48;

“full”, in relation to a licence of any class, means such a licence granted otherwise than as a provisional licence;

“heavy goods vehicle” has the same meaning as in Part IV of the Traffic Act before it was repealed by section 1 of the Road Traffic (Driver Licensing and Information Systems) Act 1989;

“incomplete large vehicle” means—

- (a) an incomplete motor vehicle, typically consisting of a chassis and a complete or incomplete cab, which is capable of becoming, on the completion of its construction, a medium-sized or large goods vehicle or a passenger-carrying vehicle, or
- (b) a vehicle which would be an articulated goods vehicle but for the absence of a fifth-wheel coupling;

“large motor bicycle” means—

- (a) in the case of a motor bicycle without a side-car, a bicycle the engine of which has a maximum net power output exceeding 25 kilowatts or which has a power to weight ratio exceeding 0.16 kilowatts per kilogram, or
- (b) in the case of a motor bicycle and side-car combination, a combination having a power to weight ratio exceeding 0.16 kilowatts per kilogram;

“LGV trainee driver’s licence” has the meaning given in regulation 51;

“licensing authority” means the Secretary of State for Transport;

“maximum authorised mass” has the same meaning—

- (a) in relation to goods vehicles as “permissible maximum weight” in section 108(1) of the Traffic Act, and
- (b) in relation to any other vehicle or trailer as “maximum gross weight” in regulation 3(2) of the Construction and Use Regulations;

“maximum speed” means the speed which the vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden;

“maximum net power output” has the same meaning as in section 97 of the Traffic Act;

“mobile project vehicle” means a vehicle which has a maximum authorised mass exceeding 3.5 tonnes, is constructed or adapted to carry not more than 8 persons in addition to the driver and carries principally goods or burden consisting of—

- (a) play or educational equipment for children and articles required in connection with the use of such equipment, or
- (b) articles required for the purposes of display or of an exhibition,

and the primary purpose of which is use as a recreational, educational or instructional facility when stationary;

“passenger-carrying vehicle recovery vehicle” means a vehicle (not being an articulated goods vehicle combination) which—

- (a) has an unladen weight not exceeding 10.2 tonnes,
- (b) is being operated by the holder of a PSV operator’s licence, and
- (c) is being used for the purpose of—
 - (i) proceeding to, or returning from, a place where assistance is to be, or has been, given to a damaged or disabled passenger-carrying vehicle; or
 - (ii) giving assistance to or moving a disabled passenger-carrying vehicle or moving a damaged vehicle;

“penalty points” means penalty points attributed to an offence under section 28 of the Offenders Act;

“power to weight ratio” has the same meaning as in section 97 of the Traffic Act;

“practical test” means, where a test is by virtue of these Regulations to be conducted in two parts, the part that consists of the practical test of driving skills and behaviour and includes such a test conducted as part of an extended driving test;

“propelled by electrical power”, in relation to a motor vehicle, means deriving motive power solely from an electrical storage battery carried on the vehicle and having no connection to any other source of power when the vehicle is in motion;

“PSV operator’s licence” and “public service vehicle” have the meanings given by section 82(1) of the 1981 Act;

“standard motor bicycle” means a motor bicycle which is not a large motor bicycle;

“test” means any test of competence to drive conducted pursuant to section 89 of the Traffic Act including an extended driving test;

“the 1981 Act” means the Public Passenger Vehicles Act 1981(22);

“the 1985 Act” means the Transport Act 1985(23);

“the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986(24);

“the Offenders Act” means the Road Traffic Offenders Act 1988;

“the Traffic Act” means the Road Traffic Act 1988;

“theory test” means, where a test is by virtue of these Regulations to be conducted in two parts, the part that consists of the theoretical test and includes such a test conducted as part of an extended driving test;

“traffic commissioner” means, in relation to an applicant for or the holder of a licence, the traffic commissioner in whose area the applicant or holder resides except where these Regulations otherwise provide;

“unitary test” means a test which, by virtue of these Regulations, is to consist of a practical test of driving skills and behaviour and includes such a test conducted as an extended driving test;

“unladen weight” has the same meaning as in regulation 3(2) of the Construction and Use Regulations and, in the case of a vehicle propelled by electrical power, excludes any weight attributable to its batteries;

“vehicle with automatic transmission” means a class of vehicle in which either—

(22) 1981 c. 14.

(23) 1985 c. 67.

(24) S.I. 1986/1078. The relevant amending instruments are S.I. 1987/676 and 1994/329.

- (a) the driver is not provided with any means whereby he may vary the gear ratio between the engine and the road wheels independently of the accelerator and the brakes, or
- (b) he is provided with such means but they do not include a clutch pedal or lever which he may operate manually,

(and accordingly a vehicle with manual transmission is any other class of vehicle);

(2) In these Regulations, unless the context otherwise requires—

- (a) a reference to a licence being in force is a reference to it being in force in accordance with section 99 of the Traffic Act, save that for the purposes of these Regulations a licence shall be regarded as remaining in force notwithstanding that it is—

- (i) surrendered or revoked pursuant to under section 99(3) or (4) of the Traffic Act, or
- (ii) treated as revoked by virtue of section 37(1) of the Offenders Act,

and

- (b) a reference to the expiry of a licence is a reference to the time at which it ceases to be so in force (and “expired” shall be construed accordingly).

(3) Except where otherwise expressly provided, any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations, and any reference to a numbered paragraph (otherwise than as part of a reference to a numbered regulation) is a reference to the paragraph bearing that number in the regulation in which the reference occurs.

(4) Where a statement or certificate (but not a distinguishing mark specified in regulation 15) is required under these Regulations to be in a form prescribed herein, the reference is to a certificate or statement in that form (or as nearly in that form as circumstances permit), adapted to the circumstances of the case and duly completed and signed where required.

(5) For the purposes of section 97(3)(d) of the Traffic Act and these Regulations the date of first use of a motor bicycle means—

- (a) except in a case to which paragraph (b) applies, the date on which it was first registered under the Roads Act 1920, the Vehicles (Excise) Act 1949⁽²⁵⁾, the Vehicles (Excise) Act 1962⁽²⁶⁾ or the Vehicles (Excise) Act 1971⁽²⁷⁾;

- (b) in the case of a motor bicycle which was used in any of the following circumstances before the date on which it was first registered, namely:—

- (i) where the bicycle was used under a trade licence as defined in section 16 of the Vehicles (Excise) Act 1971, otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement,
- (ii) where the bicycle belonged to the Crown and is or was used or appropriated for use for naval, military or air force purposes,
- (iii) where the bicycle belonged to a visiting force or a headquarters or defence organisation to which the Visiting Forces and International Headquarters (Application of Law) Order 1965⁽²⁸⁾ applied,
- (iv) where the bicycle had been used on roads outside Great Britain and was imported into Great Britain, or

⁽²⁵⁾ 1949 c. 89.

⁽²⁶⁾ 1962 c. 13.

⁽²⁷⁾ 1971 c. 10.

⁽²⁸⁾ S.I. 1965/1536.

- (v) where the bicycle had been used otherwise than on roads after being sold or supplied by retail and before being registered,
the date of manufacture of the bicycle.

In this paragraph “sold or supplied by retail” means sold or supplied otherwise than to a person acquiring solely for the purpose of re-sale or re-supply for a valuable consideration.

PART II LICENCES

Categories of entitlement

Classification of vehicles

4.—(1) Subject to regulation 5, the licensing authority shall grant licences authorising the driving of motor vehicles in accordance with the categories and sub-categories specified in column (1) and defined in column (2) of Schedule 2 and those categories and sub-categories are designated as groups for the purposes of section 89(1)(b) of the Traffic Act.

(2) In these Regulations, expressions relating to vehicle categories have the following meanings

- (a) any reference to a category or sub-category identified by letter, number or word or by a combination thereof is a reference to the category or sub-category defined in column (2) of Schedule 2 opposite that letter or combination in column (1) of the Schedule,
- (b) “sub-category” means, in relation to category A, B, C, C + E, D or D + E, a class of vehicles comprising part of the category and identified as a sub-category thereof in column (2) of Schedule 2, and
- (c) unless the context otherwise requires, a reference to a category includes a reference to sub-categories of that category.

Classes for which licences may be granted

5.—(1) A licence authorising the driving of motor vehicles of a class included in a category or sub-category mentioned in Part 1 of Schedule 2 may be granted to a person who is entitled thereto by virtue of—

- (a) holding or having held a full licence, a full Northern Ireland licence, full British external licence, full British Forces licence, exchangeable licence or Community licence authorising the driving of vehicles of that class, or
- (b) having passed a test authorising the driving of motor vehicles of that class or a Northern Ireland or Gibraltar test corresponding to such a test.

(2) A licence authorising the driving of motor vehicles of a class included in any category or sub-category mentioned in Part 2 of Schedule 2 may not be granted to a person unless, at a time before 1st January 1997—

- (a) in the case of an application for a full licence—
 - (i) he held a full licence authorising the driving of vehicles of a class included in that category, or
 - (ii) he passed a test which at the time it was passed authorised the driving of motor vehicles of that class or a Northern Ireland test corresponding to such a test;

- (b) in the case of an application for a provisional licence, he held a provisional licence authorising the driving of vehicles of a class included in that category.

Competence to drive classes of vehicle

6.—(1) Where a person holds, or has held, a licence authorising him to drive vehicles of a class included in any category or, as the case may be, sub-category he is deemed competent to drive—

- (a) vehicles of all classes included in that category or sub-category unless by that licence he is or was authorised to drive—
 - (i) only motor vehicles of a specified class within that category or sub-category, in which case he shall be deemed competent to drive only vehicles of that class,
 - (ii) invalid carriages, in which case he shall be deemed competent to drive only invalid carriages,
 - (iii) only motor vehicles adapted on account of a disability, in which case he shall be deemed competent to drive only such classes of vehicle included in that category or sub-category as are so adapted (and for the purposes of this paragraph, a motor bicycle with a side-car may be treated in an appropriate case as a motor vehicle adapted on account of a disability),

and

- (b) all classes of vehicle included in any other category or sub-category which is specified in column (3) of Schedule 2 as an additional category or sub-category in relation to that category or sub-category unless by that licence he is or was authorised to drive—
 - (i) only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such classes of motor vehicle included in the additional category or sub-category as have automatic transmission,
 - (ii) only invalid carriages, in which case he shall be deemed competent to drive only invalid carriages,
 - (iii) only motor vehicles adapted on account of a disability, in which case he shall be deemed competent to drive only such classes of vehicle included in the additional category or sub-category as are so adapted.

(2) A person who has held a full licence to drive vehicles in category C for a period of at least two years may also drive a motor vehicle of a class included in category D which is—

- (a) being operated by the holder of a PSV operator's licence, and
- (b) not used for the carriage of any person who is not connected with the operator,

and is either—

- (i) damaged or defective and being driven to a place of repair, or
- (ii) being road tested following repair.

(3) A person who holds a full licence to drive vehicles in category C may drive a dual purpose vehicle if—

- (a) he is a member of the armed forces of the Crown, and
- (b) the vehicle is—
 - (i) adapted to carry not more than 24 persons in addition to the driver, and
 - (ii) used to carry passengers for naval, military or air force purposes.

(4) A person who is the holder of a full passenger-carrying vehicle driver's licence may drive a passenger-carrying vehicle recovery vehicle unless by that licence he is or was authorised to drive only passenger-carrying vehicles having automatic transmission, in which case he shall be deemed

competent to drive only such passenger-carrying vehicle recovery vehicles as have automatic transmission.

(5) A person may drive an incomplete large vehicle if he holds a licence authorising the driving of motor vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 and B1 (invalid carriages)) unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only incomplete large vehicles having automatic transmission.

(6) A person who is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 and B1 (invalid carriages)) may drive—

- (a) an exempted goods vehicle, other than a passenger-carrying vehicle recovery vehicle, and
- (b) an exempted military vehicle,

unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles as have automatic transmission.

(7) A person who—

- (a) is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)),
- (b) has held that licence for an aggregate period of not less than 2 years, and
- (c) is aged 21 or over,

may drive a mobile project vehicle on behalf of a non-commercial body—

- (i) to or from the place where the equipment it carries is to be, or has been, used, or the display or exhibition is to be, or has been, mounted, or
- (ii) to or from the place where a mechanical defect in the vehicle is to be, or has been, remedied, or
- (iii) in such circumstances that by virtue of paragraph 22 of Schedule 2 to the Vehicle Excise and Registration Act 1994⁽²⁹⁾ the vehicle is not chargeable with duty in respect of its use on public roads,

unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only mobile project vehicles having automatic transmission.

(8) A person who—

- (a) is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)),
- (b) has held that licence for an aggregate period of not less than 2 years,
- (c) is aged 21 or over, and
- (d) receives no payment or consideration for so doing, other than out-of-pocket expenses,

may drive, on behalf of a non-commercial body for social purposes but not for hire or reward, a vehicle of a class included in sub-category D1 which has no trailer attached and has a maximum authorised mass—

- (i) not exceeding 3.5 tonnes, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers, and
- (ii) not exceeding 4.25 tonnes otherwise,

(29) 1994 c. 22.

unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only vehicles of classes included in sub-category D1 having automatic transmission.

(9) A person who is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)) may drive a vehicle of a class included in category B + E where—

- (a) the trailer consists of a vehicle which is damaged or defective and is likely to represent a road safety hazard or obstruction to other road users, and
- (b) the vehicle is driven only so far as is reasonably necessary in the circumstances to remove the hazard or obstruction,

unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles as have automatic transmission.

Minimum ages for holding or obtaining licences

Minimum ages for holding or obtaining licences

7.—(1) Subsection (1) of section 101 of the Traffic Act shall have effect as if for the classes of vehicle and the ages specified in the Table in that subsection there were substituted classes of vehicle and ages in accordance with the following provisions of this regulation.

(2) In item 3 (motor bicycles), the age of 21 is substituted for the age of 17 in a case where the motor bicycle is a large motor bicycle except in the following cases, namely—

- (a) a case where a person who has passed a test for a licence authorising the driving of a motor vehicle of a class included in category A, other than sub-category A1, and a period of two years commencing on the date when the test was passed has elapsed, and
- (b) a case where the large motor bicycle—
 - (i) is owned or operated by the Secretary of State for Defence, or
 - (ii) is being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown,and is being used for naval, military or air force purposes.

(3) In item 4 (agricultural and forestry tractors), in the case of an agricultural or forestry tractor which—

- (a) is so constructed that the whole of its weight is transmitted to the road surface by means of wheels,
- (b) has an overall width not exceeding 2.45 metres, and
- (c) is driven either
 - (i) without a trailer attached to it, or
 - (ii) with a trailer which has an overall width not exceeding 2.45 metres and is either a two-wheeled or close-coupled four-wheeled trailer,

the age of 16 is substituted for the age of 17 in the case of a person who has passed a test prescribed in respect of category F, or is proceeding to, taking or returning from, such a test.

(4) In item 5 (small vehicles), the age of 16 is substituted for the age of 17 in the case of—

- (a) a person to whom an award of the higher rate component of the disability living allowance has been made in pursuance of section 73 of the Social Security Contributions and Benefits Act 1992⁽³⁰⁾ (whether before or after his 16th birthday) which is still in force, and
 - (b) a small vehicle driven without a trailer attached.
- (5) In item 6 (medium-sized goods vehicles), the age of 21 is substituted for the age of 18 in the case of a vehicle drawing a trailer where the maximum authorised mass of the combination exceeds 7.5 tonnes.
- (6) In item 7 (other vehicles, including large goods and passenger-carrying vehicles), the age of 18 is substituted for the age of 21 in the case of a person driving a small passenger-carrying vehicle which is an ambulance.
- (7) In item 7, the age of 18 is substituted for the age of 21 in the case of a motor vehicle and trailer combination which is in sub-category C1 + E and the maximum authorised mass of the combination does not exceed 7.5 tonnes.
- (8) In item 7, the age of 18 is substituted for the age of 21 in the case of a person who is a registered employee of a registered employer, in relation to a large goods vehicle which is—
- (a) of a class to which his training agreement applies, and
 - (b) owned or operated by his employer or by a registered LGV training establishment.
- (9) In item 7, the age of 18 is substituted for the age of 21 in relation to a passenger-carrying vehicle where—
- (a) the driver of the vehicle holds a provisional licence authorising the driving of the vehicle and is not engaged in the carriage of passengers, or
 - (b) the driver holds a full passenger-carrying vehicle driver's licence and—
 - (i) is engaged in the carriage of passengers on a regular service over a route which does not exceed 50 kilometres, or
 - (ii) where he is not so engaged, is driving a vehicle of a class included in sub-category D1,
 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.
- (10) In items 6 and 7, the age of 17 is substituted for the ages of 18 and 21 respectively in the case of—
- (a) motor vehicles owned or operated by the Secretary of State for Defence, or
 - (b) motor vehicles driven by persons for the time being subject to the orders of a member of the armed forces of the Crown,
- when they are being used for naval, military or air force purposes.
- (11) In this regulation—
- (a) for the purposes of paragraph (3)—
 - (i) 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,
 - (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 the wheels 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, and

(30) 1992 c. 4.

- (iii) “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;
- (b) for the purposes of paragraph (8), “registered” and “training agreement” have the meanings respectively given in regulation 51;
- (c) in paragraph (9), expressions used which are also used in Council Regulation 3820/85/EEC(31) have the same meanings as in that Regulation.

Applications for licences

Applications for the grant of licences: general

8.—(1) The licensing authority may consider an application for the grant of a licence before the date on which the grant of the licence is to take effect if the application is received by him—

- (a) in the case of an application for a Group 2 licence, during the period of three months ending on that date,
- (b) in any other case, during the period of two months ending on that date,

and may during such period grant the licence so that it takes effect on that date.

(2) For the purposes of subsection (1A)(b) of section 89 of the Traffic Act the holder of an exchangeable licence satisfies the relevant residence requirement if he has been normally resident in Great Britain for a period of not more than five years.

(3) An applicant for a licence who before the licence is granted is required to satisfy the licensing authority that he has passed a test shall at the time when he applies for the licence deliver to the licensing authority, in support of that application—

- (a) a valid certificate furnished under regulation 45(1)(a), or
- (b) a certificate corresponding to the certificate mentioned in paragraph (a) furnished under the law of Northern Ireland or Gibraltar, or
- (c) where paragraph (2) of regulation 38 applies, certificates furnished under regulations 44(2)(a) and 45(2) which are valid in accordance with regulation 38(3), or
- (d) certificates corresponding to the certificates mentioned in paragraph (c) furnished under the law of Northern Ireland.

(4) A person may not present a certificate in support of an application as evidence that he has passed—

- (a) a test, a theory test or a practical test, or
- (b) a test corresponding to any of those tests conducted under the law of Northern Ireland,

if the applicant took the test in respect of which the certificate was issued at a time when he was ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations or a corresponding provision of the law of Northern Ireland, to take the test to which the certificate relates.

(5) An applicant for a Group 2 licence (as defined in regulation 65) shall, if required to do so by the licensing authority, send in support of his application a report (in such form as the licensing authority may require) signed by a qualified medical practitioner, prepared and dated not more than four months prior to the date on which the licence is to take effect, for the purpose of satisfying the licensing authority that he is not suffering from a relevant or prospective disability.

(31) OJ No. L370, 31.12.85, p.1. See also regulation 4 of the Community Drivers Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 (S.I. 1986/1456).

(6) In this regulation, “Group 2 licence” has the meaning given in regulation 65.

Eligibility to apply for provisional licence

9.—(1) Subject to the following provisions of this regulation, an applicant for a provisional licence authorising the driving of motor vehicles of a class included in a category or sub-category specified in column (1) of the table at the end of this regulation must hold a relevant full licence authorising the driving of motor vehicles of a class included in the category or sub-category specified in column (2) of the table in relation to the first category.

(2) Paragraph (1) shall not apply in the case of an applicant who is a full-time member of the armed forces of the Crown.

(3) For the purposes of paragraph (1), a licence authorising the driving only of vehicles in sub-categories D1 (not for hire or reward), D1 + E (not for hire or reward) and C1 + E (8.25 tonnes) shall not be treated as a licence authorising the driving of motor vehicles of a class included in sub-categories D1, D1 + E and C1 + E.

(4) In this regulation, “relevant full licence” means a full licence granted under Part III of the Traffic Act, a full Northern Ireland licence, a full British external licence, a full British Forces licence, an exchangeable licence or a Community licence.

TABLE

<i>(1) Category or sub-category of licence applied for</i>	<i>(2) Category/sub-category of full licence required</i>
B + E	B
C	B
C1	B
D	B
D1	B
C1 + E	C1
C + E	C
D1 + E	D1
D + E	D
G	B
H	B

Restrictions on the grant of large goods and passenger-carrying vehicle drivers' licences

10.—(1) An applicant for a large goods or passenger-carrying vehicle driver's licence shall not, subject to paragraph (2), be granted a licence if, at the date from which the licence applied for is to take effect, any—

- (a) large goods or passenger-carrying vehicle driver's licence held by him is suspended, or
- (b) Northern Ireland large goods or passenger-carrying vehicle driver's licence held by him is suspended,

under section 115 of the Traffic Act or, as the case may be, under the provision of the law for the time being in force in Northern Ireland corresponding to that enactment.

(2) A person may apply for a large goods vehicle driver's licence notwithstanding that, at the date from which the licence applied for is to take effect, any passenger-carrying vehicle driver's licence held by him is suspended and such suspension relates to his conduct other than as a driver of a motor vehicle.

(3) An applicant for an LGV trainee driver's licence—

- (a) must be a registered employee of a registered employer (within the meaning of regulation 51), and
- (b) must not be a person who—
 - (i) has been convicted (or is to be treated as if he had been convicted) of an offence as a result of which the number of penalty points to be taken into account under section 29 of the Offenders Act at the date of the application exceeds three, or
 - (ii) has at any time been disqualified by a court for holding or obtaining a licence or by a court in Northern Ireland for holding or obtaining a Northern Ireland licence, and
- (c) must satisfy the licensing authority that he holds a Certificate of Professional Competence issued by the Road Haulage and Distribution Training Council stating that the applicant has completed a course of induction training in the driving of goods vehicles which meets the requirements of Council Directive 76/914/EEC(32).

Restrictions on the grant of provisional licences to drive motor bicycles

11.—(1) Subject to paragraphs (2) to (4), the licensing authority must refuse to grant a provisional licence authorising the driving of a motor bicycle of any class to a person who was the holder of a previous licence and the licence applied for would come into force 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 riding of a motor bicycle.

(2) In a case where the applicant's previous licence was surrendered or revoked under subsection (3) or (4) of section 99 of the Traffic Act before its expiry date, paragraph (1) shall not apply.

(3) In a case where—

- (a) the applicant's previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act, and
- (b) the circumstances mentioned in regulation 14(2)(b) and (c) apply (so that the licensing authority is required to grant a licence which would be in force for a period of less than two years),

the licensing authority must refuse to grant a provisional licence which would come into force within the period of two months commencing on the date of such surrender or revocation.

(4) In a case where—

- (a) the applicant's previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act, and
- (b) the circumstances mentioned in regulation 14(2)(b) and (c) do not apply,

the licensing authority must refuse to grant a provisional licence which would come into force within the period of one year commencing on the date of such surrender or revocation.

Fees for licences

12.—(1) An applicant for a licence shall pay a fee (if any) determined in accordance with paragraphs (2) and (3).

(2) The fee payable upon an application for a licence shall, in the case of a licence of a description, and (as the case may be) in the circumstances, specified in column (1) of the table set out in Schedule 3, be the fee specified in relation to that licence in column (2) of that table.

(3) When an application is made for a licence which, but for this paragraph, would attract more than one fee, the only fee payable shall be the highest of the fees specified in that table in relation to that application.

Provisional licences

Provisional licences: interpretation

13.—(1) In regulations 15 and 16, the following expressions have the following meanings—

“exempted island” means any island outside the mainland of Great Britain from which motor vehicles, unless constructed specially for that purpose, cannot at any 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 excluding 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 and Tiree;

“provisional licence”, in relation to a class of vehicles, includes a full licence which is treated, by virtue of section 98 of the Traffic Act, as authorising its holder to drive vehicles of that class as if he held a provisional licence therefor;

“qualified driver” means—

- (a) in the case of the supervision of the driver of a motor vehicle of a class included in category B, other than a vehicle in sub-category B1, by a person whose licence is limited by virtue of a notice served under section 92(5)(b) of the Traffic Act to vehicles of a particular class, a person who holds a full licence authorising him to drive a vehicle of a class included in category B, other than a vehicle in sub-category B1, and who would in an emergency be able to take control of the steering and braking functions of that vehicle,
- (b) in any other case, a person who holds—
 - (i) a full licence (other than an LGV trainee driver’s licence),
 - (ii) a full Northern Ireland licence, or
 - (iii) a Community licence,
 authorising him to drive a motor vehicle of the same class as the vehicle being driven by the holder of the provisional licence,
 and who is either—
 - (i) at least 21 years of age and has (unless paragraph (2) applies) held the licence referred to above for an aggregate period of 3 years or more, or
 - (ii) a member of the armed services of the Crown acting in the course of his duties for naval, military or air force purposes.

(2) In the case of the supervision of a driver of a large goods or passenger-carrying vehicle of any class, it shall not be a requirement that he shall have held the licence for an aggregate period of 3 years or more.

Duration of provisional licences authorising the driving of motor bicycles

14.—(1) Subject to paragraph (2), there is prescribed for the purposes of section 99(2) of the Traffic Act—

- (a) a motor bicycle of any class, and
- (b) a period of two years.

(2) There are prescribed for the purposes of section 99(2)(b)(ii) of that Act the circumstances that—

- (a) the previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act,
- (b) if it had not been so surrendered or revoked, a period of at least one month, commencing on the date of surrender or revocation, would have elapsed before the previous licence would have expired, and
- (c) the licence when granted would come into force within the period of one year beginning on the date of surrender or revocation of the previous licence.

Conditions attached to provisional licences

15.—(1) Subject to the following paragraphs of this regulation, 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 Part 1 of Schedule 4 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, or
- (c) while it is being used to draw a trailer.

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

- (a) is driving a motor vehicle of a class included in sub-category B1 or B1 (invalid carriages) or in category F, G or H which is constructed to carry only one person and not adapted to carry more than one person;
- (b) is riding a moped or a motor bicycle with or without a side-car; or
- (c) is driving a motor vehicle on a road in an exempted island.

(3) The condition specified in paragraph (1)(b) shall not apply—

- (a) when the holder of the provisional licence is driving a motor vehicle on a road in Wales, and
- (b) a distinguishing mark in the form set out in Part 2 of Schedule 4 is displayed on the motor vehicle in the manner described in paragraph (1)(b).

(4) The condition specified in paragraph (1)(c) shall not apply to the holder of a provisional licence authorising the driving of a vehicle of a class included in category B + E, C + E, D + E or F, in relation to motor vehicles of that class.

(5) The holder of a provisional licence authorising the driving of—

- (a) a moped, or
- (b) a motor bicycle with or without a side-car,

shall not drive such a vehicle while carrying on it another person.

(6) The holder of a provisional licence authorising the driving of a moped must, when he is riding the vehicle (unless he is exempt from the requirements imposed by section 97(3)(e) or, as the case may be, section 98(3)(c) of the Traffic Act), be the holder of a valid certificate furnished under regulation 63(1).

(7) The holder of a provisional licence authorising the driving of a large motor bicycle shall not drive such a vehicle otherwise than under the supervision of a certified direct access instructor (within the meaning of regulation 59(2)) who is—

- (a) present with him on the road while riding another motor bicycle,
- (b) able to communicate with him by means of a radio which is not hand-held while in operation, and
- (c) supervising only that person or only that person and another person who holds such a provisional licence,

while he and the instructor are wearing reflective or luminous apparel.

(8) The holder of a passenger-carrying vehicle driver's provisional licence shall not drive a vehicle which he is authorised to drive by that licence while carrying any passenger in the vehicle other than—

- (a) the person specified in paragraph (1)(a), or
- (b) a person who holds a passenger-carrying vehicle driver's licence and either is giving or receiving instruction in the driving of passenger-carrying vehicles, or has given or received, or is to give or receive, such instruction.

(9) The conditions specified in paragraphs (1)(a), (7) and (8) shall not apply when the holder of the provisional licence is undergoing a test.

(10) The conditions specified in paragraphs (1), (5), (6), (7) and (8) shall not apply in relation to the driving of motor vehicles of a class in respect of which the provisional licence holder has been furnished with a valid certificate under regulation 45(1)(a) or, as the case may be, certificates under regulations 44(2)(a) and 45(2) stating that he has passed a test for the grant of a licence authorising him to drive vehicles of that class.

(11) In the case of an LGV trainee driver's licence, this regulation shall apply as modified by regulation 51.

Conditions attached to provisional licences: holders of driving permits other than licences granted under Part III of the Traffic Act

16. A holder of a provisional licence authorising the driving of vehicles of any class who also holds a permit by virtue of which he is at any time—

- (a) treated, by virtue of regulation 74, as the holder, for the purposes of section 87 of the Traffic Act, of a licence authorising the driving of vehicles of that class, or
- (b) entitled, pursuant to article 2(1) of the Motor Vehicles (International Circulation) Order 1975(33), to drive motor vehicles of that class,

need not comply with regulation 15 at that time.

Full licences not carrying provisional entitlement

17.—(1) Section 98(2) of the Traffic Act shall not apply to a licence—

(33) S.I. 1975/1208. Article 2(1) was substituted by S.I. 1989/993 and amended by S.I. 1991/771.

- (a) which authorises the driving only of motor vehicles adapted on account of a disability, whether pursuant to an application in that behalf made by the holder of the licence or pursuant to a notice served under section 92(5)(b) of the Traffic Act;
- (b) in so far as it authorises its holder to drive vehicles of a class included in category B + E, C + E, D + E, K or P or sub-category B1 (invalid carriages), C1, C1 + E, C1 + E (8.25 tonnes), D1 (not for hire or reward), D1 + E or D1 + E (not for hire or reward).

(2) Subject to the following provisions of this regulation, the holder of a full licence authorising him to drive motor vehicles of a class included in a category or sub-category specified in column (1) of the table at the end of this regulation may drive—

- (a) in a case where the full licence authorises only the driving of vehicles with automatic transmission, motor vehicles of all classes included in that category or sub-category which have manual transmission, and
- (b) motor vehicles of all classes included in a category or sub-category specified, in relation to that category or sub-category, in column (2) of the table,

as if he were authorised by a provisional licence to do so and the application of section 98(2) of the Traffic Act to those classes of vehicle is limited accordingly.

(3) In the case of a licence which authorises the driving only of—

- (a) motor bicycles of a class included in sub-category A1, or
- (b) standard motor bicycles,

section 98(2) shall not apply so as to authorise the driving of a large motor bicycle by a person under the age of 21.

(4) In the case of a provisional large goods vehicle driver's licence, this regulation shall apply as modified by regulation 51.

TABLE

<i>Full licence held</i>	<i>Provisional entitlement included</i>
A1	A, B, F, and K
A	B and F
B1	A, B and F
B	A, B + E, G and H
C	C1 + E, C + E
D1	D1 + E
D	D1 + E, D + E
F	B and P
G	H
H	G

Miscellaneous

Signature of licences

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

Lost or defaced licences

19.—(1) If the holder of a licence—

- (a) satisfies the licensing authority that—
 - (i) the licence or its counterpart 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 12,

the licensing authority shall, on surrender of any licence or counterpart that has not been lost, issue to him a duplicate licence and counterpart and shall endorse upon the counterpart any particulars endorsed upon the original licence or counterpart as the case may be and the duplicates so issued shall have the same effect as the originals.

(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 take possession of it and if successful shall return it as soon as may be to the licensing authority.

(3) The obligation in paragraph (2) shall apply in respect of the counterpart of a licence as if for the words “original licence” in each place where they occur there were substituted the words “original counterpart”.

PART III

TESTS OF COMPETENCE TO DRIVE

Preliminary

Interpretation of Part III

20. In this Part of these Regulations—

“applicant in person” means a person making an application for an appointment for a test or a part of a test with a view to taking the test or that part thereof himself;

“appointed person” means a person appointed by the licensing authority to conduct theory tests under paragraph (1)(a)(ii) or (2)(a) of regulation 22;

“DSA Examiner” means a person appointed by the licensing authority to conduct practical or unitary tests under paragraph (1)(a) or (2)(a) of regulation 21;

“large vehicle instructor” means a person operating an establishment for providing instruction in the driving of vehicles included in category B + E, C, C + E, D or D + E, including an establishment which provides tuition to prepare persons for the theory test;

“motor bicycle instructor” means a person operating an establishment for providing instruction in the driving of vehicles included in categories A or P, including an establishment which provides tuition to prepare persons for the theory test;

“standard access period” means the period of two years commencing on the date when a person passes a test for a licence authorising the driving of standard motor bicycles of any class other than a class included in sub-category A1 but disregarding any period during which—

- (a) the person is disqualified,
- (b) the licence has ceased to be in force otherwise than by revocation on account of an error or omission in its particulars or surrender under section 99(4) of the Traffic Act;

“working day” means a day other than a Saturday, Sunday, bank holiday, Christmas Day or Good Friday (and “bank holiday” means a day to be observed as such under section 1 of and Schedule 1 to the Bank and Financial Dealings Act 1971⁽³⁴⁾).

Appointment of persons to conduct tests

Persons by whom practical and unitary tests may be conducted

21.—(1) Practical and unitary tests other than tests conducted for the purposes specified in paragraph (2) may, subject to the following provisions of this regulation, be conducted by the following persons—

- (a) a person in the public service of the Crown appointed by the licensing authority;
- (b) a person or a class of persons appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department;
- (c) in England and Wales, a person appointed by the chief officer of any fire brigade maintained in pursuance of the Fire Services Act 1947⁽³⁵⁾ or, in Scotland, by the firemaster of such a brigade, for the purpose of testing members of any such brigade or of persons employed in the driving of motor vehicles for the purposes of any such brigade;
- (d) a person appointed by any chief officer of police, for the purpose of testing—
 - (i) members of a police force; or
 - (ii) persons employed in the driving of motor vehicles for police purposes by a police authority or by the Receiver for the Metropolitan Police District;
- (e) a person appointed by the Commissioner of Police of the Metropolis, for the purpose of testing any 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⁽³⁶⁾;
- (f) a person appointed by a company which—
 - (i) has been approved by the licensing authority, and
 - (ii) normally employs for the purpose of its operations in excess of 250 persons as drivers of motor vehicles,for the purpose of testing persons employed by it as drivers or persons whom it proposes so to employ;
- (g) an eligible person appointed by a company which—
 - (i) has been approved by the licensing authority, and
 - (ii) is the holder of a PSV operator’s licence,for the purpose of conducting, in respect of eligible candidates, practical tests in respect of any class of passenger-carrying vehicles.

(2) Where the person submitting himself for a test is disqualified until he passes the appropriate driving test, a practical or unitary test shall be conducted by—

- (a) a person in the public service of the Crown appointed by the licensing authority, or
- (b) a person or a class of persons appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department.

⁽³⁴⁾ 1971 c. 80.
⁽³⁵⁾ 1947 c. 41.
⁽³⁶⁾ 1869 c. 115.

(3) No person shall be eligible to appoint any person or class of persons to conduct practical or unitary tests under the provisions of sub-paragraphs (b), (c), (d), (f) or (g) of paragraph (1) or under paragraph (2)(b) unless, following an application made to him for the purpose of any of those sub-paragraphs, the licensing authority is satisfied that—

- (a) proper arrangements will be made by that person, or by the members of that class, for the conduct of tests in accordance with these Regulations; and
- (b) proper records of such tests and the results thereof will be kept by him or them,

and has granted his approval in writing, subject to such conditions as he thinks fit to impose.

(4) No person or class of persons appointed under the provisions of sub-paragraph (b), (c), (d), (f) or (g) of paragraph (1) or under paragraph (2)(b) may conduct tests unless the licensing authority has given his approval in writing to his appointment and such approval shall be granted only if the licensing authority is satisfied that the person (or, in the case of the appointment of a class of persons, each member of that class) is capable of making a proper assessment of a candidate's ability to drive vehicles of the class in respect of which he is appointed to conduct tests.

(5) A person may not conduct a test prescribed in respect of any category or sub-category of motor vehicle unless he is expressly appointed for the purpose of conducting such a test.

(6) In this regulation and regulation 22—

“company” includes a body corporate;

“eligible candidate” means—

- (i) a person who is employed as a driver by the company which holds the PSV operator's licence or by a sister company of that company which also holds a PSV operator's licence, or
- (ii) a person whom any such company as is mentioned in sub-paragraph (i) proposes to employ as a driver;

“eligible person” means a person employed by the company which holds the PSV operator's licence or by a sister company of that company which also holds a PSV operator's licence,

and a company is a sister company of another if either is the holding company of the other or both are wholly-owned subsidiaries of a third within the meaning of section 736 of the Companies Act 1985⁽³⁷⁾.

Persons by whom theory tests may be conducted

22.—(1) Theory tests other than tests conducted for the purposes specified in paragraph (2) may be conducted by the following persons—

- (a) a person appointed in writing by the licensing authority—
 - (i) for the purpose of testing a class of persons specified in the instrument of appointment, or
 - (ii) where no class of persons is specified, for the purpose of testing persons generally;
- (b) a person or a class of persons appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department;
- (c) a person appointed by any chief officer of police, for the purpose of testing—
 - (i) members of a police force; or
 - (ii) persons employed in the driving of motor vehicles for police purposes by a police authority or by the Receiver for the Metropolitan Police District;

(37) 1985 c. 6. Section 736 was substituted by the Companies Act 1989, section 144(1).

- (d) in England and Wales, a person appointed by the chief officer of any fire brigade maintained in pursuance of the Fire Services Act 1947 or, in Scotland, by the firemaster of such a brigade, for the purpose of testing members of any such brigade or of persons employed in the driving of motor vehicles for the purposes of any such brigade;
 - (e) an eligible person appointed by a company which—
 - (i) has been approved by the licensing authority, and
 - (ii) is the holder of a PSV operator's licence,for the purpose of conducting, in respect of eligible candidates, theory tests in respect of any class of passenger-carrying vehicles.
- (2) Where the person submitting himself for a test is disqualified until he passes the appropriate driving test, a theory test shall be conducted by—
- (a) a person appointed by the licensing authority for the purpose;
 - (b) a person appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department.
- (3) No person shall be eligible to appoint any person or class of persons to conduct theory tests under the provisions of sub-paragraphs (b), (c), (d) or (e) of paragraph (1) or under paragraph (2) (b) unless, following an application made to him for the purpose of either of those sub-paragraphs, the licensing authority is satisfied that—
- (a) proper arrangements will be made by that person, or by the members of that class, for the conduct of tests in accordance with these Regulations; and
 - (b) proper records of such tests and the results thereof will be kept by him or them,
- and has granted his approval in writing, subject to such conditions as he thinks fit to impose.
- (4) No person or class of persons may be appointed under the provisions of paragraph (b), (c), (d) or (e) of paragraph (1) or under paragraph (2)(b) unless the person making the appointment has appointed a person or class of persons to conduct practical tests under the provisions of regulation 21(1) and the licensing authority has approved that appointment.
- (5) An appointment made under paragraph (1)(a)(ii) may be made subject to such conditions as are, in the opinion of the licensing authority, reasonably necessary in the general interests of candidates and where an appointed person breaks such a condition the licensing authority may appoint another person to carry out theory tests in substitution for that person notwithstanding that the first appointment has not been revoked.
- (6) A person may not conduct a test prescribed in respect of any category or sub-category of motor vehicle unless he is expressly appointed for the purpose of conducting such a test.
- (7) No person appointed by virtue of sub-paragraph (b), (c), (d) or (e) of paragraph (1) or under paragraph (2)(b) may conduct tests unless the licensing authority has given his approval in writing to his appointment and such approval shall be granted only if the licensing authority is satisfied that the person (or, in the case of the appointment of a class of persons, each member of that class) is capable of making a proper assessment of a candidate's ability to drive vehicles of the class in respect of which he is appointed to conduct tests.

Revocation of authority to conduct tests

- 23.**—(1) The licensing authority may revoke—
- (a) an appointment made under 22(1)(a), or
 - (b) an approval given under regulation 21(3) or (4) or 22(3) or (7),

by notice in writing and the authority of the person whose appointment is revoked or whose approval is withdrawn to conduct theory tests or, as the case may be, to appoint other persons to conduct unitary, practical or theory tests, shall cease upon the date specified in the notice.

(2) Where a person has his appointment revoked or if an approval given in respect of him under regulation 21(3) or 22(3) is withdrawn, that person shall immediately return to the licensing authority all forms of pass certificates supplied to him under regulation 44(8) which he still holds.

Applications for tests

Applications for practical and unitary tests: applicants in person

24.—(1) An applicant in person wishing to take a practical or unitary test to be conducted by a DSA examiner shall—

- (a) apply for an appointment for such a test to the licensing authority,
- (b) provide the licensing authority with such details relating to himself, the licence which he holds, the preferred location of the test, the nature of the test and the vehicle on which the test is to be taken as the licensing authority may reasonably require, and
- (c) pay such fee as is specified in regulation 27.

(2) Upon receipt of such details and such fee the licensing authority shall make the arrangements necessary for the taking of the appropriate test.

(3) An applicant in person for whom an appointment is made as aforesaid in respect of a class of motor vehicle in any category may neither apply as an applicant in person nor be nominated by virtue of regulation 25 or 26 of a further appointment for a practical or, as the case may be, a unitary test on a vehicle of the same class unless—

- (a) the first appointment has been cancelled, or
- (b) the test due on the first appointment does not take place for any reason other than cancellation, or
- (c) he has kept the first appointment (whether or not the test is completed).

Applications for practical tests: motor bicycle instructors

25.—(1) A motor bicycle instructor who wishes to make an appointment for a practical test prescribed in respect of category A or P which is to be conducted by a DSA examiner and taken by a person who has, or will have, received from that instructor instruction in the driving of vehicles of a class included in either category shall—

- (a) apply for such an appointment to the licensing authority, specifying the date and time for the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to—
 - (i) himself,
 - (ii) his establishment,
 - (iii) the vehicle on which the test is to be taken, and
 - (iv) the nature of the test,

as the licensing authority may reasonably require, and

- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as is specified in regulation 27.

(2) The licensing authority may refuse to accept an application from a motor bicycle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where an appointment specified in the application is unavailable or where, in the opinion of the licensing authority, it is reasonably necessary to do so in the general interests of applicants for practical or unitary tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the licensing authority shall confirm to the motor bicycle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the licensing authority receives from the motor bicycle instructor the name and such further details relating to—

- (a) the person receiving instruction from that instructor who will at the appointment submit himself for that test,
- (b) the licence which that person holds,
- (c) the nature of the test, and
- (d) the vehicle on which the test is to be taken,

as the licensing authority may reasonably require, the licensing authority shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a motor bicycle instructor pursuant to paragraph (4) for a practical test in respect of any class of motor vehicle included in category A or P may neither be so nominated nor apply under regulation 24 for a further appointment for a test in respect of a motor vehicle of the same class unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring at midday on the day which is two working days before the day for which the appointment is made.

Applications for practical tests: large vehicle instructors

26.—(1) A large vehicle instructor who wishes to make an appointment for a practical test prescribed in respect of category B + E, C, C + E, D or D + E which is to be conducted by a DSA examiner and taken by a person who has, or will have, received from that instructor instruction in the driving of a class of vehicle included in any of those categories shall—

- (a) apply for such an appointment to the licensing authority, specifying the date and time for the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to—
 - (i) himself,
 - (ii) his establishment,
 - (iii) the vehicle on which the test is to be taken, and
 - (iv) the nature of the test,as the licensing authority may reasonably require, and
- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as is specified in regulation 27.

(2) The licensing authority may refuse to accept an application from a large vehicle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of

those applications) where an appointment specified in the application is unavailable or where, in the opinion of the licensing authority, it is reasonably necessary to do so in the general interests of applications for practical or unitary tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the licensing authority shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the licensing authority receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving instruction from that instructor who will at the appointment submit himself for that test,
- (b) the licence which that person holds,
- (c) the nature of the test, and
- (d) the vehicle on which the test is to be taken,

as the licensing authority may reasonably require, the licensing authority shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a large vehicle instructor pursuant to paragraph (4) for a practical test in respect of any class of vehicle may neither be so nominated nor apply under regulation 24 for a further appointment for a test in respect of a motor vehicle of a class included in the same category unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring at midday on the day which is two working days before the day for which the appointment is made.

Fees in respect of practical or unitary tests

27.—(1) No fee shall be payable in respect of a practical or unitary test conducted by a person appointed under sub-paragraphs (b), (c), (d), (f) or (g) or under paragraph (2)(b) of regulation 21(1).

(2) Subject to paragraph (4), the fee payable in respect of a practical or unitary test to be conducted by a DSA examiner (other than a test which is, or forms part of, an extended driving test) for a licence authorising the driving of a motor vehicle of a class included in a category or sub-category specified in column (1) of the Table in Schedule 5 is the fee specified in relation to that category or sub-category in column (2) of that Table.

(3) Subject to paragraph (4), the fee (if any) payable in respect of a practical or unitary test to be conducted by a DSA examiner which is, or forms part of, an extended driving test for a licence authorising the driving of a motor vehicle of a class included in a category or sub-category specified in column (1) of the Table in Schedule 5 is the fee specified in relation to that category or sub-category in column (3) of that Table.

(4) Where an appointment for a practical test to commence during normal hours is cancelled by or on behalf of the licensing authority and the appointment cannot reasonably be rearranged so that the test commences during normal hours, the applicant shall pay the fee prescribed for a test commencing during normal hours notwithstanding that it commences out of hours.

(5) For the purposes of this regulation and Schedule 5, a test commences—

- (a) during normal hours, if the time for which the test appointment is made is any time between 0830 hours and 1630 hours on a working day, and
- (b) out of hours, if the time for which the test appointment is made is any other time.

(6) The fee payable in respect of a test for driving a motor cab to be conducted by a person appointed by the Commissioner of Police of the Metropolis pursuant to regulation 21(1)(e) is £28.50 and that fee shall be paid to the person conducting the test to be retained by him as remuneration.

Applications for theory tests: applicants in person

28.—(1) An applicant in person wishing to take a theory test to be conducted by an appointed person shall—

- (a) apply for an appointment to that person,
- (b) provide that person with such details relating to himself, the licence which he holds, the preferred location of the test, and the nature of the test to be taken as he may reasonably require, and
- (c) pay the fee (if any) specified in regulation 31.

(2) Upon receipt of such details and such fee the appointed person shall make the arrangements necessary for taking the theory test.

(3) An applicant in person for whom an appointment is made as aforesaid in respect of any category of motor vehicle may neither apply as an applicant in person nor be nominated by virtue of regulation 29 or 30 for a further appointment for a theory test in respect of the same category unless—

- (a) the first appointment has been cancelled, or
- (b) the test due on the first appointment does not take place for any reason other than cancellation, or
- (c) he has kept the first appointment (whether or not the test is completed).

Applications for theory tests: motor bicycle instructors

29.—(1) A motor bicycle instructor who wishes to make an appointment for a theory test prescribed in respect of motor vehicles in category A or P to be conducted by an appointed person and to be taken by a person who has, or will have, received from that instructor tuition to prepare him for the theory test shall—

- (a) apply for such an appointment to the appointed person, specifying the date and time of the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to himself, the establishment and the nature of the test as the appointed person may reasonably require,
- (c) pay the fee, if any, specified in regulation 31 which is recoverable from the person nominated under paragraph (4).

(2) The appointed person may refuse to accept an application from a motor bicycle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where any appointment specified in the application is unavailable or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for practical or unitary tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the appointed person shall confirm to the motor bicycle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the appointed person receives from the motor bicycle instructor the name and such further details relating to—

- (a) the person receiving tuition from that instructor who will at the appointment submit himself for that test and
- (b) the nature of the test,

as the appointed person may reasonably require, the appointed person shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a motor bicycle instructor pursuant to paragraph (4) for a theory test in respect of motor vehicles in category A or P may neither be so nominated nor apply under regulation 28 for a further appointment for such a test unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring on the day which is three clear working days before the day for which the appointment is made.

Applications for theory tests: large vehicle instructors

30.—(1) A large vehicle instructor who wishes to make an appointment for a theory test prescribed in respect of motor vehicles in category C or D to be conducted by an appointed person and to be taken by a person who has, or will have, received from that instructor tuition to prepare him for the theory test shall—

- (a) apply for such an appointment to the appointed person, specifying the date and time of the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to himself, the establishment and the nature of the test as the appointed person may reasonably require,
- (c) pay the fee, if any, specified in regulation 31, which is recoverable from the person nominated under paragraph (4).

(2) The appointed person may refuse to accept an application from a large vehicle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where any appointment specified in the application is unavailable or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for theory tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the appointed person shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the appointed person receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving tuition from that instructor who will at the appointment submit himself for that test, and
- (b) the nature of the test,

as the appointed person may reasonably require, the appointed person shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a large vehicle instructor pursuant to paragraph (4) for a theory test prescribed in respect of any category may neither be so nominated nor apply under regulation 28 for a further appointment for such a test unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period ending on the day which is three clear working days before the day for which the appointment is made.

Fees for theory tests

31. The fee payable for a theory test to be conducted by an appointed person in respect of any category of motor vehicle is £15 and is payable to the licensing authority and no fee is payable in respect of any other theory test.

Cancellation of tests

32. For the purposes of section 91(b) of the Traffic Act (which section specifies the cases in which a fee paid on an application for an appointment for a test may be repaid) notice cancelling an appointment—

- (a) for a practical or unitary test to be conducted by a DSA examiner must be given to the licensing authority not less than ten clear working days before the day for which the appointment is made;
- (b) for a theory test to be conducted by an appointed person must be given not less than three clear working days before the day for which the appointment is made.

Requirements at tests

Vehicles suitable for test

33.—(1) Subject to paragraph (2), a practical or unitary test prescribed in respect of a category or sub-category shown in column (1) of the table at the end of this regulation shall be conducted in a vehicle having a specification equivalent to or (other than in the case of a test in respect of category F, G, H, K or P) higher than that shown in relation to that category or sub-category in column (2) of the table.

(2) Where an application for a practical test prescribed in respect of category A contains a declaration that the applicant is suffering from a relevant disability of such a nature that he is unable to ride a motor bicycle without a side-car, the applicant shall take the test on a motor bicycle and side-car combination having the following specification—

- (a) in the case of a test for a licence authorising the driving of a large motor bicycle and side-car combination, a combination in which the bicycle has a maximum net power output of not less than 35 kilowatts, and
 - (b) in the case of a test for a licence authorising the driving of a standard motor bicycle and side-car combination, a combination which has a power to weight ratio not exceeding 0.16 kw/kg.
- (3) A person submitting himself for a practical or unitary test shall provide a vehicle which—
- (a) corresponds to the specification referred to in paragraph (1) or (2), as the case may be;
 - (b) is not fitted with a device designed to permit a person other than the driver to operate the accelerator, unless any pedal or lever by which the device is operated and any other parts which it may be necessary to remove to make the device inoperable by such a person during the test have been removed;
 - (c) in the case of a test prescribed in respect of category B + E, C, C + E, D or D + E—
 - (i) is not carrying goods or burden other than fixed items which are characteristic of the class to which it belongs, and

- (ii) is fitted with a seat which is firmly secured to the vehicle and in such a position that the examiner can properly conduct the test and is protected from bad weather during the test;
 - (d) in the case of a test prescribed in respect of category D, is so constructed that the examiner can, from the deck of the vehicle on which the driver is seated, clearly observe the road to the rear of the vehicle without the use of any optical device, unless—
 - (i) the construction of the vehicle makes it impossible to fulfil that requirement, and
 - (ii) the examiner consents to the requirement not being complied with in consequence of an arrangement to conduct part of the test elsewhere than on a road;
 - (e) in the case of a test prescribed in respect of category B + E, C + E, or D + E, is fitted with linkage and braking mechanisms which are designed for use when the trailer is fully laden; and
 - (f) is reasonably representative of the class to which it belongs and is otherwise suitable for the purposes of the test.
- (4) In the table at the end of this regulation, “minimum test vehicle” means, in relation to any category or sub-category, a vehicle of a specification shown in relation to the category or sub-category in column (2) of the table.

TABLE

<i>(1) Category or sub-category</i>	<i>(2) Specification</i>
A in the case of a test for a licence authorising the driving of large motor bicycles	A motor bicycle without a sidecar having an engine with a maximum net power output of 35 kilowatts.
A in the case of any other test	A learner motor bicycle without a sidecar having an engine with a cylinder capacity of 121 cubic centimetres and capable of a speed of 100 kilometres per hour.
A1	A learner motor bicycle without a sidecar having an engine with a cylinder capacity of 75 cubic centimetres.
B	Any four-wheeled vehicle in category B capable of a speed of 100 kilometres per hour.
B1 (invalid carriages)	An invalid carriage.
B1, in the case of any other test	Any vehicle in sub-category B1 capable of a speed of 60 kilometres per hour.
B + E	A combination of a minimum test vehicle for category B and a trailer having a maximum authorised mass of 1,000 kilograms which is capable of a speed of 100 kilometres per hour.
C1	Any vehicle in sub-category C1 having a maximum authorised mass of 4,000 kilograms and capable of a speed of 80 kilometres per hour.
C1 + E	A combination of a minimum test vehicle for sub-category C1 and a trailer having a

<i>(1) Category or sub-category</i>	<i>(2) Specification</i>
	maximum authorised mass of 2,000 kilograms, the overall length of which is 8 metres and which is capable of a speed of 80 kilometres per hour.
D1	Any vehicle in sub-category D1 capable of a speed of 80 kilometres per hour.
D1 + E	A combination of a minimum test vehicle for sub-category D1 and a trailer having a maximum authorised mass of 1,250 kilograms which is capable of a speed of 80 kilometres per hour.
C	Any vehicle in category C, other than an articulated goods vehicle, having a maximum authorised mass of 10,000 kilograms and a length of 7 metres which is capable of a speed of 80 kilometres per hour.
C + E	Either— (a) an articulated goods vehicle combination having a maximum authorised mass of 18,000 kilograms and a length of 12 metres which is capable of a speed of 80 kilometres per hour, or (b) a combination of a minimum test vehicle for category C and a trailer having a length of 4 metres and a maximum authorised mass of 4 tonnes, which has, in aggregate, a maximum authorised mass of 18,000 kilograms and an overall length of 12 metres and which is capable of a speed of 80 kilometres per hour.
D	Any vehicle in category D having a length of 9 metres and capable of a speed of 80 kilometres per hour.
D + E	A combination of a minimum test vehicle for category D and a trailer having a maximum authorised mass of 1,250 kilograms which is capable of a speed of 80 kilometres per hour.
F	Any vehicle in category F.
G	Any vehicle in category G.
H	Any vehicle in category H.
K	Any vehicle in category K.
P	Any vehicle in category P.

Further requirements at tests

34.—(1) No person shall submit himself for a theory test, practical test or unitary test unless he satisfies the residence requirement specified in section 89(1A) of the Traffic Act and where any question arises as to whether a person is normally resident in Great Britain or the United Kingdom (as the case may be) he shall be deemed to be normally resident there if he shows that he will have lived there for not less than 185 days during the period of 12 months ending on the day for which the test appointment is made.

(2) A person submitting himself for a theory test shall—

(a) before the test commences—

(i) except in a case to which paragraph (5) applies, produce to the person conducting the test an appropriate licence authorising him to drive a motor vehicle of a class included in the category or sub-category in respect of which the test is to be taken,

(ii) in the case of a person who produces an appropriate licence which does not contain his photograph, produce to the person conducting the test one of the documents listed in Schedule 6 as evidence of his identity, and

(iii) sign a record of his attendance at the test;

(b) during the test comply with all reasonable instructions given by the invigilator for the purpose of ensuring the proper and orderly conduct of the test.

(3) A person submitting himself for a practical test on a motor vehicle of a class included in any category shall, except in a case where—

(a) he has made an election in accordance with regulation 38(2),

(b) he is exempt from the requirement to pass a theory test by virtue of regulation 39, or

(c) by virtue of regulation 36(3), no theory test is prescribed for that class,

produce to the person conducting the test before the test commences a valid certificate furnished under regulation 44(2)(a) showing that he has passed the theory test prescribed in respect of the same category or a valid certificate corresponding to such a certificate furnished under the law of Northern Ireland.

(4) A person submitting himself for a practical or unitary test shall, before the test commences—

(a) except in a case to which paragraph (5) applies, produce to the person conducting the test an appropriate licence authorising him to drive a motor vehicle of the class on which the test is to be taken,

(b) in the case of a person who produces an appropriate licence which does not contain his photograph, produce to the person conducting the test one of the documents listed in Schedule 6 as evidence of his identity, and

(c) sign, on the Driving Test Report Form produced to him by the person conducting the test, a declaration to the effect that there is in force, in relation to the use of the vehicle provided for the purposes of the test, a policy of insurance which complies with the requirements of Part VI of the Traffic Act.

(5) In the case of an applicant who is a full time member of the armed forces of the Crown (to whom the provisions of regulation 9(2) do not apply), he shall before the commencement of a theory test or, as the case may be, a practical or unitary test prescribed in respect of a category specified in column (1) of the table at the end of regulation 9 satisfy the examiner that he has passed the test prescribed in respect of the category specified in column (2) of the table in relation to the first category.

(6) A person submitting himself for a practical test for a licence authorising the driving of a motor vehicle of a class included in category A or P shall before the test commences, unless he is exempt

from the requirement imposed by section 89(2A) of the Traffic Act, produce to the examiner a valid certificate furnished under regulation 63(1).

- (7) A person submitting himself for a practical or a unitary test shall, during the test—
- (a) except where the test is for a licence authorising him to drive a motor vehicle of a class included in category A, G, H or P or a motor vehicle in sub-category B1 or B1 (invalid carriages) which has no seat other than the driver's seat, allow to travel in the vehicle—
 - (i) the person authorised to conduct the test; and
 - (ii) any person authorised by the licensing authority to attend the test for the purpose of supervising it or otherwise;
 - (b) where the test is for a licence authorising him to drive a motor vehicle of a class included in category A, G, H or P or a motor vehicle in sub-category B1 or B1 (invalid carriages) which has no seat other than the driver's seat, allow the attendance of—
 - (i) the person authorised to conduct the test; and
 - (ii) any person authorised by the licensing authority for the purpose of supervising the test or otherwise.
- (8) In this regulation and regulation 35—

“appropriate licence” means a licence, other than an excepted provisional licence, which—

- (a) is valid at the date of the test,
- (b) bears the signature of the person who has submitted himself for the test, and
- (c) is either—
 - (i) a provisional licence authorising the person submitting himself for the test to drive motor vehicles of the same class as the vehicle which he has provided for the test, or
 - (ii) a full licence which by virtue of section 98(2) of the Traffic Act and regulation 17, authorises that person to drive motor vehicles of that class subject to the same conditions as if he were so authorised by a provisional licence, or
 - (iii) a Northern Ireland licence corresponding to either of those licences.

“excepted provisional licence” means a licence which—

- (a) was in force at a time before 1st January 1997, and
- (b) is issued as a provisional licence in respect of motor vehicles of a class included (by virtue of these Regulations) in category C + E or D + E or sub-categories C1, D1 (not for hire or reward), D1 + E (not for hire or reward) and C1 + E (8.25 tonnes),

but does not include a licence which was granted to a person to whom the provisions of regulation 9(1) do not apply by virtue of paragraph (2) of that regulation.

Examiner's right to refuse to conduct test

35.—(1) Subject to paragraphs (2) and (3), where a person submitting himself for—

- (a) a theory test fails to satisfy the person authorised to conduct it that he has complied with any requirement imposed by regulation 34(2), or
- (b) a practical or unitary test fails to satisfy the person authorised to conduct it that he has complied with any requirement imposed by regulation 33(2) or (3) or regulation 34(3), (4), (5) or (6)

the person authorised to conduct the test must refuse to do so.

(2) Where a person who has submitted himself for—

- (a) a practical test fails to produce a document required to be produced under regulation 34(3) or (6), or
- (b) a practical or unitary test fails to produce an appropriate licence as required under regulation 34(4)(a),

if the person authorised to conduct the test is satisfied from other evidence that the document in question exists he may conduct the test.

(3) Where a person with special needs has failed to give to the person conducting a theory test such notice of those needs (being not less than 15 working days) as he may reasonably require the person authorised to conduct the test may refuse to do so.

(4) Where a person who requires the assistance of an interpreter at the theory test attends at the test with an interpreter who is—

- (a) not approved by the licensing authority to act as such, or
- (b) with whom the test candidate is acquainted,

the person authorised to conduct the test must refuse to do so.

(5) In this regulation, “special needs” means a reasonable requirement for special treatment during the test arising by virtue of—

- (a) the test not being available in a language which the test candidate understands,
- (b) the test candidate having reading difficulties, or
- (c) the test candidate being physically disabled.

Nature and conduct of tests

Nature of tests other than extended tests

36.—(1) This regulation applies to tests other than extended driving tests.

(2) Subject to regulation 39, the test for a licence authorising the driving of a motor vehicle of a class included in category A, B, C, D, or P shall be conducted in two parts, namely—

- (a) a theoretical test, and
- (b) a practical test of driving skills and behaviour,

and a person taking such a test must pass both parts.

(3) The test for a licence authorising the driving of a motor vehicle of a class included in category B + E, C + E and D + E—

- (a) in a case where the test is for a licence authorising the driving of vehicles in sub-category C1 + E and the applicant is the holder of a full licence which was in force at a time before 1st January 1997 and authorises the driving of motor vehicles included in sub-category C1 but not the driving of any other vehicles included in category C, shall consist of the theory test prescribed in respect of category C and the practical test prescribed in respect of category C + E, and
- (b) in any other case, shall consist of a practical test only.

(4) A person shall be treated as having passed—

- (a) the theory test if he satisfies the person conducting it that he has a knowledge and sound understanding of the specified matters;
- (b) the practical test if he satisfies the person conducting it of his ability to drive safely and to comply with the specified requirements.

(5) The test for a licence authorising the driving of a motor vehicle of a class included in category F, G, H or K shall be a unitary test and a person taking such a test shall be treated as having passed it if he satisfies the person conducting it that he is—

- (a) generally competent to drive a vehicle of that class without danger to, and with due consideration for, other road users,
- (b) fully conversant with the Highway Code, and
- (c) able to comply with the specified requirements.

(6) The practical test and the unitary test shall each be conducted so that—

- (a) the person taking the test drives, wherever possible, both on roads outside built-up areas and on urban roads, and
- (b) the time during which that person is required to drive on roads is—
 - (i) in the case of a test for a licence authorising the driving of a class of vehicle included in category B + E, C, C + E, D or D + E, not less than 50 minutes;
 - (ii) in the case of any other test, not less than 25 minutes.

(7) The theory test shall—

- (a) be conducted as a written examination consisting of—
 - (i) 25 questions in the case of the tests prescribed in respect of categories C and D, and
 - (ii) 35 questions in any other case,
 the questions being in either a multiple choice or multiple response form and testing a candidate on the specified matters in accordance with Schedule 7;
- (b) have a duration of 40 minutes or, in the circumstances specified in paragraph (8), 80 minutes.

(8) The circumstances referred to in paragraph (7) are that the candidate requires the assistance of a suitably qualified person at the test by virtue of having reading difficulties.

(9) The specified matters for a theory test for a licence authorising the driving of a motor vehicle of a class included in a category shown in column (1) of the table at the end of this regulation are the matters specified in relation to that category in column (2) of the table.

(10) The specified requirements for a practical or unitary test for a licence authorising the driving of a motor vehicle of a class included in a category shown in column (1) of the table are the requirements specified in relation to that category in column (3) of the table.

TABLE

<i>(1) Category</i>	<i>(2) Specified matters</i>	<i>(3) Specified requirements</i>
A	Matters specified in Part 1 of Schedule 7.	Requirements specified in Part 1 of Schedule 8.
B	Matters specified in Part 2 of Schedule 7.	Requirements specified in Part 2 of Schedule 8.
B + E	—	Requirements specified in Part 2 of Schedule 8.
C	Matters specified in Part 3 of Schedule 7.	Requirements specified in Part 3 of Schedule 8.
D	Matters specified in Part 4 of Schedule 7.	Requirements specified in Part 4 of Schedule 8.

<i>(1) Category</i>	<i>(2) Specified matters</i>	<i>(3) Specified requirements</i>
C + E	—	Requirements specified in Part 3 of Schedule 8.
D + E	—	Requirements specified in Part 4 of Schedule 8.
F	—	Requirements specified in Parts 5 and 6 of Schedule 8.
G	—	Requirements specified in Parts 5 and 6 of Schedule 8.
H	—	Requirements specified in Parts 5 and 7 of Schedule 8.
K	—	Requirements specified in Part 5 of Schedule 8.
P	Matters specified in Part 1 of Schedule 7.	Requirements specified in Part 1 of Schedule 8.

Nature of extended driving tests

37.—(1) Where a person is disqualified by order of a court under section 36 of the Offenders Act until he passes an extended driving test, the test which he must pass is a test conducted in accordance with paragraphs (2) to (10) of regulation 36 as modified by virtue of paragraph (2) of this regulation.

(2) For the purpose of an extended driving test, regulation 36 shall apply as if for paragraph (5) (b) there were substituted—

“(b) the time during which that person is required to drive on roads is not less than 60 minutes;”.

Order of test

38.—(1) Where a test is required to be conducted in two parts, unless he makes an election in accordance with paragraph (2), a person taking the test—

- (a) must pass the theory test before he takes the practical test, and
- (b) shall not be entitled to apply for an appointment (or, as the case may be, be nominated pursuant to regulation 25(4) or 26(4)) for a practical test in respect of a motor vehicle of a class included in any category until he has been furnished with—
 - (i) a certificate under regulation 44(2)(a) stating that he has passed the relevant theory test, or
 - (ii) a certificate corresponding to such a certificate furnished under the law of Northern Ireland stating that he has during the relevant period passed the theory test in respect of the same category.

(2) A person may elect to apply for a practical test for a licence authorising the driving of a motor vehicle of any class, other than motor bicycles which are large motor bicycles or fall within sub-category A1, before he has been furnished with such certificate as is referred to in paragraph (1)(b) if the application is for an appointment for a test to be taken on or before—

- (a) 31st December 1996, in the case of a test for a licence authorising the driving of motor vehicles of any other class included in category A, B or P
- (b) 30th June 1997 in the case of a test for a licence authorising the driving of motor vehicles of a class included in any other category,

and where he passes that practical test on or before that date the following paragraphs shall apply.

(3) He may not submit the certificate furnished under regulation 45(2) in respect of that practical test, in support of an application for a licence, as evidence that he has passed a test unless it is accompanied by—

- (a) a certificate furnished under regulation 44(2) stating that he has, during the relevant period, passed the relevant theory test; or
- (b) a certificate corresponding to such a certificate furnished under the law of Northern Ireland stating that he has during the relevant period passed the theory test in respect of the same category.

(4) If he does not pass the relevant theory test during the relevant period, the passing of the practical test shall from the expiration of that period be disregarded for the purposes of regulations 15(10), 36 and 37.

(5) In this regulation

“the relevant theory test” means the theory test prescribed in respect of the category which includes the class of motor vehicle on which the practical test was taken;

“the relevant period” means the period commencing with the date on which the practical test is passed and ending on the date—

- (i) which falls 6 months later, or
- (ii) on which the person who took the practical test is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test,

whichever is the earlier.

Exemption from theory test

39.—(1) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category A if—

- (a) on or after 1st July 1996, he has passed the test prescribed in respect of category P;
- (b) on or after 1st January 1997, he has passed a test prescribed in respect of motor vehicles of another class included in category A;
- (c) he has passed a test prescribed in respect of category B and is a full-time member of the armed forces of the Crown;
- (d) he holds a full licence authorising the driving of motor vehicles of a class included in category B;
- (e) he has passed a Northern Ireland test of competence or is the holder of a Northern Ireland licence corresponding to any of those tests or that licence.

(2) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category B if—

- (a) on or after 1st July 1996, he has passed the test prescribed in respect of category P;
- (b) he has passed a test prescribed in respect of motor vehicles of another class included in category B;
- (c) he has passed a test prescribed in respect of motor vehicles of a class included in category A and is a full-time member of the armed forces of the Crown;
- (d) he holds a full licence authorising the driving of motor vehicles of a class included in category A;
- (e) he has passed a Northern Ireland test of competence or is the holder of a Northern Ireland licence corresponding to any of those tests or that licence.

(3) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category C if—

- (a) on or after 1st January 1997, he has passed a test prescribed in respect of motor vehicles of another class included in category C;
- (b) he holds a full licence authorising the driving of motor vehicles of another class included in category C, other than a licence authorising the driving only of vehicles of a class included in sub-category C1 which was in force at a time before 1st January 1997;
- (c) he has passed a Northern Ireland test of competence corresponding to that test or is the holder of a Northern Ireland licence corresponding to that licence.

(4) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category D if—

- (a) on or after 1st January 1997, he has passed a test prescribed in respect of motor vehicles of another class included in category D;
- (b) he holds a full licence authorising the driving of motor vehicles of another class included in category D other than—
 - (i) vehicles of a class included in sub-category D1 (not for hire or reward), and
 - (ii) vehicles in category D which are driven otherwise than for hire or reward;
- (c) he has passed a Northern Ireland test of competence corresponding to that test or is the holder of a Northern Ireland licence corresponding to that licence.

(5) Where a person is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test, he shall not be exempt from the requirement to pass a theory test in respect of any class of motor vehicle by virtue of the foregoing provisions of this regulation until the day following the date on which the disqualification is deemed to have expired in relation to that class.

(6) Where the Secretary of State has revoked a person's licence or test certificate under section 3 of, or Schedule 1 to, the Road Traffic (New Drivers) Act 1995(38) he shall not be exempt from the requirement to pass a theory test in respect of any class of motor vehicle by virtue of the foregoing provisions of this regulation until the day following the date on which he passes a relevant driving test within the meaning of section 4(2) of, or paragraph 6 or 9 of Schedule 1 to, that Act.

Entitlements upon passing test

Entitlement upon passing a test other than an appropriate driving test

40.—(1) Where a person passes a test prescribed in respect of a class of motor vehicle included in any category or sub-category (or a Northern Ireland test of competence corresponding to that test) the licensing authority shall grant to him a licence in accordance with paragraphs (2), (3) and (4).

(2) Subject to regulation 41, the licence shall authorise the driving of all classes of motor vehicle included in that category or sub-category unless—

- (a) the test or, as the case may be, the practical test is passed on a motor vehicle with automatic transmission, in which case it shall authorise the driving only of such classes of vehicle included in that category or sub-category as have automatic transmission;
- (b) the practical test is passed on an invalid carriage, in which case it shall authorise the driving only of invalid carriages;
- (c) the test or, as the case may be, the practical test is passed on a motor vehicle which is adapted on account of a disability of the person taking the test in which case it shall

authorise the driving only of such classes of vehicle included in that category or sub-category as are so adapted (and for the purposes of this paragraph, a motor bicycle with a side-car may be treated in an appropriate case as a motor vehicle adapted on account of a disability)

(3) The licence shall in addition authorise the driving of all classes of motor vehicle included in a category or sub-category which is specified in column (3) of Schedule 2 as in additional category or sub-category in relation to a category or sub-category specified in column (1) of that Schedule unless—

- (a) the test or, as the case may be, the practical test is passed on a motor vehicle with automatic transmission, in which case it shall authorise the driving only of such classes of vehicle included in the additional category or sub-category as have automatic transmission;
- (b) the practical test is passed on an invalid carriage, in which case it shall authorise the driving only of invalid carriages;
- (c) the test or, as the case may be, the practical test is passed on a motor vehicle which is adapted on account of a disability of the person taking the test in which case it shall authorise the driving only of such classes of vehicle included in the additional category or sub-category as are so adapted.

Entitlement upon passing a test other than an appropriate driving test: category A

41.—(1) This regulation applies where—

- (a) a person passes a test (or a Northern Ireland test of competence corresponding to such a test) for a licence authorising the driving of motor bicycles of any class other than a class included in sub-category A1, and
- (b) the practical test is passed on or after 1st January 1997.

(2) Where this regulation applies the licensing authority shall grant to the person who passed the test—

- (a) in a case where he has passed the practical test (or the Northern Ireland test of competence corresponding to the practical test) on a motor bicycle without a side-car the engine of which has a maximum net power output of not less than 35 kilowatts, a licence authorising him to drive all classes of motor vehicle included in category A;
- (b) subject to paragraph (3), in a case where the practical test (or the Northern Ireland test of competence corresponding to the practical test) was passed on any other motor bicycle without a side-car, a licence authorising him to drive standard motor bicycles;
- (c) in a case where he has passed the practical test (or the Northern Ireland test of competence corresponding to the practical test) on a motor bicycle and side-car combination and the engine of the bicycle has a maximum net power output of not less than 35 kilowatts, a licence authorising him to drive all classes of motor bicycle and side-car combinations included in category A;
- (d) subject to paragraph (4), in a case where the practical test (or the Northern Ireland test of competence corresponding to the practical test) was passed on a motor bicycle and a side-car combination the power to weight ratio of which does not exceed 0.16 kw/kg. but which does not fall within paragraph (c), a licence authorising him to drive standard motor bicycles and side-car combinations.

(3) A licence granted to a person by virtue of paragraph (2)(b) shall authorise him to drive all classes of motor vehicle included in category A upon the expiration of the standard access period.

(4) A licence granted to a person by virtue of paragraph (2)(d) shall authorise him to drive all classes of motor bicycle and side-car combinations included in category A upon the expiration of the standard access period.

Upgrading of entitlements by virtue of passing second test

42.—(1) A person who has passed tests prescribed in respect of—

- (a) category D or sub-category D1 as specified in column (1) of Table A in Schedule 9, and
- (b) category C + E or sub-category C1 + E as respectively specified at the top of columns (2) and (3) of Table A,

is deemed, subject to paragraph (2), competent to drive (in addition to the classes of motor vehicle in respect of which the tests were passed) vehicles included in the category or sub-category shown in column (2) or (3) of Table A in relation to the relevant test pass in column (1).

(2) Where, in a case to which paragraph (1) applies, each practical test is passed on a vehicle having automatic transmission the person passing the tests is deemed competent to drive only such classes of vehicle in the upgrade category as have automatic transmission.

(3) A person who has passed a test prescribed in respect of—

- (a) a category or sub-category specified in column (A) of Table B in Schedule 9 which authorises the driving only of classes of vehicle having automatic transmission, and
- (b) a category or sub-category specified at the top of one of the columns in that table numbered (1) to (8), which authorises the driving of vehicles with manual transmission,

is deemed, subject to paragraph (7), competent to drive (in addition to the classes of vehicle in respect of which the tests were passed) all vehicles included in the category or sub-category shown in the relevant numbered column in relation to the relevant test pass mentioned in column (A).

(4) In the case of a person who has passed a test for a licence authorising the driving of any class of vehicles in category D not more than 5.5 metres in length, Tables A and B shall be read as if—

- (a) for “D” there were substituted “vehicles in category D not more than 5.5 metres in length”, and
- (b) for “D + E” there were substituted “vehicles in category D + E where the tractor vehicle is not more than 5.5 metres in length”,

in each case where those expressions occur.

(5) In the case of a person who holds a licence which, by virtue of these Regulations, authorises the driving of a class of vehicles in category D otherwise than for hire or reward (notwithstanding that he may not have passed a test authorising the driving of such vehicles), Tables A and B shall be read as if—

- (a) for “D” there were substituted “vehicles in category D, driven otherwise than for hire or reward”, and
- (b) for “D + E” there were substituted “vehicles in category D + E driven otherwise than for hire or reward”,

(6) In the case of a person who has passed a test for a licence authorising the driving of vehicles in category C + E which are drawbar trailer combinations, Tables A and B shall be read as if, in the relevant columns of those tables—

- (a) for “C + E” there were substituted “vehicles in category C + E which are drawbar trailer combinations”, and
- (b) for “C1 + E” there were substituted “vehicles in sub-category C1 + E which are drawbar trailer combinations”.

(7) Where, in Table B, the upgrade category is qualified by the expression “(a)”, the person is deemed competent to drive only such classes of vehicle therein as have automatic transmission.

(8) Where a person has passed a test prescribed in respect of category B + E which authorises the driving only of classes of vehicle having automatic transmission and a test prescribed in respect

of any class of vehicle in category B, C or D which authorises the driving of vehicles with manual transmission, he is deemed competent to drive vehicles in category B + E with manual transmission.

(9) Where a person who—

- (a) has passed a test prescribed in respect of category B, or
- (b) is the holder of a licence, which was in force at a time before 1st January 1997, authorising the driving of motor vehicles of classes included in categories B and B + E and sub-categories C1, C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward),

which is limited to classes of vehicle having automatic transmission, passes a test prescribed in respect of category B + E, C or D which authorises the driving of vehicles with manual transmission, he is deemed competent to drive vehicles in category B and B + E (and, in the case mentioned in sub-paragraph (b), vehicles in sub-categories C1, C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward)) which have manual transmission.

(10) In this regulation—

- (a) “upgrade category” means the additional category or sub-category which the person passing the tests (or holding the licence and passing the test) is deemed competent to drive by virtue of the relevant provision of this regulation, and
- (b) a reference to a test or a practical test includes, as the case may be, a reference to a Northern Ireland test of competence or a Northern Ireland practical test corresponding thereto.

Entitlement upon passing an appropriate driving test

43.—(1) Where a person—

- (a) is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test, and
- (b) passes the appropriate driving test prescribed in respect of a class of motor vehicles included in any category or sub-category,

the disqualification shall, subject to paragraph (6), be deemed to have expired in relation to that class and such other classes of motor vehicles as are specified in paragraphs (2), (3), (4) and (5).

(2) Subject to paragraph (4), the disqualification shall be deemed to have expired in relation to all classes of vehicle included in the category or sub-category referred to in paragraph (1)(b) unless—

- (a) the test or, as the case may be, the practical test is passed on a motor vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired only in relation to such classes of vehicle included in that category or sub-category as have automatic transmission;
- (b) the practical test is passed on an invalid carriage, in which case the disqualification shall be deemed to have expired in relation only to invalid carriages;
- (c) the test or, as the case may be, the practical test is passed on a motor vehicle which is adapted on account of a disability of the person taking the test, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in that category or sub-category as are so adapted (and for the purposes of this paragraph, a motor bicycle with a side-car may be treated in an appropriate case as a motor vehicle adapted on account of a disability).

(3) The disqualification shall be deemed to have expired in relation to all classes of vehicle included in any other category which is specified in column (3) of Schedule 2 as being an additional category or sub-category in relation to that category or sub-category unless—

- (a) the test or, as the case may be, the practical test is passed on a vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired only

in relation to such classes of motor vehicle included in the additional category or sub-category as have automatic transmission;

- (b) the practical test is passed on an invalid carriage, in which case the disqualification shall be deemed to have expired only in relation to invalid carriages;
- (c) the test or, as the case may be, the practical test, is passed on a vehicle which is adapted on account of a disability of the person taking the test, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in the additional category or sub-category as are so adapted.

(4) Where, at the date on which a person is disqualified—

- (a) he holds a licence which was granted pursuant to regulation 41(2)(b) or (d), and
- (b) the standard access period has not expired,

the disqualification shall not, by virtue of paragraph (2), be deemed to have expired—

- (i) in a case to which regulation 41(2)(b) applies, in relation to large motor bicycles, or
- (ii) in a case to which regulation 41(2)(d) applies, in relation to large motor bicycle and side-car combinations,

until the standard access period has expired.

(5) Where the person who is disqualified passes the practical test on a vehicle of a class included in category B the disqualification shall be deemed to have expired additionally in relation to all classes of vehicle included in—

- (a) categories B + E, C, C + E, D and D + E, unless that test is passed on a vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in those categories as have automatic transmission, and
- (b) categories F, G, H, K, L and P.

(6) Where a person is, pursuant to regulation 53, disqualified by the licensing authority until he passes a driving test prescribed in respect of a class of large goods or passenger-carrying vehicle, the disqualification shall not be deemed to have expired in relation to any class of large goods or passenger-carrying vehicle until he passes that test.

Test results

Evidence of result of theory test

44.—(1) A person conducting a theory test shall, as soon as practicable after its completion, arrange for the test paper returned by a test candidate to be marked for the purpose of ascertaining whether the candidate has demonstrated a knowledge and sound understanding of the specified matters in accordance with these Regulations.

(2) A person conducting the theory test shall furnish—

- (a) a person who passes the test with a certificate (a “pass certificate”) in the form set out in Part 1 of Schedule 10;
- (b) a person who fails to pass the test with a statement (a “failure statement”) in the form set out in part 2 of Schedule 10.

(3) Where a person who has conducted a theory test is satisfied that a pass certificate or a failure statement has been furnished in error to a person who took a theory test, he shall, upon receipt of that document from the person who took the test and subject to paragraph (4), furnish that person with a correct certificate or statement, as the case may be.

(4) Where the person who took the test alleges that a failure statement has been furnished in error returns the statement not later than 14 days after it was sent to him to the person who conducted the test with a request in writing that the paper be remarked, the person who conducted the test shall comply with that request for the purpose of ascertaining whether an error has been made but subject thereto he shall not be obliged to remark any paper.

(5) A pass certificate issued in error may not be presented, in support of an application for a licence, as evidence that a person has passed the test mentioned in such certificate.

(6) A pass certificate shall be valid for the purposes of regulation 34(3) for a period commencing on the date on which the test was taken and ending—

- (a) two years later, or
- (b) on the date on which the person to whom the certificate was given is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test,

whichever is the earlier.

(7) A pass certificate is invalid if the person to whom it is issued is at that time ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations, to take the test to which the certificate relates.

(8) A person authorised to conduct theory tests by virtue of paragraphs (b) to (e) of regulation 22(1) shall issue pass certificates using forms supplied by the licensing authority who may make a charge of £5.00 per form.

Evidence of the result of practical or unitary test

45.—(1) Subject to paragraph (2), a person conducting a practical or unitary test shall furnish—

- (a) a person who passes the test with a certificate in the form set out in Part 1 of Schedule 11;
- (b) a person who fails to pass the test with a statement in the form set out in Part 2 of Schedule 11.

(2) Where, by virtue of regulation 38(2), a person—

- (a) elects to apply for an appointment for a practical test before being furnished with a certificate stating that he has passed a theory test, and
- (b) passes that practical test taken on that appointment,

the person conducting the practical test shall furnish that person with a certificate in the form set out in Part 3 of Schedule 11.

(3) Where the person who took the practical test has produced a valid theory test pass certificate in accordance with regulation 34(3), he shall surrender that certificate to the person conducting the test upon receipt of the certificate furnished under paragraph (1)(a).

(4) A certificate issued—

- (a) under paragraph (1)(a) or (2) is invalid if the person to whom it is issued is at that time ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations, to take the test to which the certificate relates;
- (b) under paragraph (1)(a) is invalid if, at the time when it is issued, the theory test pass certificate produced to the person conducting the test in accordance with regulation 34(3) is invalid by virtue of regulation 44(7).

(5) A person authorised to conduct practical or unitary tests by virtue of paragraphs (b), (c), (d), (f) or (g) of regulation 21(1) or regulation 21(2)(b) shall issue pass certificates using forms supplied by the licensing authority.

PART IV

GOODS AND PASSENGER-CARRYING VEHICLES

General

Part III of the Traffic Act: prescribed classes of goods and passenger-carrying vehicle

46.—(1) All classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1, C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of section 89A(5) of the Traffic Act.

(2) Subject to paragraph (3), all classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of section 99(1) and (1A) of the Traffic Act.

(3) In the case of a licence in force at a time before 1st January 1997, paragraph (2) above shall apply as if “C1” was inserted after “sub-categories”.

(4) All classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of section 99A(3) and (4) of the Traffic Act.

Part IV of the Traffic Act: prescribed classes of large goods and passenger-carrying vehicle

47.—(1) Part IV of the Traffic Act and regulations 51 to 54 shall not apply to large goods vehicles

- (a) of a class included in category F, G or H or sub-category C1 + E (8.25 tonnes), or
- (b) which are exempted goods vehicles or exempted military vehicles.

(2) Part IV of the Traffic Act and regulations 51 to 54 shall not apply to—

- (a) any passenger-carrying vehicle manufactured more than 30 years before the date when it is driven and not used for hire or reward or for the carriage of more than 8 passengers;
- (b) a passenger-carrying vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the passenger-carrying vehicle and its passengers) or for other similar purposes.

(3) All classes of large goods and passenger-carrying vehicle to which Part IV of the Traffic Act applies are prescribed for the purposes of section 117(7) of the Traffic Act.

Exempted goods vehicles and military vehicles

48.—(1) For the purposes of this Part of these Regulations, an exempted goods vehicle is a vehicle falling within any of the following classes—

- (a) a vehicle propelled by steam;
- (b) any road construction vehicle used or kept on the road solely for the conveyance of built-in road construction machinery (with or without articles or materials used for the purpose of that machinery);
- (c) any engineering plant other than a mobile crane;
- (d) a works truck;
- (e) an industrial tractor;

- (f) an agricultural motor vehicle which is not an agricultural or forestry tractor;
 - (g) a digging machine;
 - (h) any vehicle which is not used on public roads or, if it is so used during any calendar week—
 - (i) is used only in passing from land in the occupation of a person keeping the vehicle to other land in the occupation of that person, and
 - (ii) is not used on public roads for distances exceeding an aggregate of six miles in that calendar week;
 - (j) any vehicle, other than an agricultural motor vehicle, which—
 - (i) is used only for purposes relating to agriculture, horticulture or forestry,
 - (ii) is used on public roads only in passing between different areas of land occupied by the same person, and
 - (iii) in passing between any two such areas does not travel a distance exceeding 1.5 kilometres on public roads;
 - (k) a vehicle used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;
 - (l) a vehicle manufactured before 1st January 1960, used unladen and not drawing a laden trailer;
 - (m) an articulated goods vehicle the unladen weight of which does not exceed 3.05 tonnes;
 - (n) a vehicle in the service of a visiting force or headquarters as defined in the Visiting Forces and International Headquarters (Application of Law) Order 1965;
 - (o) any vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the large goods vehicle and its load) or for other similar purposes;
 - (p) a vehicle fitted with apparatus designed for raising a disabled vehicle partly from the ground and for drawing a disabled vehicle when so raised (whether by partial superimposition or otherwise) being a vehicle which—
 - (i) is used solely for dealing with disabled vehicles;
 - (ii) is not used for the conveyance of any goods or load other than a disabled vehicle when so raised and water, fuel, accumulators and articles required for the operation of, or in connection with, such apparatus or otherwise for dealing with disabled vehicles; and
 - (iii) has an unladen weight not exceeding 3.05 tonnes;
 - (q) a passenger-carrying vehicle recovery vehicle; and
 - (r) a mobile project vehicle.
- (2) For the purposes of this Part of these Regulations, an exempted military vehicle is a vehicle falling within any of the following classes—
- (a) a vehicle designed for fire fighting or fire salvage purposes which is the property of, or for the time being under the control of, the Secretary of State for Defence, when being driven by a member of the armed forces of the Crown;
 - (b) a vehicle being driven by a member of the armed forces of the Crown 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⁽³⁹⁾ which were continued

⁽³⁹⁾ S.R. & O. 1939/1304.

permanently in force, in the form set out in Part C of Schedule 2 to the Emergency Laws (Repeal) Act, 1959(40), by section 2 of the Emergency Powers Act 1964(41); or

- (c) an armoured vehicle other than a track-laying vehicle which is the property of, or for the time being under the control of, the Secretary of State for Defence.

(3) In this Regulation—

“digging machine” has the same meaning as in paragraph 4(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“agricultural motor vehicle”, “engineering plant”, “industrial tractor” and “works truck” have the same meaning as in regulation 3(2) of the Construction and Use Regulations;

“public road”, “road construction vehicle” and “road construction machinery” have the same meanings respectively as in section 62(1) of the Vehicle Excise and Registration Act 1994.

Correspondences

49.—(1) For the purposes of section 89A(5) of the Traffic Act, a heavy goods vehicle or public service vehicle of a class specified in column (1) of the table at the end of this regulation corresponds to a class of large goods vehicle or passenger-carrying vehicle, as the case may be, specified in column (2) of that table in relation to the class of vehicle in column (1).

(2) For the purposes of paragraph (1), where a heavy goods vehicle driver’s licence held before 1st April 1991 was restricted to vehicles having a permissible maximum weight not exceeding 10 tonnes by virtue of—

- (a) paragraph 3(3) and (5) of Schedule 2 to the Road Traffic (Drivers' Ages and Hours of Work) Act 1976(42); or
(b) paragraph (1) or (2) of regulation 31 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 1977(43) before they ceased to have effect,

such restriction shall be disregarded.

TABLE

<i>(1) Class of heavy goods or public service vehicle</i>	<i>(2) Corresponding class of large goods or passenger-carrying vehicle</i>
<i>Heavy goods vehicles</i>	<i>Large goods vehicles</i>
1	Categories C and C + E
1A	Categories C and C + E (limited, in each case, to vehicles with automatic transmission)
2	Category C and vehicles in category C + E which are drawbar trailer combinations
2A	Category C and vehicles in category C + E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
3	Category C and vehicles in category C + E which are drawbar trailer combinations

(40) 1959 c. 19.

(41) 1964 c. 38.

(42) 1976 c. 3.

(43) S.I. 1977/1309, to which there were amendments not relevant to these Regulations.

<i>(1) Class of heavy goods or public service vehicle</i>	<i>(2) Corresponding class of large goods or passenger-carrying vehicle</i>
3A	Category C and vehicles in category C + E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
<i>Public Service Vehicles</i>	<i>Passenger-carrying vehicles</i>
1	Categories D and D + E
1A	Categories D and D + E (limited, in each case, to vehicles with automatic transmission)
2	Categories D and D + E
2A	Categories D and D + E (limited, in each case, to vehicles with automatic transmission)
3	Category D
3A	Category D (limited to vehicles with automatic transmission)
4	Sub-category D1 and vehicles in category D not more than 5.5 metres in length
4A	Sub-category D1 and vehicles in category D not more than 5.5 metres in length (limited, in each case, to vehicles with automatic transmission)

Part IV of the Traffic Act: dual purpose vehicles

50.—(1) Except in the case of a vehicle mentioned in paragraph (2), Part IV of the Traffic Act and regulations 51 to 54 shall apply to dual purpose vehicles to the extent that they apply to passenger-carrying vehicles.

(2) Part IV of the Traffic Act and regulations **51** to **54** shall apply to any dual purpose vehicle which is—

- (a) adapted to carry not more than 24 persons in addition to the driver,
- (b) driven by a member of the armed forces of the Crown, and
- (c) used to carry passengers for naval, military or air force purposes,

to the extent that they apply to large goods vehicles.

Persons under the age of 21

Large goods vehicles drivers' licences issued to persons under the age of 21: trainee drivers

51.—(1) A large goods vehicle driver's licence issued to a person under the age of 21 shall be subject to the following conditions, prescribed for the purposes of section 114(1) of the Traffic Act, namely that—

- (a) in the case of any LGV trainee driver's licence, the holder shall not drive a large goods vehicle of any class in respect of which the licence is issued (or in respect of which it is treated as a provisional licence by virtue of section 98 of the Traffic Act) unless either—

- (i) he is a registered employee of a registered employer, and
 - (ii) the vehicle is a large goods vehicle of a class to which his training agreement applies and is owned or operated by that registered employer or by a registered LGV driver training establishment,
- or
- (b) in the case of a licence holder who is a part-time member of the armed forces of the Crown, that the vehicle is owned by the Secretary of State for Defence and used for naval, military or air force purposes.
- (2) An LGV trainee driver's full licence is subject to the conditions that the holder—
- (a) is a registered employee of a registered employer,
 - (b) shall drive only large goods vehicles of a class to which his training agreement applies and which are owned or operated by that registered employer or by a registered LGV driver training establishment, and
 - (c) shall not drive a vehicle of any class if the vehicle is being used to draw a trailer, otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full large goods vehicle driver's licence authorising the driving of a vehicle of that class which is not an LGV trainee driver's licence.
- (3) The holder of an LGV trainee driver's full licence authorising the driving of a class of large goods vehicles included in category C may not drive large goods vehicles of a class included in category C + E as if he were authorised by a provisional licence to do so before the expiration of a period of two years commencing on the date on which he passed the test for a licence authorising the driving of vehicles of a class included in category C.
- (4) In this regulation—
- “LGV trainee driver's licence” means a large goods vehicle driver's licence which—
- (a) is a licence to drive vehicles of a class included in category C or C + E,
 - (b) is granted to a person under the age of 21 on the date of the application, and
 - (c) is in force for a period during the whole or part of which the holder is under the age of 21;
- “registered”, in relation to an employee, employer or training establishment, means registered for the time being by the Training Committee in accordance with the Training Scheme;
- “training agreement”, in relation to an individual who is undergoing, or is to undergo, driver training under the Training Scheme, means the agreement between that individual and a registered employer;
- “the Training Committee” means the National Joint Training Committee for Young LGV Drivers in the Road Goods Transport Industry which is referred to in the Training Scheme;
- “the Training Scheme” means the Young Large Goods Vehicle (LGV) Drivers Training Scheme which has been established by the Road Haulage and Distribution Training Council and approved by the Secretary of State for the purpose of regulations under section 101(2) of the Traffic Act on 30th September 1996 for training young drivers of large goods vehicles.

Drivers' conduct

Obligatory revocation of large goods vehicle drivers' licences and disqualification on revocation

52.—(1) The prescribed circumstances for the purposes of section 115(1)(a) of the Traffic Act are that, in the case of the holder of a large goods vehicle driver's licence who is under the age of

21, he has been convicted (or is to be treated as if he had been convicted) of an offence as a result of which—

- (a) the number of penalty points to be taken into account under section 29 of the Offenders Act exceeds three, or
- (b) his licence is treated as revoked under section 37(1) of that Act.

(2) Where a large goods vehicle driver's licence is revoked under section 115(1)(a) the cases in which the person whose licence has been revoked must be disqualified indefinitely or for a period, shall be determined by the licensing authority.

(3) Where the licensing authority determines that a person whose licence has been revoked under section 115(1)(a) is to be disqualified for a period he shall be disqualified until he reaches 21 years of age or for such longer period as the licensing authority may determine.

Applicants for and holders of a licence who are disqualified by order of a court

53.—(1) Subject to paragraphs (2) to (4), where a person's licence is treated as revoked by virtue of section 37(1) of the Offenders Act the licensing authority may—

- (a) order that person to be disqualified indefinitely or for such period as the licensing authority thinks fit under section 117(2)(a) of the Traffic Act; or
- (b) (except where the licence treated as revoked by virtue of section 37(1) is a provisional licence) if it appears to the licensing authority that, owing to the conduct of the person, it is expedient to require him to comply with the prescribed conditions applicable to provisional licences until he passes a test—
 - (i) prescribed in respect of any category of motor vehicle which he was authorised to drive by that licence, and
 - (ii) which, by virtue of these Regulations, he is at that time eligible to take,order him to be disqualified for holding or obtaining a full licence until he passes such a test under section 117(2)(b) of the Act.

(2) Where a person's licence is treated as revoked by virtue of section 37(1) of the Offenders Act and the licensing authority would have been required to revoke that person's large goods or passenger-carrying vehicle driver's licence by virtue of section 115(1)(a) of the Traffic Act and regulation 52 had he not been disqualified by order of a court, the licensing authority must order that person to be disqualified indefinitely or for a period under section 117(1) of the Traffic Act.

(3) The cases in which a person to whom paragraph (2) applies must be disqualified either indefinitely or for a period shall be determined by the licensing authority.

(4) Where the licensing authority determines that a person to whom paragraph (2) applies is to be disqualified for a period that person shall be disqualified until he reaches 21 years of age or for such longer period as the licensing authority may determine.

Removal of disqualification

54.—(1) Subject to paragraph (2) and (3), the licensing authority may remove a disqualification for a period of more than two years under section 117(4) of the Traffic Act, after consultation with the traffic commissioner in a case which was referred to him, if an application for the removal of the disqualification is made after the expiration of whichever is relevant of the following periods commencing on the date of the disqualification—

- (a) two years, if the disqualification is for less than four years;
- (b) one half of the period of the disqualification, if it is for less than ten years, but not less than four years;

- (c) five years in any other case.
- (2) An application may not be made if the applicant has during the relevant period been convicted (or treated as convicted) of an offence by virtue of which he has incurred—
 - (a) penalty points, or
 - (b) an endorsement of a Northern Ireland driving licence held by him, or of its counterpart, with particulars of a conviction pursuant to provisions for the time being in force in Northern Ireland that correspond to sections 44 and 45 of the Offenders Act.
- (3) Where an application under paragraph (1) for the removal of a disqualification is refused, a further such application shall not be entertained if made within three months after the date of refusal.

PART V

APPROVED TRAINING COURSES FOR RIDERS OF MOTOR BICYCLES

Persons by whom approved training courses may be provided

- 55.**—(1) Approved training courses for riders of motor bicycles may be provided—
- (a) by the licensing authority, in so far as concerns the instruction of persons in the service of the Crown under his department;
 - (b) by the Secretary of State for Defence, in so far as concerns the instruction of persons in the service of the Crown under his department;
 - (c) by any chief officer of police, in so far as concerns the instruction of—
 - (i) members of a police force, or
 - (ii) persons employed in the driving of motor vehicles for police purposes by a police authority or by the Receiver for the Metropolitan Police District; and
 - (d) by any person approved for the purpose by the licensing authority.
- (2) A person may apply to the licensing authority to be approved to provide an approved training course for riders of motor bicycles under paragraph (1)(d), and the licensing authority may, if satisfied that—
- (a) proper arrangements will be made by the applicant for the conduct of the course in accordance with these Regulations; and
 - (b) proper records of the course and results thereof will be kept by the applicant,
- grant the application subject to any conditions which he thinks fit to impose.
- (3) A person authorised or approved to provide approved training courses under or by virtue of this regulation is referred to in this Part of these Regulations, as an “approved training body”.

Instructors

- 56.**—(1) Subject to the following provisions of this regulation and to regulations 57 to 60, an approved training body may authorise motor bicycle instructors to conduct instruction on his behalf.
- (2) A person may not be authorised under paragraph (1) to act as a motor bicycle instructor unless—
- (a) he satisfies the conditions set out in sub-paragraphs (a), (b) and (c) of paragraph (3), in which case, on being authorised, he shall be a certified instructor; or
 - (b) he satisfies the conditions set out in sub-paragraphs (a) and (c)(ii) of paragraph (3), in which case, on being authorised, he shall be an assistant instructor.

- (3) The conditions referred to in paragraph (2) are that—
- (a) he holds a full licence to drive vehicles in category A other than vehicles included in sub-category A1; and
 - (b) he has held that licence for an aggregate period of not less than 2 years; and
 - (c) either—
 - (i) he has completed successfully the licensing authority's assessment course for motor bicycle instructors, or
 - (ii) he has been trained by a certified instructor who has completed such a course successfully.
- (4) Subject, in the case of a certified instructor, to paragraphs (5) and (6), and in the case of an assistant instructor, to paragraph (5)—
- (a) a certified instructor shall be entitled—
 - (i) to conduct approved training courses, and
 - (ii) in the case of an instructor who has completed successfully the licensing authority's assessment course for motor bicycle instructors, to train other motor bicycle instructors in the conduct of such courses, and
 - (b) an assistant instructor shall be entitled to conduct the instruction of riders except element (E) of the prescribed training course.
- (5) An authorisation given under paragraph (1) shall be of no effect unless—
- (a) the approved training body has notified the licensing authority in writing of the proposed authorisation, and
 - (b) the licensing authority has approved the authorisation in writing.
- (6) An authorisation given under paragraph (1) shall be of no effect in the case of a certified instructor unless there is in force in respect of him a valid certificate, in the form set out in Part 1 of Schedule 12, issued by the licensing authority to the approved training body who authorised him under paragraph (1).
- (7) A certificate issued pursuant to paragraph (6) shall be valid for a period of four years but may be renewed upon application being made to the licensing authority by the approved training body who authorised the instructor.
- (8) Where an assistant instructor duly authorised under this regulation satisfies the condition set out in paragraph (3)(b) and a certificate in respect of him is issued by the licensing authority under paragraph (6), he shall be deemed to have been authorised as a certified instructor and may conduct instruction as such.
- (9) Where an approved training body who has been approved to provide training courses under regulation 55(2)—
- (a) satisfies the conditions set out in sub-paragraphs (a), (b) and (c) of paragraph (3) and a certificate in respect of him is issued by the licensing authority under paragraph (6), he shall be deemed to have been authorised as a certified instructor and may conduct instruction as such;
 - (b) satisfies the conditions set out in sub-paragraphs (a) and (c) of paragraph (3), he shall be deemed to have been authorised as an assistant instructor and may conduct instruction as such.
- (10) When conducting a prescribed training course a certified instructor shall carry with him the certificate issued in respect of him by the licensing authority and shall, upon being required to do so by a constable or the licensing authority, produce it for examination.

(11) In this Part of these Regulations, “prescribed training course” means the training course prescribed under regulation 61.

Withdrawal of approval to provide training courses or to act as instructor

57.—(1) The licensing authority may at any time by notice in writing withdraw an approval given under regulation 55(2) or 56(5).

(2) Where the licensing authority withdraws an approval given under regulation 55(2)—

- (a) the approval of that person for the purposes of that regulation, and
- (b) the authority of that person, and of any other person whom he has approved to act as a certified or assistant instructor under regulation 56(5),

shall cease forthwith and the person whose approval is withdrawn shall, before the expiration of a period of 28 days commencing on the date of withdrawal, return to the licensing authority all certificates which were issued to him under regulation 56(6) and all forms for certificates which were supplied to him under regulation 63(3).

(3) Where the licensing authority withdraws an approval given under regulation 56(5)—

- (a) the authority of the person whose approval to act (as the case may be) as a certified or assistant instructor is withdrawn shall cease forthwith, and
- (b) in the case of the withdrawal of an approval given in respect of a certified instructor, the person whose approval is withdrawn shall as soon as is reasonably practicable return the certificate issued under regulation 56(6) and all forms of certificates which were supplied to him under regulation 63(3) to the approved training body who authorised him who must, on receiving them, return them immediately to the licensing authority.

Cessation of conduct of training

58.—(1) Where a certified instructor authorised under regulation 56(1) ceases to conduct instruction on behalf of the approved training body who authorised him, he shall as soon as is reasonably practicable return the certificate issued under regulation 56(6) and all forms of certificates which were supplied to him under regulation 63(3) to the approved training body who must, on receiving them, return them immediately to the licensing authority.

(2) Where an approved training body who is also entitled under regulation 56(9) to conduct instruction as a certified instructor ceases to conduct such instruction, he shall immediately return the certificate issued under regulation 56(6) and all forms of certificates which were supplied to him under regulation 63(3) to the licensing authority.

Approved training courses conducted on large motor bicycles

59.—(1) In the case of a person holding a provisional licence authorising the driving of large motor bicycles and wishing to undertake an approved training course on such a motor bicycle, the training course may be conducted only by a certified direct access instructor.

(2) “Certified direct access instructor” means a person authorised in accordance with regulation 60.

Certified direct access instructors

60.—(1) An approved training body may, subject to the following provisions of this regulation, authorise motor bicycle instructors to conduct on his behalf instruction of persons in the riding of large motor bicycles.

(2) A person may not be authorised under paragraph (1) unless he—

- (a) holds a full licence to drive large motor bicycles,
 - (b) has held that licence for an aggregate period of not less than 2 years,
 - (c) is a certified instructor, and
 - (d) has completed successfully the licensing authority's assessment course for certified direct access instructors.
- (3) An authorisation given under paragraph (1) shall be of no effect unless—
- (a) the person whom the approved training body proposes to authorise, or any other person who is at that time validly authorised by the approved training body to provide instruction in the riding of large motor bicycles, has successfully completed the licensing authority's assessment course for motor bicycle instructors in addition to the assessment course for direct access instructors,
 - (b) the approved training body has notified the licensing authority in writing of the proposed authorisation, and
 - (c) the licensing authority has approved the authorisation in writing.
- (4) An authorisation given under paragraph (1) shall be of no effect in the case of a direct access instructor unless there is in force in respect of him a valid certificate, in the form set out in Part 2 of Schedule 12, issued by the licensing authority to the person who has authorised him under paragraph (1).
- (5) The licensing authority may at any time withdraw an approval given under paragraph (3)(c).
- (6) Any authorisation given under paragraph (1) by an approved training body shall cease to be valid if at any time there ceases to be a person who—
- (a) is validly authorised by that approved training body to provide instruction in the riding of large motor bicycles, and
 - (b) has successfully completed the licensing authority's assessment course for motor bicycle instructors in addition to the assessment course for direct access instructors.
- (7) Where—
- (a) an approved training body who has been approved to provide training courses under regulation 55(2) satisfies the conditions set out in paragraph (2),
 - (b) that training body or any other person who is at that time validly authorised by him to provide instruction in the riding of large motor bicycles, has successfully completed the licensing authority's assessment course for motor bicycle instructors in addition to the assessment course for direct access instructors, and
 - (c) a certificate in respect of that training body is issued by the licensing authority under paragraph (4),
- he shall be deemed to have been authorised under paragraph (1) as a certified direct access instructor and may conduct instruction as such;
- (8) Regulations 56(7) and (10), 57(3) and 58 shall apply in respect of a certified direct access instructor as they apply in respect of a certified instructor.
- (9) Where an authorisation given (or deemed to be given) under paragraph (1) in respect of a certified direct access instructor ceases to be valid by virtue of paragraph (4), that instructor shall as soon as is reasonably practicable return the certificate issued under paragraph (5) to the approved training body who must, on receiving it, return it immediately to the licensing authority.

Nature and conduct of training courses

61.—(1) A training course for riders of motor bicycles may not be approved by the licensing authority unless it comprises elements (A) to (E) set out in Schedule 13.

(2) Before any practical instruction is given to riders on an approved training course all the requirements of element (A) of the course must be fulfilled.

(3) To complete an approved training course successfully, a rider of a motor bicycle must satisfy the approved training body or a certified instructor acting on his behalf as to each of the following matters in the following sequence—

- (a) that he has fulfilled the requirements set out in element (B) of the course; and
- (b) that he can execute the manoeuvres set out in element (C) of the course; and
- (c) that all the requirements of element (D) of the course have been fulfilled; and
- (d) that he rides safely on roads in a variety of road traffic situations, including as many as practicable of those set out in element (E) of the course.

Ratio of trainees to instructors

62.—(1) When, during an approved training course, riders are receiving on-site instruction and practical on-site riding as part of elements (B) and (C) of the prescribed training course there shall—

- (a) in the case of instruction or riding which may under these Regulations be conducted by a certified or an assistant instructor, be no more than 4 riders in the charge of any one instructor at any one time,
- (b) in the case of instruction or riding which may under these Regulations be conducted by a direct access instructor, be no more than 2 riders in the charge of any one instructor at any one time.

(2) When riders are undertaking on-road riding as part of element (E) of the prescribed training course there shall be no more than 2 riders in the charge of any one certified or certified direct access instructor at any one time.

Evidence of successful completion of course

63.—(1) A certified instructor or, as the case may be, a certified direct access instructor shall furnish a trainee who successfully completes an approved training course with a certificate in the form set out in Part 3 of Schedule 12, which must be signed by a certified instructor, who may be the approved training body providing the course.

(2) A certificate issued under paragraph (1) may not be submitted, in support of an application for a licence, as evidence of the successful completion of that course—

- (a) in the case of a course completed on or before 30th June 1996, after 30th June 1999, and
- (b) in the case of any other course, after the expiration of a period of 3 years commencing with the date of the certificate.

(3) A certified instructor or a certified direct access instructor shall issue certificates using forms supplied by the licensing authority to the approved training body and the licensing authority may make a charge of £5.00 per form.

Exemptions from Part V

64.—(1) Section 98(3)(c) of the Traffic Act shall not apply to a person who is a provisional entitlement holder by virtue of having passed a test for the time being prescribed in respect of category P on or after 1st December 1990 and such a person shall be exempt from the requirement imposed by section 89(2A) of that Act.

(2) A provisional licence or provisional entitlement holder who is resident on an exempted island shall be exempt from the requirement imposed by section 89(2A) of the Traffic Act in respect of a

test of competence to drive a motor bicycle of any class taken, or to be taken, on an island, whether or not that island is an exempted island.

(3) A provisional licence holder who is resident on an exempted island shall be exempt from the restriction imposed by section 97(3)(e) of the Traffic Act if he satisfies either of the conditions set out in paragraph (5) below.

(4) Section 98(3)(c) of the Traffic Act shall not apply to a provisional entitlement holder who is resident on an exempted island if he satisfies either of the conditions set in paragraph (5) below.

(5) The conditions referred to in paragraphs (3) and (4) are that he is—

- (a) driving on an exempted island, whether or not he is also resident on that island; or
- (b) driving on an island which is not an exempted island for the purpose of—
 - (i) undertaking, or travelling to or from, an approved training course,
 - (ii) undergoing, or travelling to or from a place where he is to take or where he has taken, a test of competence prescribed in respect of category A or P.

(6) In this regulation—

“exempted island” means any island in Great Britain other than—

- (a) the Isle of Wight, the island which comprises Lewis and Harris, the island which comprises North Uist, Benbecula and South Uist, Mainland Orkney and Mainland Shetland, and
- (b) any other island from which motor vehicles not constructed specially for that purpose can at some time be conveniently driven to a road in any other part of Great Britain because of the presence of a bridge, tunnel, ford or other way suitable for the passage of such motor vehicles;

“provisional licence holder” means a person who holds a provisional licence which, subject to section 97(3) of the Traffic Act, authorises the driving of motor bicycles of any class; and

“provisional entitlement holder” means a person who holds a full licence which is treated, by virtue of section 98 of the Traffic Act, as authorising him to drive motor bicycles of any class as if he held a provisional licence therefor.

PART VI

DISABILITIES

Licence groups

65.—(1) In this Part of these Regulations—

“Group 1 licence” means a licence in so far as it authorises its holder to drive classes of motor vehicle included in categories A, B, B + E, F, G, H, K, L and P,

“Group 2 licence” means, subject to paragraph (2), a licence in so far as it authorises its holder to drive classes of motor vehicle included in any other category or sub-category, and

“licence” includes, unless the context otherwise requires, a Northern Ireland licence and a Community licence.

(2) In so far as a licence authorises its holder to drive vehicles of a class included in sub-categories C1, C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward) it is a Group 1 licence while it remains in force if—

- (a) it was in force at a time before 1st January 1997, or

(b) it is granted upon the expiry of a licence which was in force at a time before 1st January 1997 and comes into force not later than 31st December 1997.

(3) A licence shall be a Group 1 licence in so far as it authorises, by virtue of any provision of regulation 6, the driving of a class of motor vehicles which is not included in a category or sub-category specified in relation to a Group 1 licence in paragraph (1) or (2).

Disabilities prescribed in respect of Group 1 and 2 licences

66.—(1) The following disabilities are prescribed for the purposes of section 92(2) of the Traffic Act as relevant disabilities in relation to an applicant for, or a person who holds, a Group 1 or Group 2 licence—

- (a) epilepsy;
- (b) severe mental disorder;
- (c) liability to sudden attacks of disabling giddiness or fainting, other than 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) persistent misuse of drugs or alcohol, whether or not such misuse amounts to dependency.

(2) The disability prescribed in paragraph (1)(d) is prescribed for the purpose of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 or Group 2 licence if the applicant suffering from that disability satisfies the licensing authority 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 supervision to be continued throughout the period of the licence) and is conforming to those arrangements.

(3) The following disabilities are prescribed for the purposes of paragraphs (a) and (c) of section 92(4) of the Traffic Act, namely any disability consisting solely of any one or more of—

- (a) the absence of one or more limbs,
- (b) the deformity of one or more limbs, or
- (c) the loss of use of one or more limbs, which is not progressive in nature.

(4) In this regulation—

- (a) in paragraph (1)(b), the expression “severe mental disorder” includes mental illness, arrested or incomplete development of the mind, psychopathic disorder and severe impairment of intelligence or social functioning;
- (b) in paragraph (2)(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 (3), 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.

Disabilities prescribed in respect of Group 1 licences

67.—(1) There is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a person who holds, a Group 1 licence, the inability to read in good light (with the aid of corrective lenses if necessary) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of—

- (a) 12.3 metres, in the case of an applicant for a licence authorising only the driving of motor vehicles of a class included in category K, or
- (b) 20.5 metres, in any other case.

(2) Epilepsy is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who either—

- (a) has been free from any epileptic attack during the period of one year immediately preceding the date when the licence is granted; or
- (b) (if not so free from attack) has had an epileptic attack whilst asleep more than three years before the date when the licence is granted and has had attacks only whilst asleep between the date of that attack and the date when the licence is granted,

where the licensing authority is satisfied that the driving of a vehicle by him in accordance with the licence is not likely to be a source of danger to the public.

(3) The disability prescribed in paragraph (1) is prescribed for the purposes of section 94(5)(b) of the Traffic Act in relation to an applicant for, or a person who holds, a Group 1 licence.

Disabilities prescribed in respect of Group 2 licences

68.—(1) There is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a person who holds, a Group 2 licence, the inability to read in good light (with the aid of corrective lenses if necessary) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of 20.5 metres.

(2) There is also prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to a person other than an excepted licence holder who is an applicant for or who holds a Group 2 licence, such abnormality of sight in one or both eyes that he cannot meet the relevant standard of visual acuity.

(3) The relevant standard of visual acuity for the purposes of paragraph (2) means—

- (a) in the case of a person who—
 - (i) was the holder of a valid Group 2 or obsolete vocational licence upon each relevant date specified in column (1) of Table 1 at the end of this regulation, and
 - (ii) if he is an applicant for a Group 2 licence, satisfies the Secretary of State that he has had adequate recent driving experience and has not during the period of 10 years immediately before the date of the application been involved in any road accident in which his defective eyesight was a contributory factor,

the standard prescribed in relation to him in column (2) of Table 1;

- (b) in the case of a person who—
 - (i) does not fall within sub-paragraph (a), and
 - (ii) was or is the holder of a valid Group 2 licence upon the relevant date specified in column (1) of Table 2 at the end of this regulation,

the standard prescribed in relation to him in column (2) of Table 2;

- (c) in the case of any other person, a standard of visual acuity (with the aid of corrective lenses if necessary) of at least 6/9 in the better eye and at least 6/12 in the worse eye and, if corrective lenses are worn, an uncorrected acuity of at least 3/60 in both eyes.
- (4) There is prescribed in relation to a person—
 - (a) to whom paragraph (3)(c) applies, and
 - (b) who is able to meet the relevant standard of visual acuity prescribed in that sub-paragraph only with the aid of corrective lenses,
poor toleration of the correction made by the lenses.
- (5) There is prescribed for the purposes of section 92(2) as a relevant disability in relation to a person who is an applicant for or who holds a Group 2 licence, sight in only one eye unless—
 - (a) he held an obsolete vocational licence on 1st April 1991, the traffic commissioner who granted the last such licence knew of the disability before 1st January 1991, and—
 - (i) in a case of a person who also held such a licence on 1st January 1983, the visual acuity in his sighted eye is no worse than 6/12, or
 - (ii) in any other case, the visual acuity in his sighted eye is no worse than 6/9, and
if he is an applicant for a Group 2 licence, he satisfies the Secretary of State that he has had adequate recent driving experience and has not during the period of 10 years immediately before the date of the application been involved in any road accident in which his defective eyesight was a contributory factor; or
 - (b) the person is an excepted licence holder.
- (6) Diabetes requiring insulin treatment is prescribed for the purposes of section 92(2) in relation to an applicant for or a person who holds a Group 2 licence unless the person suffering from the disability held an obsolete vocational licence on 1st April 1991 and the traffic commissioner who granted the last obsolete vocational licence knew of the disability before 1st January 1991.
- (7) Liability to seizures arising from a cause other than epilepsy is prescribed for the purposes of section 92(2) in relation to an applicant for or a person who holds a Group 2 licence.
- (8) Epilepsy is prescribed for the purposes of section 92(4)(b) of the Traffic Act in the case of an applicant for a Group 2 licence suffering from epilepsy who satisfies the licensing authority that—
 - (a) during the period of 10 years immediately preceding the date when the licence is granted—
 - (i) he has been free from any epileptic attack, and
 - (ii) he has not required any medication to treat epilepsy, and
 - (b) that the driving of a vehicle by him in accordance with the licence is not likely to be a danger to the public.
- (9) In this regulation—
 - (a) references to measurements of visual acuity are references to visual acuity measured on the Snellen Scale;
 - (b) “excepted licence holder” means a person who—
 - (i) was the holder of a licence authorising the driving of vehicles included in sub-categories C1 and C1 + E (8.25 tonnes) which was in force at a time before 1st January 1997, and
 - (ii) is an applicant for, or the holder of, a Group 2 licence solely by reason that the licence applied for or held authorises (or would, if granted, authorise) the driving of vehicles included in those sub-categories;
 - (c) “obsolete vocational licence” means a licence to drive heavy goods vehicles or public service vehicles which was in force at a time before 1st April 1991 (whether or not it was

continued in force by section 1(2) of the Road Traffic (Driver Licensing and Information Systems) Act 1989).

TABLE 1

<i>(1) Person holding Group 2 licence or obsolete vocational licence on:—</i>	<i>(2) Standard of visual acuity applicable:—</i>
1. 1st January 1983 and 1st April 1991.	Acuity (with the aid of corrective lenses if necessary) of at least 6/12 in the better eye or at least 6/36 in the worse eye or uncorrected acuity of at least 3/60 in at least one eye.
2. 1st March 1992, but not on 1st January 1983.	Acuity (with the aid of corrective lenses if necessary) of at least 6/9 in the better eye or at least 6/12 in the worse eye, or uncorrected acuity of at least 3/60 in at least one eye.

TABLE 2

<i>(1) Person holding Group 2 licence on:—</i>	<i>(2) Standard of visual acuity applicable:—</i>
1. 31st December 1996, but not on 1st March 1992.	Acuity (with the aid of corrective lenses if necessary) of at least 6/9 in the better eye and at least 6/12 in the worse eye and, if corrective lenses are needed to meet that standard, uncorrected acuity of at least 3/60 in at least one eye.
2. On or after 1st January 1997 but not on 31st December 1996.	Acuity (with the aid of corrective lenses if necessary) of at least 6/9 in the better eye and at least 6/12 in the worse eye and, if corrective lenses are needed to meet that standard, uncorrected acuity of at least 3/60 in both eyes.

Disabilities requiring medical investigation: High Risk Offenders

69.—(1) Subject to paragraph (2), the circumstances prescribed for the purposes of subsection (5) of section 94 of the Traffic Act, under subsection (4) of that section, are that the person who is an applicant for, or holder of, a licence—

- (a) has been disqualified by an order of a court by reason that the proportion of alcohol in his body equalled or exceeded—
 - (i) 87.5 microgrammes per 100 millilitres of breath, or
 - (ii) 200 milligrammes per 100 millilitres of blood, or
 - (iii) 267.5 milligrammes per 100 millilitres of urine;
- (b) has been disqualified by order of a court by reason that he has failed, without reasonable excuse, to provide a specimen when required to do so pursuant to section 7 of the Traffic Act; or
- (c) has been disqualified by order of a court on two or more occasions within any period of 10 years by reason that—
 - (i) the proportion of alcohol in his breath, blood or urine exceeded the limit prescribed by virtue of section 5 of the Traffic Act, or

(ii) he was unfit to drive through drink contrary to section 4 of that Act.

(2) For the purposes of paragraph (1)(a) a court order shall not be taken into account unless it was made on or after 1st June 1990 and paragraph (1)(c) shall not apply to a person unless the last such order was made on or after 1st June 1990.

PART VII SUPPLEMENTARY

Transitional provisions

Effect of change in classification of vehicles for licensing purposes

70.—(1) In a licence (whether full or provisional) granted before 1st January 1997, a reference to motor vehicles in an old category shall be construed as a reference to motor vehicles in the new category corresponding thereto and a reference to motor vehicles of a class included in an old category shall be construed as a reference to vehicles of the corresponding class included in the new category.

(2) For the purposes of paragraph (1), a reference in a licence to motor vehicles in an old category (or a class included in that category) includes a reference in a licence granted before 1st June 1990 to a group or class of motor vehicles which is, by virtue of any enactment, to be construed as a reference to vehicles in the old category (or a class included in that category).

(3) If an application for the grant of a licence authorising the driving of a class of motor vehicles included in an old category has been made but the licence has not been granted or refused before the date upon which this regulation comes into force, the application shall be taken on and after that date to be an application for a licence authorising the driving of vehicles of the corresponding class in the new category.

(4) A person who before 1st January 1997 has passed a test prescribed in respect of (or authorising the driving of) motor vehicles of a class included in an old category shall be regarded as having passed a test prescribed in these Regulations authorising the driving of motor vehicles of the corresponding class in the new category.

(5) Where a licence granted before 1st January 1997 authorises only the driving of a class of motor vehicles included in an old category having automatic transmission, it shall authorise the driving of the corresponding class of vehicles in the new category having automatic transmission.

(6) In this regulation—

“old category” and “class included in an old category” mean respectively a category and a class of vehicles specified in column (1) of the table at the end of this regulation, and

“new category” and “class included in a new category”, in relation to an old category, mean respectively the category (or, as the case may be, the sub-category) and the class of vehicles specified in column (2) of the table as corresponding to the relevant old category or class included therein.

TABLE

<i>(1) Old category or class</i>	<i>(2) Corresponding new category or class</i>
A	A
B1	B1

<i>(1) Old category or class</i>	<i>(2) Corresponding new category or class</i>
B1, limited to invalid carriages	B1 (invalid carriages)
B	B
B + E	B + E
C1	C1
C1 + E	C1 + E (8.25 tonnes)
C	C
C + E	C + E
C + E, limited to drawbar trailer combinations only	Vehicles in category C + E which are drawbar trailer combinations
D1	D1 (not for hire or reward)
D1 + E	D1 + E (not for hire or reward)
D, limited to 16 seats	D1
D, limited to vehicles not more than 5.5 metres in length	D1 and vehicles in category D not more than 5.5 metres in length
D, limited to vehicles not driven for hire or reward	Vehicles in category D which are driven otherwise than for hire or reward
D	D
D + E	D + E
F	F
G	G
H	H
K	K
L	L
P	P

Saving in respect of entitlement to Group M

71. Where a person is authorised by virtue of regulations revoked by these Regulations (whether or not he is the holder of a licence granted before 1st October 1982) to drive, or to apply for the grant of a licence authorising the driving of, vehicles of a class included in the former group M (trolley vehicles used for the carriage of passengers with more than 16 seats in addition to the driver's seat), nothing in these Regulations shall affect such entitlement and any licence granted to such a person shall be construed as authorising the driving of vehicles of that class.

Saving in respect of entitlement to drive mobile project vehicles

72. In relation to a person who was at a time before 1st January 1997 the holder of a licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)), regulation 6(7) shall apply as if paragraphs (b) and (c) and the words "on behalf of a non-commercial body" were omitted.

Mobile cranes as exempted goods vehicles

73. Paragraph (1)(c) of regulation 48 shall apply until 1st January 1998 as if the words “except a mobile crane” were omitted.

Miscellaneous

Persons who become resident in Great Britain

74.—(1) A person who becomes resident in Great Britain who is—

- (a) the holder of a relevant permit, and
- (b) not disqualified for holding or obtaining a licence in Great Britain

shall, during the period of one year after he becomes so resident, be treated for the purposes of section 87 of the Traffic Act as the holder of a licence authorising him to drive all classes of small vehicle which he is authorised to drive by that permit.

(2) The following enactments relating to licences or licence holders shall apply in relation to relevant permits or the holders of such permits (as the case may be) subject to modifications in accordance with the following provisions:—

- (a) section 7 of the Offenders Act shall apply as if the references to a licence were references to a relevant permit and as if the words after paragraph (c) thereof were omitted;
 - (b) section 27(1), (2) and (3) of the Offenders Act shall apply as if the references to a licence were references to a relevant permit, but with the omission—
 - (i) of any reference to the counterpart of a licence,
 - (ii) in subsection (1) of the words “, before making any order under section 44 of this Act,” and
 - (iii) in subsection (3) of the words “, unless he satisfies the Court that he has applied for a new licence and has not received it”;
 - (c) section 42(5) of the Offenders Act shall apply in relation to the holder of a relevant permit as if for the words “endorsed on the counterpart of the licence” onwards there were substituted the words “notified to the Secretary of State”;
 - (d) section 47(2) of the Offenders Act shall apply in relation to the holder of a relevant permit, only where the court has ordered him to be disqualified and as if for the words “send the licence” onwards there were substituted the words “send the permit, on its being produced to the court, 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”;
 - (e) section 164(1), (6) and (8) of the Traffic Act shall apply as if the references to a licence were references to a relevant permit and any reference to a counterpart of a licence were omitted; and
 - (f) section 173 of the Traffic Act shall apply as if the reference in paragraph (a) of subsection (2) of that section to any licence under any Part of that Act were a reference to a relevant permit and the reference, in the case of a licence to drive, to any counterpart were omitted.
- (3) In this regulation “relevant permit” means—
- (i) a “domestic driving permit”,
 - (ii) a “Convention driving permit”, or
 - (iii) a “British Forces (BFG) driving licence”,

within the meaning of article 2(7) of the Motor Vehicles (International Circulation) Order 1975 which is—

- (a) for the time being valid for the purposes for which it was issued, and
- (b) is not a domestic driving permit or a British Forces (BFG) driving licence in respect 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(6) of that Order.

Service personnel

75. The traffic commissioner for the South Eastern Traffic Area is hereby prescribed for the purposes of section 183(6) of the 1988 Act (discharge of Part IV functions in relation to HM Forces).

Northern Ireland licences

76.—(1) The traffic commissioner for the North Western Traffic Area is hereby prescribed for the purposes of section 122(2) of the Traffic Act.

(2) For the purposes of section 122(4) of the Traffic Act, the magistrates' court or sheriff to whom an appeal shall lie by the holder of a Northern Ireland licence, being a person who is not resident in Great Britain and who is aggrieved by the suspension or revocation of the licence or by the ordering of disqualification for holding or obtaining a licence, shall be—

- (a) such a magistrates' court or sheriff as he may nominate at the time he makes the appeal; or
- (b) in the absence of a nomination of a particular court under sub-paragraph (a), the magistrates' court in whose area the office of the traffic commissioner for the North Western Traffic Area is situated.

Statement of date of birth

77.—(1) The circumstances in which a person specified in section 164(2) of the Traffic Act shall, on being required by a police constable, state his date of birth are—

- (a) 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
- (b) where, on being so required, that person produces a licence—
 - (i) which the police constable in question has reason to suspect—
 - (a) was not granted to that person;
 - (b) was granted to that person in error; or
 - (c) contains an alteration in the particulars entered on the licence (other than as described in sub-paragraph (b)) made with intent to deceive; or
 - (ii) in which the driver number has been altered, removed or defaced; or
- (c) where that person is a person specified in subsection (1)(d) of that section and the police constable has reason to suspect that he is under 21 years of age.

(2) In paragraph (1), “driver number” means the number described as the driver number in the licence.

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Signed by authority of the Secretary of State for Transport

8th November 1996

John Bowis
Parliamentary under Secretary of State,
Department of Transport

We approve the making of these Regulations

7th November 1996

Patrick Mcloughlin
Roger Knapman
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Regulation 2

REGULATIONS REVOKED

<i>Title</i>	<i>Year and Number</i>
The Motor Vehicles (Driving Licences) Regulations 1987	1987/1378
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1988	1988/965
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1988	1988/1062
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1989	1989/373
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1989	1989/762
The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1989	1989/1612
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1990	1990/842
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1990	1990/1115
The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1990	1990/1396
The Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 1990	1990/2334
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations 1990	1990/2612
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1991	1991/485
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations 1991	1991/515
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1991	1991/1121
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 2) Regulations 1991	1991/1122
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 3) Regulations 1991	1991/1541
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 4) Regulations 1991	1991/2492

<i>Title</i>	<i>Year and Number</i>
The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1991	1991/2493
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations 1992	1992/166
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 2) Regulations 1992	1992/538
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1992	1992/539
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1992	1992/1318
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 3) Regulations 1992	1992/1356
The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1992	1992/1757
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 4) Regulations 1992	1992/1761
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 5) Regulations 1992	1992/3089
The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 1992	1992/3090
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1993	1993/1602
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations 1993	1993/1603
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1994	1994/638
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations 1994	1994/639
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1994	1994/1862
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations 1995	1995/1162
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1995	1995/1200

<i>Title</i>	<i>Year and Number</i>
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 2) Regulations 1995	1995/2075
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1995	1995/2076
The Motor Vehicles (Driving Licences) (Amendment) Regulations 1996	1996/211
The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations 1996	1996/212
The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1996	1996/536
The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1996	1996/1259
The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 1996	1996/1997

SCHEDULE 2

Regulations 4 to 6 and 40

CATEGORIES AND SUB-CATEGORIES OF VEHICLE FOR LICENSING PURPOSES

PART 1

<i>(1) Category or sub-category</i>	<i>(2) Classes of vehicle included</i>	<i>(3) Additional categories and sub-categories</i>
A	Motor bicycles but excluding any motor vehicle in category K.	B1, K and P.
A1	A sub-category of category A comprising learner motor bicycles but excluding any motor vehicle in category P.	P.
B	Any motor vehicle, other than a vehicle included in category A, F or P, having a maximum authorised mass not exceeding 3.5 tonnes and not more than 8 seats in addition to the driver's seat, including— (i) a combination of such a vehicle and a trailer where the trailer has a maximum authorised	F, K and P.

<i>(1) Category or sub-category</i>	<i>(2) Classes of vehicle included</i>	<i>(3) Additional categories and sub-categories</i>
	<p>mass not exceeding 750 kg, and</p> <p>(ii) a combination of such a vehicle and a trailer where the maximum authorised mass of the combination does not exceed 3.5 tonnes and the maximum authorised mass of the trailer does not exceed the unladen weight of the tractor vehicle.</p>	
B1	A sub-category of category B comprising motor vehicles having three or four wheels, an unladen weight not exceeding 550 kilograms, a maximum design speed exceeding 50 km per hour and, if powered by an internal combustion engine, a cubic capacity exceeding 50 cubic centimetres.	K and P.
B1 (invalid carriages)	A sub-category of category B comprising motor vehicles which are invalid carriages.	
B + E	Combination of a motor vehicle and trailer where the tractor vehicle is in category B but the combination does not fall within that category.	
C	Any motor vehicle having a maximum authorised mass exceeding 3.5 tonnes, other than a vehicle falling within category D, F, G or H, including such a vehicle drawing a trailer having a maximum authorised mass not exceeding 750 kilograms.	
C1	A sub-category of category C comprising motor vehicles having a maximum authorised mass exceeding 3.5 tonnes but not exceeding 7.5 tonnes, including such a vehicle drawing a trailer having a	

<i>(1) Category or sub-category</i>	<i>(2) Classes of vehicle included</i>	<i>(3) Additional categories and sub-categories</i>
	maximum authorised mass not exceeding 750 kilograms.	
D	Any motor vehicle constructed or adapted for the carriage of passengers having more than 8 seats in addition to the driver's seat, including such a vehicle drawing a trailer having a maximum authorised mass not exceeding 750 kilograms.	
D1	A sub-category of category D comprising motor vehicles having more than 8 but not more than 16 seats in addition to the driver's seat and including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kilograms.	
C + E	Combination of a motor vehicle and trailer where the tractor vehicle is in category C but the combination does not fall within that category.	B + E.
C1 + E	A sub-category of category C + E comprising any combination of a motor vehicle and trailer where— <ul style="list-style-type: none"> (a) the tractor vehicle is in sub-category C1, (b) the maximum authorised mass of the trailer exceeds 750 kilograms but not the unladen weight of the tractor vehicle, and (c) the maximum authorised mass of the combination does not exceed 12 tonnes. 	B + E.
D + E	Combination of a motor vehicle and trailer where the tractor vehicle is in category D but the combination does not fall within that category.	B + E.
D1 + E	A sub-category of category D + E comprising any	B + E

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(1) Category or sub-category	(2) Classes of vehicle included	(3) Additional categories and sub-categories
	combination of a motor vehicle and trailer where— (a) the tractor vehicle is in sub-category D1, (b) the maximum authorised mass of the trailer exceeds 750 kilograms but not the unladen weight of the tractor vehicle, (c) the maximum authorised mass of the combination does not exceed 12 tonnes, and (d) the trailer is not used for the carriage of passengers.	
F	Agricultural or forestry tractor, but excluding any motor vehicle included in category H.	K.
G	Road roller.	
H	Track-laying vehicle steered by its tracks.	
K	Mowing machine or vehicle controlled by a pedestrian excluding any motor vehicle included in category B.	
P	Moped.	

PART 2

C1 + E (8.25 tonnes)	A sub-category of category C + E comprising any combination of a motor vehicle and trailer in sub-category C1 + E the maximum authorised mass of which does not exceed 8.25 tonnes.
D1 (not for hire or reward)	A sub-category of category D comprising motor vehicles in sub-category D1 driven otherwise than for hire or reward.
D1 + E (not for hire or reward)	A sub-category of category D + E comprising motor vehicles

L	<p>in sub-category D1 + E driven otherwise than for hire or reward.</p> <p>Motor vehicle propelled by electrical power.</p>
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SCHEDULE 3

Regulation 12

LICENCE FEES

PART 1

TABLE OF FEES

<i>Description of licence and circumstances of application</i>	<i>Fee payable</i>
1. A first licence.	£21
2. A full licence granted in exchange for a full Northern Ireland licence or to a person who has held a full Northern Ireland licence which was granted on or after 1st January 1976.	£6
3. A provisional licence authorising the driving of vehicles of a class included in category A other than—	£6
(a) a first licence,	
(b) a licence granted following the revocation of a licence under section 93(1) or the delivery of a Community licence to the Secretary of State under section 99C(1) or (3), or	
(c) a licence falling within paragraph 10 or 12.	
4. A licence granted in exchange for a licence still in force or in place of a licence revoked pursuant to section 99(3) of the Traffic Act except—	£6
(a) a full licence granted in exchange for a first licence,	
(b) a first full Group 2 licence,	
(c) a licence issued pursuant to section 118(4) of the Traffic Act,	
(d) a licence granted following the revocation of a licence under section 93(1) or the delivery of a	

<i>Description of licence and circumstances of application</i>	<i>Fee payable</i>
Community licence to the Secretary of State under section 99C(1) or (3),	
(e) a licence which the licensing authority is required to grant free of charge under section 99(7) or 99C(2) of the Traffic Act,	
(f) a short Group 2 licence, or	
(g) a licence falling within any other paragraph of this Part.	
5. A provisional licence authorising the driving of vehicles of a class included in category C.	£21
6. A provisional licence authorising the driving of vehicles of a class included in category D.	£21
7. A full Group 1 licence granted upon the expiry of a previous Group 1 licence, other than a licence granted under section 99(1)(b) of the Traffic Act.	£6
8. A full Group 2 licence, other than the first, granted in exchange for a provisional Group 2 licence, other than a licence granted under section 99(1)(b) or (1A)(c) of the Traffic Act.	£6
9. A full Group 2 licence granted upon the expiry of a previous Group 2 licence.	£21
10. A licence granted by way of replacement of a lost or defaced licence.	£6
11. A full licence, other than a short Group 2 licence, granted upon the expiry of a period of disqualification ordered by a court under section 34 or 35 of the Offenders Act—	£20
(a) in the circumstances prescribed under section 94(4) of the Traffic Act irrespective of the date when the court order was made;	
(b) otherwise than in those circumstances.	£12
12. Except if it is a first licence, a provisional licence granted first upon the expiry of a period of disqualification ordered by a court under section 36 of the Offenders Act, whether or not the court also made an order under section 34 or 35—	£20
(a) in the circumstances prescribed under section 94(4) of the Traffic	

<i>Description of licence and circumstances of application</i>	<i>Fee payable</i>
Act irrespective of the date when the court order was made;	
(b) otherwise than in those circumstances.	£12
13. A first full licence, other than a short Group 2 licence, granted to a person after he has passed an appropriate driving test ordered by a court under section 36 of the Offenders Act other than a licence falling within paragraph 4(a).	£6
14. A provisional Group 2 licence granted first to a person who has been ordered to take a driving test under section 117 or 117A of the Traffic Act.	£12
15. A full Group 2 licence, other than a short Group 2 licence, granted to a person after he has passed a driving test ordered under section 117 or 117A of the Traffic Act.	£6

PART 2

INTERPRETATION

In Part 1 of this Schedule—

“first licence” means a licence (other than a licence falling in paragraph 2 of the Table in Part 1) granted to a person—

- (a) who has not held a licence before,
- (b) whose last licence was a full licence which expired before 31st December 1978, or
- (c) whose last provisional licence was granted before 1st October 1982;

“short Group 2 licence” means a licence which, when granted upon the expiry of a period of disqualification, must (by virtue of the expiry date of the licence which was revoked upon disqualification) expire not later than 3 months after the date it is granted;

and “Group 1 licence” and “Group 2 licence” have the meanings respectively given in regulation 65.

SCHEDULE 4

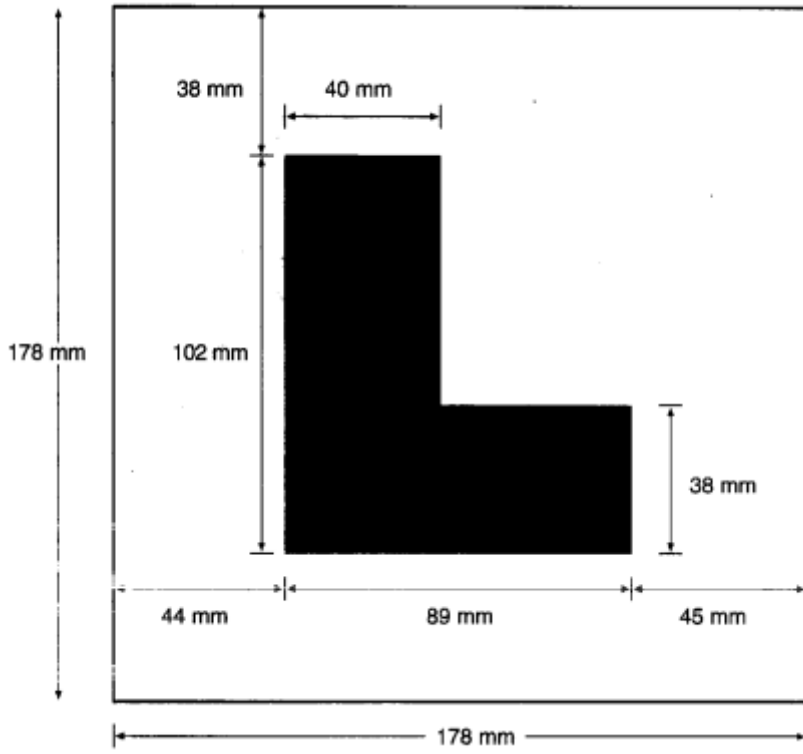
Regulation 15

DISTINGUISHING MARKS TO BE DISPLAYED ON A MOTOR VEHICLE BEING DRIVEN UNDER A PROVISIONAL LICENCE

PART 1

Diagram of distinguishing mark to be displayed on a motor vehicle in England, Wales or Scotland.

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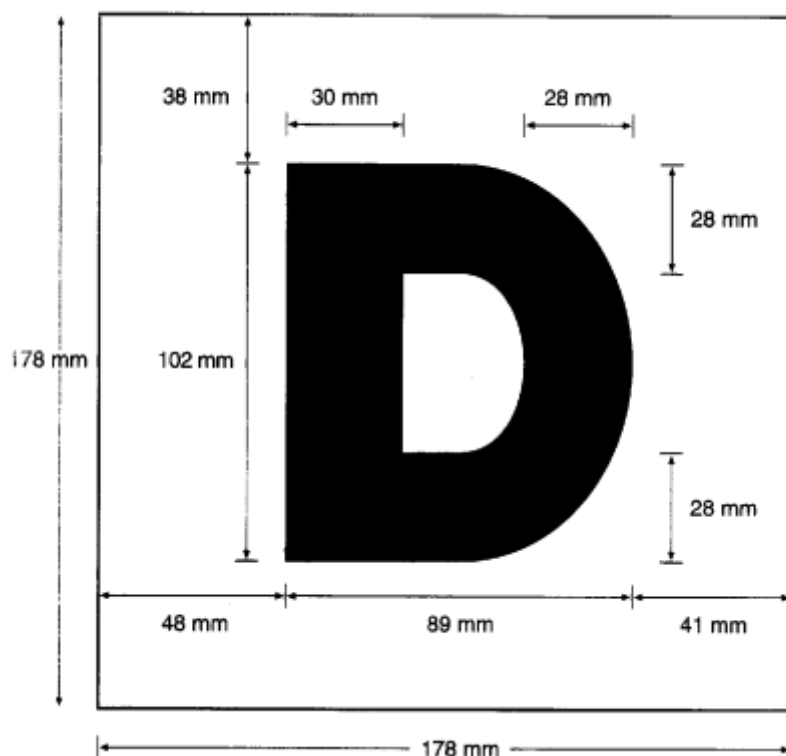


Red letter on white ground.

The corners of the ground can be rounded off.

PART 2

Diagram of optional distinguishing mark to be displayed on a motor vehicle in Wales if a mark in the form set out in Part 1 is not displayed.



Red letter on white ground.

The corners of the ground can be rounded off.

SCHEDULE 5

Regulation 27

FEES FOR TESTS

(1) Category or sub-category of vehicle	(2) Test, other than an extended driving test, commencing:		(3) Extended driving test commencing:	
	(a) During normal hours	(b) Out of hours	(a) During normal hours	(b) Out of hours
1. A and P	£36.00	£47.50	£72.00	£95.00
2. B1 (other than B1 (invalid carriages)), B, F, G, H, and K	£28.50	£38.50	£57.00	£77.50
4. B1 (invalid carriages)	No fee	No fee	No fee	No fee
3. B + E, C1, C1 + E, D1, D1 + E, C, C + E, D and D + E	£62.00	£80.00	—	—

SCHEDULE 6

Regulation 34

EVIDENCE OF IDENTITY OF TEST CANDIDATES

1. The documents referred to in regulation 34(2) and (4) are—
 - (a) a passport;
 - (b) any of the following documents if it bears a photograph and signature of the person, namely
 - (i) a cheque guarantee card or credit card,
 - (ii) an employer's identity card,
 - (iii) a trade union card,
 - (iv) a students union card,
 - (v) a school bus pass, or
 - (vi) a card issued in connection with the sale and purchase of railway tickets;
 - (c) a photograph of the person which has been endorsed with a certificate in the prescribed form signed by an acceptable person.
2. In this Schedule—

“acceptable person” means a bank official, a certified instructor (within the meaning of regulation 56(2)(a)), an established civil servant, a person whose name is entered in the register of driving instructors under Part V of the Traffic Act, a local authority councillor, a Justice of the Peace, a medical practitioner, a Member of Parliament, a minister of religion, a police officer, a solicitor or barrister or a teacher;

“the prescribed form”, in relation to a certificate, means the following—

“I, [Name of acceptable person], certify that this is a true likeness of [Name of candidate], who has been known to me for [... ...] years in my capacity as [Specify capacity]

Signed

Date

Business or profession (and registration or certificate number (if any)

Telephone number

or a form substantially to the same effect.

SCHEDULE 7

Regulation 36

SPECIFIED MATTERS FOR THEORY TEST

PART 1

CATEGORIES A AND P

The specified matters are set out in sections A to G. The person conducting the test shall examine candidates on all the items included in sections A to G but need not examine them on every item mentioned in sections F and G provided that he asks at least one question about them at random.

A. Road traffic regulation

Road traffic regulations including road signs, road markings, signals, rights of way and speed limits.

B. The driver

1. The importance of alertness and attitudes to other road users.
2. Perception, judgment and decision-making, including especially reaction time and changes in driver behaviour due to the influence of alcohol, drugs and medicinal products, state of mind and fatigue.

C. The road

1. The most important principles concerning the observance of safe distance between vehicles, braking distances and roadholding under various weather and road conditions.
2. Driving risk factors related to various road conditions, in particular as they change with the weather and the time of day or night.
3. Characteristics of various types of road and the related statutory requirements.

D. Other road users

1. Specific risk factors related to the lack of experience of other road users and the most vulnerable categories of user such as children, pedestrians, cyclists and people whose mobility is reduced.
2. Risks involved in the movement and driving of various types of vehicle and of the different fields of view of their drivers.

E. General rules and regulations and other matters

1. Rules concerning the administrative documents required for the use of vehicles.
2. General rules specifying how the driver must behave in the event of an accident (setting warning device and raising the alarm) and the measures which he can take to assist road accident victims where necessary.
3. Safety factors relating to persons carried, including balancing with a passenger.

F. Road and Vehicle safety

1. Mechanical aspects of the vehicle with a bearing on road safety, i.e. the detection of the most common faults, in particular in the steering, suspension and brake systems, tyres, lights and direction indicators, reflectors, rear-view mirrors, and the exhaust system.
2. Vehicle safety equipment including, in particular, the use of crash helmets and visors.

G. Environmental matters

Rules regarding vehicle use in relation to the environment, including the appropriate use of audible warning devices, moderate fuel consumption, limitation of pollutant emissions and matters of a similar nature.

PART 2

CATEGORY B

The specified matters are set out in sections A to G. The person conducting the test shall examine candidates on all the items included in sections A to G but need not examine them on every item mentioned in sections F and G provided that he asks at least one question about them at random.

A. Road traffic regulation

Road traffic regulations including road signs, road markings, signals, rights of way and speed limits.

B. The driver

1. The importance of alertness and attitudes to other road users.
2. Perception, judgment and decision-making, including especially reaction time and changes in driver behaviour due to the influence of alcohol, drugs and medicinal products, state of mind and fatigue.

C. The road

1. The most important principles concerning the observance of safe distance between vehicles, braking distances and roadholding under various weather and road conditions.
2. Driving risk factors related to various road conditions, in particular as they change with the weather and the time of day or night.
3. Characteristics of various types of road and the related statutory requirements.

D. Other road users

1. Specific risk factors related to the lack of experience of other road users and the most vulnerable categories of user such as children, pedestrians, cyclists and people whose mobility is reduced.
2. Risks involved in the movement and driving of various types of vehicle and of the different fields of view of their drivers.

E. General rules and regulations and other matters

1. Rules concerning the administrative documents required for the use of vehicles.
2. General rules specifying how the driver must behave in the event of an accident (setting warning device and raising the alarm) and the measures which he can take to assist road accident victims where necessary.
3. Safety factors relating to persons carried.

F. Road and Vehicle safety

1. Mechanical aspects of the vehicle with a bearing on road safety, i.e. the detection of the most common faults, in particular in the steering, suspension and brake systems, tyres, lights and direction indicators, reflectors, rear-view mirrors, windscreen and wipers, and the exhaust system and seat-belts.
2. Vehicle safety equipment including, in particular, the use of seat-belts and child safety equipment.

G. Environmental matters

Rules regarding vehicle use in relation to the environment, including the appropriate use of audible warning devices, moderate fuel consumption, limitation of pollutant emissions and matters of a similar nature.

PART 3

CATEGORY C

The specified matters are set out in sections A and B. The person conducting the test shall examine candidates on all the items included in section A but need not examine them on every item mentioned in section B provided that he asks at least one question about them at random.

A. Mandatory matters

1. Rules on vehicle weights and dimensions.
2. Rules on driving hours, rest periods and the use of the tachograph.
3. Principles of braking systems and speed governors.
4. Checks on the condition of tyres, lights, reflectors, steering, brakes, direction indicators and audible warning devices.
5. Precautions when alighting from the vehicle.
6. Safety factors relating to vehicle loading.

B. Random questioning

1. Obstruction of the field of view of the driver and other road users caused by characteristics of their vehicles.
2. The effect of wind on the course of the vehicle.
3. Precautions to be taken when overtaking because of the danger of splashing spray or mud.

PART 4

CATEGORY D

The specified matters are set out in sections A and B. The person conducting the test shall examine candidates on all the items included in section A but need not examine them on every item mentioned in section B provided that he asks at least one question about them at random.

A. Mandatory matters

1. Rules on vehicle weights and dimensions.
2. Rules on driving hours, rest periods and the use of the tachograph.
3. Principles of braking systems and speed governors.
4. Rules concerning persons carried.
5. How to behave in the event of an accident.

6. Checks on the condition of tyres, lights, reflectors, steering, brakes, direction indicators and audible warning devices.
7. Precautions when alighting from the vehicle.
8. Safety factors relating to vehicle loading.

B. Random questioning

1. Obstruction of the field of view of the driver and other road users caused by characteristics of their vehicles.
2. The effect of wind on the course of the vehicle.
3. Precautions to be taken when overtaking because of the danger of splashing spray or mud.

SCHEDULE 8

Regulation 36

SPECIFIED REQUIREMENTS FOR PRACTICAL OR UNITARY TEST

PART 1

PRACTICAL TEST: CATEGORIES A AND P

Test candidates must satisfy the examiner as to—

- (a) their ability to—
 - (i) carry out properly the activities, and
 - (ii) perform competently, without danger to and with due consideration for other road users, the manoeuvresspecified in sections A to E below in all respects in accordance with those sections; and
- (b) their understanding of how to balance safely with a passenger.

A. Eyesight

Read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of 20.5 metres.

B. Preparation to drive

1. Adjust rear view mirrors.
2. Adjust crash helmet.

C. Technical control of the vehicle

1. Start the engine and move off smoothly (uphill and downhill as well as on the flat).
2. Accelerate to a suitable speed while maintaining a straight course, including during gear-changes.
3. Adjust speed to negotiate left or right turns at junctions, possibly in restricted spaces, while maintaining control of the vehicle.

4. Lean over to turn.
5. Keep balance at various speeds.
6. Brake accurately to stop where directed, if need be by performing an emergency stop.
7. Park the vehicle on its stand.
8. Remove motor bicycle from its stand and move it, without the aid of the engine, by walking alongside it.
9. Cause the vehicle to face in the opposite direction by driving it forward (a “U-turn”).

D. Behaviour in traffic

1. Observe (including the use of the rear view mirrors) road alignment, markings, signs and potential or actual risks.
2. Communicate with other road users using the authorised means.
3. React appropriately in actual risk situations.
4. Comply with road traffic regulations and the instructions of the police, traffic wardens, etc.
5. Move off from the kerb or a parking space.
6. Drive with the vehicle correctly positioned on the road, adjusting speed to traffic conditions and the line of the road.
7. Keep the right distance between vehicles.
8. Change lanes.
9. Pass parked or stationary vehicles and obstacles.
10. Approach and cross junctions.
11. Turn right and left at junctions or to leave the carriageway.
12. Where the opportunity arises—
 - (a) Pass oncoming vehicles, including in confined spaces.
 - (b) Overtake in various situations.
 - (c) Approach and cross level-crossings.

E. Alighting from vehicle

Take all precautions necessary when alighting.

PART 2

PRACTICAL TEST: CATEGORIES B AND B + E

(1) Test candidates must, subject to paragraphs (2) and (3), satisfy the examiner as to their ability to—

- (i) carry out properly the activities, and
 - (ii) perform competently, without danger to and with due consideration for other road users, the manoeuvres
- specified in sections A to E below in all respects in accordance with those sections.

(2) Any requirement contained in those paragraphs shall, in the case of a test for a licence authorising the driving a motor vehicle in sub-category B1, only be complied with to the extent that it is compatible with the characteristics of the vehicle on which the test is taken.

(3) Requirement F shall only be complied with during a test for a licence authorising the driving of a vehicle of a class included in category B + E and, in the case of a disabled driver, may be carried out through oral questioning.

A. Eyesight

Read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of 20.5 metres.

B. Preparation to drive

1. Adjust the seat as necessary to obtain a correct seating position.
2. Adjust rear view mirrors and seat belt.
3. Check that the doors are closed.

C. Technical control of the vehicle

1. Start the engine and move off smoothly (uphill and downhill as well as on the flat).
2. Accelerate to a suitable speed while maintaining a straight course, including during gear-changes.
3. Adjust speed to negotiate left or right turns at junctions, possibly in restricted spaces while maintaining control of the vehicle.
4. Brake accurately to stop where directed, if need be by performing an emergency stop.
5. Either—
 - (a) perform any two of the following manoeuvres—
 - (i) reverse in a straight line and reverse right or left round a corner while keeping within the correct traffic lane;
 - (ii) turn the vehicle to face the opposite way, using forward and reverse gears;
 - (iii) park the vehicle and leave a parking space (parallel, oblique or right-angle) both forwards and in reverse, on the flat, uphill and downhill; or
 - (b) (in the case of a test for a licence authorising the driving of vehicles in category B + E only) reverse in an S-shaped curve.

D. Behaviour in traffic

1. Observe (including the use of the rear view mirrors) road alignment, markings, signs and potential or actual risks.
2. Communicate with other road users using the authorised means.
3. React appropriately in actual risk situations.
4. Comply with road traffic regulations and the instructions of the police and traffic controllers.
5. Move off from the kerb or a parking space.
6. Drive with the vehicle correctly positioned on the road, adjusting speed to traffic conditions and the line of the road.

7. Keep the right distance between vehicles.
8. Change lanes.
9. Pass parked or stationary vehicles and obstacles.
10. Approach and cross junctions.
11. Turn right and left at junctions or to leave the carriageway.
12. Where the opportunity arises—
 - (a) Pass oncoming vehicles, including in confined spaces.
 - (b) Overtake in various situations.
 - (c) Approach and cross level-crossings.

E. Alighting from vehicle

Take all precautions necessary when alighting.

F. Trailer

Uncouple and recouple trailer.

PART 3

PRACTICAL TEST: CATEGORIES C AND C + E

- (1) Test candidates must satisfy the examiner as to their ability to—
- (i) carry out properly the activities, and
 - (ii) perform competently, without danger to and with due consideration for other road users, the manoeuvres

prescribed in paragraph (2), (3) or (4), as the case may be, in all respects in accordance with this Schedule.

(2) In the case of candidates taking a test for a licence authorising the driving of vehicles of a class included in category C or C + E or any sub-category thereof, the manoeuvres and activities mentioned in sections A to C and F below are prescribed.

(3) In the case of candidates taking a test for a licence authorising the driving of vehicles of a class included in category C or C + E or in sub-category C1 + E, the manoeuvres and activities mentioned in section D are also prescribed.

(4) In the case of candidates taking a test for a licence authorising the driving of vehicles of a class included in category C + E or sub-category C1 + E, the activity mentioned in section E is prescribed.

A. Preparation to drive

1. Adjust the seat as necessary to obtain a correct seating position.
2. Adjust rear view mirrors and seat belt.
3. Check that the doors are closed.

B. Technical control of the vehicle

1. Start the engine and move off smoothly (uphill and downhill as well as on the flat).

2. Accelerate to a suitable speed while maintaining a straight course, including during gear-changes.
3. Adjust speed to negotiate left or right turns at junctions, possibly in restricted spaces while maintaining control of the vehicle.
4. Brake accurately to stop where directed, if need be by performing an emergency stop.
5. Either—
 - (a) perform any two of the following manoeuvres—
 - (i) reverse in a straight line and reverse right or left round a corner while keeping within the correct traffic lane;
 - (ii) turn the vehicle to face the opposite way, using forward and reverse gears;
 - (iii) park the vehicle and leave a parking space (parallel, oblique or right-angle) both forwards and in reverse, on the flat, uphill and downhill; or
 - (b) (in the case of a test for a licence authorising the driving of vehicles in category C + E only) reverse in an S-shaped curve.

C. Behaviour in traffic

1. Observe (including the use of the rear view mirrors) road alignment, markings, signs and potential or actual risks.
2. Communicate with other road users using the authorised means.
3. React appropriately in actual risk situations.
4. Comply with road traffic regulations and the instructions of the police and traffic controllers.
5. Move off from the kerb or a parking space.
6. Drive with the vehicle correctly positioned on the road, adjusting speed to traffic conditions and the line of the road.
7. Keep the right distance between vehicles.
8. Change lanes.
9. Pass parked or stationary vehicles and obstacles.
10. Approach and cross junctions.
11. Turn right and left at junctions or to leave the carriageway.
12. Where the opportunity arises—
 - (a) Pass oncoming vehicles, including in confined spaces.
 - (b) Overtake in various situations.
 - (c) Approach and cross level-crossings.

D. Larger vehicles: speed reduction and steering

1. Check the power-assisted braking and steering systems.
2. Use the various braking systems.
3. Use the speed reduction systems other than the brakes.
4. Adjust course to allow for the length of the vehicle and its overhang.

E. Trailers

Uncouple and re-couple trailer or semi-trailer from and to the tractor vehicle.

F. Vehicle safety

Show awareness of vehicle safety measures and be able to operate vehicle safety systems.

PART 4

PRACTICAL TEST: CATEGORIES D AND D + E

(1) Test candidates must satisfy the examiner as to their ability to—

- (i) carry out properly the activities, and
- (ii) perform competently, without danger to and with due consideration for other road users, the manoeuvres

prescribed in paragraph (2), (3) or (4), as the case may be, in all respects in accordance with this Schedule.

(2) In the case of candidates taking a test for a licence authorising the driving of vehicles of a class included in category D or D + E or any sub-category thereof, the manoeuvres and activities mentioned in sections A to C and F below are prescribed.

(3) In the case of candidates taking a test for a licence authorising the driving of vehicles of a class included in category D or D + E or in sub-category D1 + E, the manoeuvres and activities mentioned in section D are also prescribed.

(4) In the case of candidates taking a test for a licence authorising the driving of vehicles of a class included in category D + E or sub-category D1 + E, the activity mentioned in section E is prescribed.

A. Preparation to drive

1. Adjust the seat as necessary to obtain a correct seating position.
2. Adjust rear view mirrors and seat belt.
3. Check that the doors are closed.

B. Technical control of the vehicle

1. Start the engine and move off smoothly (uphill and downhill as well as on the flat).
2. Accelerate to a suitable speed while maintaining a straight course, including during gear-changes.
3. Adjust speed to negotiate left or right turns at junctions, possibly in restricted spaces while maintaining control of the vehicle.
4. Brake accurately to stop where directed, if need be by performing an emergency stop.
5. Either—
 - (a) perform any two of the following manoeuvres—
 - (i) reverse in a straight line and reverse right or left round a corner while keeping within the correct traffic lane;
 - (ii) turn the vehicle to face the opposite way, using forward and reverse gears;

- (iii) park the vehicle and leave a parking space (parallel, oblique or right-angle) both forwards and in reverse, on the flat, uphill and downhill; or
- (b) (in the case of a test for a licence authorising the driving of vehicles in category D + E only) reverse in an S-shaped curve.

C. Behaviour in traffic

1. Observe (including the use of the rear view mirrors) road alignment, markings, signs and potential or actual risks.
2. Communicate with other road users using the authorised means.
3. React appropriately in actual risk situations.
4. Comply with road traffic regulations and the instructions of the police and traffic controllers.
5. Move off from the kerb or a parking space.
6. Drive with the vehicle correctly positioned on the road, adjusting speed to traffic conditions and the line of the road.
7. Keep the right distance between vehicles.
8. Change lanes.
9. Pass parked or stationary vehicles and obstacles.
10. Approach and cross junctions.
11. Turn right and left at junctions or to leave the carriageway.
12. Where the opportunity arises—
 - (a) Pass oncoming vehicles, including in confined spaces.
 - (b) Overtake in various situations.
 - (c) Approach and cross level-crossings.

D. Larger vehicles: speed reduction and steering

1. Check the power-assisted braking and steering systems.
2. Use the various braking systems.
3. Use the speed reduction systems other than the brakes.
4. Adjust course to allow for the length of the vehicle and its overhang.

E. Trailers

Uncouple and re-couple trailer or semi-trailer from and to the tractor vehicle.

F. Vehicle safety

Show awareness of vehicle safety measures and be able to operate vehicle safety systems.

PART 5

UNITARY TEST: CATEGORIES F, G, H AND K

1. Read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of—
 - (a) 12.3 metres, in the case of a unitary test conducted in respect of a vehicle included in category K;
 - (b) 20.5 metres in any other case.
2. Start the engine of the vehicle.
3. Move away straight ahead or at an angle.
4. Overtake, meet or cross the path of other vehicles and take an appropriate course.
5. Turn right-hand and left-hand corners correctly.
6. Stop the vehicle in an emergency and normally and, in the latter case, bring it to rest in an appropriate part of the road.

PART 6

UNITARY TEST: CATEGORIES F AND G

1. Carry out manoeuvres involving the use of reverse gear (except in a case where the vehicle is not fitted with a means of reversing).
2. Indicate intended actions at appropriate times by giving appropriate signals in a clear and unmistakable manner.

In the case of a test taken on a vehicle with a left-hand drive or by a disabled person for whom it is impracticable or undesirable to give signals by arm, there shall be no requirement to give signals which cannot be given by mechanical means.

3. Act correctly and promptly on all signals given by traffic signs and traffic controllers and take appropriate action in relation to signs given by other road users.

PART 7

UNITARY TEST: CATEGORY H

1. Indicate intended actions at appropriate times by giving appropriate signals in a clear and unmistakable manner.

In the case of a test taken on a vehicle with a left-hand drive or by a disabled person for whom it is impracticable or undesirable to give signals by arm, there shall be no requirement to give signals which cannot be given by mechanical means.

2. Act correctly and promptly on all signals given by traffic signs and traffic controllers and take appropriate action in relation to signs given by other road users.
3. Drive the vehicle backwards and cause it to face in the opposite direction by means of its tracks.

SCHEDULE 9

Regulation 42

UPGRADED ENTITLEMENTS ON PASSING SECOND TEST

TABLE A

(1) Test prescribed in respect of:—	Prescribed test also passed for:	
	(2) Category C + E	(3) Sub-category C1 + E
D	D + E	D1 + E
D1	D1 + E	D1 + E

TABLE B

(A) Manual test pass in category (or sub-category): Automatic test pass:—								
	(1) (C1)	(2) (C)	(3) C1 + E	(4) C + E	(5) D1	(6) D	(7) D1 + E	(8) D + E
C1	—	—	C1	C1 & C1 + E	C1	C1	C1	C1
C	—	—	—	C	C1	C	C1	C
C1 + E	—	C1 + E	—	—	D1 + E (a)	C1 + E	C1 + E	C1 + E
C + E	—	—	—	—	D1 + E (a)	D + E (a)	—	C + E
D1	D1	D1	D1 & D1 + E	D1 & D1 + E	—	—	—	D1 & D1 + E
D	—	D	—	D & D1 + E	—	—	—	D
D1 + E	—	D1 + E	D1 + E	D1 + E	—	D1 + E	—	—
D + E	—	—	—	D + E	—	—	—	—

SCHEDULE 10

Regulation 44

FORMS OF CERTIFICATE AND STATEMENT OF THEORY TEST RESULT

PART 1

Certificate of passing a theory test

Driver number.

Date of test

It is hereby certified that [Name of candidate] has been examined and has PASSED the theory test prescribed under section 89 of the Road Traffic Act 1988 in respect of category/categories

Theory Test Centre [Number or location of centre].

PART 2

Statement of failure to pass a theory test

Driver number.

Date of test

[Name of candidate] has been examined and has FAILED to pass the theory test prescribed under section 89 of the Road Traffic Act 1988 in respect of category/categories.

Theory Test Centre [Number or location of centre].

SCHEDULE 11

Regulation 45

FORMS OF CERTIFICATE AND STATEMENT
OF PRACTICAL AND UNITARY TEST RESULT

PART 1 UNITARY TEST PASS OR PRACTICAL TEST PASS AFTER THEORY TEST PASS

Certificate of passing the [*extended] test of competence to drive**

Driver Number

Date of test

I certify that [Name of candidate] has been examined and has PASSED the test of competence prescribed for the purposes of section 89 of the Road Traffic Act [*and section 36 of the Road Traffic Offenders Act**] 1988 in respect of vehicles in category/categories

Whether vehicle fitted with automatic transmission..... Y/N.

Whether vehicle modified/other restrictions

Signature of examiner

Signature of candidate

* Words in italics to be omitted where inapplicable.

PART 2 UNITARY TEST OR PRACTICAL TEST FAILURE

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

Statement of failure to pass the practical test/test of competence to drive
(To be endorsed on the front or the reverse of the Driving Test Report Form)

Name of candidate
Category/ies of vehicle.....
Driver Number
Date of test.....

The candidate named herein has been examined and has FAILED to pass the practical test/test of competence to drive prescribed under the Road Traffic Act [*and for the purposes of section 36 of the Road Traffic Offenders Act*] 1988 in respect of vehicles in the above category/categories.

* Words in italics to be omitted where inapplicable.

PART 3 PRACTICAL TEST PASS BEFORE THEORY TEST PASS

Certificate of passing the (*extended) practical test**

Driver Number
Date of test.....

I certify that [Name of candidate] has been examined and has PASSED the practical test prescribed for the purposes of section 89 of the Road Traffic Act 1988 (*and for the purposes of section 36 of the Road Traffic Offenders Act**) 1988 in respect of vehicles in category/categories.

Whether vehicle fitted with automatic transmission..... Y/N.

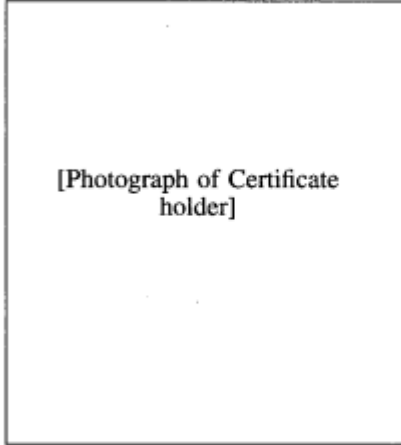
Whether vehicle modified/other restrictions

Signature of examiner

Signature of candidate

* Words in italics to be omitted where inapplicable.

Road Traffic Act 1988



**Certified Motorcycle Instructor
Certificate of Authorisation**

Name of Certificate holder

Instructor No.....

Name and address of training establishment for which
certificate valid

.....

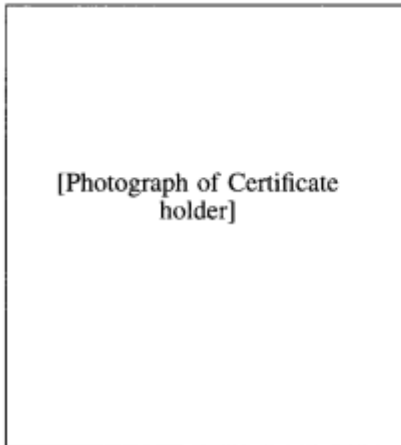
.....

Date of expiry

.....

PART 2 CERTIFIED DIRECT ACCESS INSTRUCTOR'S CERTIFICATE

Road Traffic Act 1988



**Certified Direct Access Instructor
Certificate of Authorisation**

Name of Certificate holder

Instructor No.....

Name and address of training establishment for which
certificate valid

.....

.....

Date of expiry

.....

PART 3 CERTIFICATE OF COMPLETION OF APPROVED TRAINING COURSE

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

Road Traffic Act 1988

Certificate of Completion of an Approved Training Course for Motor Bicycles

Driver Number of Candidate

Date and time of course completion

Current name

Current address

.....

.....

.....[Postcode].....

has successfully completed an approved training course for riders of motor bicycles prescribed for the purpose of Section 97 of the Road Traffic Act 1988 (as amended by Section 6 of the Road Traffic (Driver Licensing and Information Systems) Act 1989).

Signature of certified instructor

SCHEDULE 13

Regulation 62

ELEMENTS OF AN APPROVED TRAINING COURSE

(A) Introduction

1. Trainees must be told and must understand:—

- the aims of the approved training course;
- the importance of having the right equipment and clothing;
- the need to be clearly visible to other road users (the use of conspicuity aids);
- the legal requirements for riding on the road;
- why motor cyclists are more vulnerable than most road users;
- the need to drive at the correct speed according to road and traffic conditions;
- the importance of reading and understanding the Highway Code.

2. Trainees' eyesight must be tested. Trainees must be able to read, in good daylight, a vehicle registration mark containing letters and figures 79.4 mm high at a distance of 20.5 metres (with the aid of glasses or contact lenses if worn).

(B) Practical on site training

3. Trainees must receive practical on site training at the conclusion of which they must fulfil the following requirements, that is to say they must—

- be familiar with the motor cycle, its controls and how it works;
- be able to carry out basic machine checks to a satisfactory standard and be able to take the bike on and off the stand satisfactorily;

- be able to wheel the machine around to the left and right showing proper balance and bring the motorcycle to a controlled halt by braking;
- be able to start and stop the engine satisfactorily.

(C) Practical on site riding

4. Trainees must undertake practical on site riding at the conclusion of which they must be able to execute the following manoeuvres, that is to say they must be able to:—

- ride the machine under control in a straight line and bring the machine to a controlled halt;
- ride the machine round a figure of eight circuit under control;
- ride the machine slowly under control;
- bring the machine to a stop under full control as in an emergency;
- carry out controlled braking using both brakes;
- change gear satisfactorily;
- carry out rear observation correctly;
- carry out simulated left and right hand turns correctly using the Observation-Signal-Manoeuvre (OSM) and Position-Speed-Look (PSL) routines.

(D) Practical on road training

5. Before undertaking practical on road riding trainees must be told and must understand the need to:—

- ride defensively and anticipate the actions of other road users;
- use rear observation at appropriate times;
- assume the correct road position when riding;
- leave sufficient space when following another vehicle;
- pay due regard to the effect of varying weather conditions when riding;
- be aware of the various types of road surface that can be encountered.

(E) Practical on road riding

6. Trainees must undertake on road riding. They must ride safely in a variety of situations for a period of not less than 2 hours. This element must include experience of as many of the following as practicable:—

- roundabouts
- junctions
- pedestrian crossings
- traffic lights
- gradients
- bends
- obstructions.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the Motor Vehicles (Driving Licences) Regulations 1987, the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations 1990 and regulations amending those Regulations. The amendments have been made for the purpose of implementing Council Directive 91/439/EEC on Driving Licences (OJ No. L 237, 24.8.91, p. 1) and for general purposes. The principal changes made to the previous regulations (which are now revoked) are as follows:—

- (a) the categories of vehicle for licensing and testing purposes have been brought into line with the categories specified in the Directive (*regulations 4, 5, 6 and 36 and Schedule 2*);
- (b) eligibility to apply for a provisional licence for the categories of larger vehicle is staged and depends upon the possession of a licence to drive smaller vehicles (*regulation 9*);
- (c) access to licences authorising the riding of larger motor cycles is staged and depends upon the possession of a licence to drive smaller motor cycles (*regulations 7(2) and 41*);
- (d) a test pass in a category B vehicle (motor cars and small goods vehicles) does not automatically confer entitlement to drive medium-sized goods vehicles and small buses (categories C1 and D1), for which separate tests must now be passed (*regulations 36 and 40 and Schedules 2, 7 and 8*);
- (e) driving tests for medium-sized and large goods and passenger-carrying vehicle drivers' licences are divided into two parts, a theory test and a practical test, and the content of the practical tests has been modified (*regulation 36 and Schedules 7 and 8*);
- (f) the arrangements for tests for medium-sized and large goods and passenger-carrying vehicle drivers' licences are made similar to those already applying to a smaller vehicles and include, inter alia, a trainer booking facility (*regulations 24, 26, 28 and 30*);
- (g) the specifications for vehicles which must be provided for tests have been modified (*regulation 33*) and photographic evidence of identity is required at tests (*regulation 34(2) and (4) and Schedule 6*);
- (h) provision is made for compulsory basic training for motor cyclists to be undertaken on large bicycles with an engine power over 35 kilowatts (*regulations 59 and 60*);
- (i) the medical standards required in respect of licences are modified (*regulations 65 to 68*) by—
 - (i) the creation of two groups, Group 1 including the smaller and slower vehicles and Group 2 including medium-sized and large goods vehicles and all passenger-carrying vehicles, and
 - (ii) the introduction of stricter eyesight standards for drivers of Group 2 vehicles.

Transitional provision is made for holders of licences with driving entitlements currently in force and for correspondences between the current vehicle categories and the new ones (*see, in particular, regulations 5, 49 and 70*).

Fees for driving tests and the grant of driving licences are not changed (*regulations 12, 27 and 31 and Schedules 3 and 5*) but the cost of obtaining licences to drive the larger categories of vehicle is increased in some cases as a result of the introduction of staging of entitlements mentioned above.

The Regulations come into force for the purposes of booking tests on 2nd December 1996, for the purposes of photographic identification at tests on 1st March 1997 and for all other purposes (except the reference to the Road Traffic (New Drivers) Act 1995) 1st January 1997.