
STATUTORY INSTRUMENTS

1999 No. 2864

The Motor Vehicles (Driving Licences) Regulations 1999

PART III

TESTS OF COMPETENCE TO DRIVE

Nature and conduct of tests

[^{F1} Exemption from theory test

42.—[^{F2}(1) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising that person to drive a motor vehicle of a class included in sub-category A1 if that person—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A; or
- (b) has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).]

[
^{F3}(1A) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in sub-category A2 if that person—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A;
- (b) has, for a period of not less than two years, held a full licence which authorises the driving of A1 motorcycles; or
- (c) has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1B) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in sub-category A3 if that person—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A;
- (b) has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles; or
- (c) has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1C) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category AM or A if that person has held, for a period of not more than two years, a standard theory test pass certificate issued before 19th January 2013 in respect of a motor vehicle which—

- (a) is of a class included in former category P; or
- (b) is a motor bicycle.

(1D) A person who has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to a certificate mentioned in paragraph (1C) is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category AM or A.

(1E) A person who is a full time member of the armed forces is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category A if that person has passed a test for a licence authorising the driving of motor vehicles of another class included in category A.]

(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—

- ^{F4}(a)
- (b) he holds a full licence authorising the driving of motor vehicles ^{F5}...of another class included in category B ^{F5}...; or
- (c) he has passed a Northern Ireland test of competence corresponding to the test mentioned in sub-paragraph (a) or is the holder of a Northern Ireland licence corresponding to the licence mentioned in sub-paragraph (b); or
- (d) he has passed a test for a licence authorising the driving of motor vehicles ^{F6}... of another class included in category B ^{F6}... and is ^{F6}... a full-time member of the armed forces of the Crown.

(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) 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, or a Northern Ireland licence corresponding to such a licence; or
- (b) on or after 1st January 1997, he has passed a test for a licence authorising the driving of motor vehicles of another class included in category C and is a full-time member of the armed forces of the Crown.

(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) 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;or a Northern Ireland licence corresponding to such a licence; or
- (b) on or after 1st January 1997, he has passed a test prescribed in respect of motor vehicles of another class included in category D and is a full-time member of the armed forces of the Crown.

(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 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 pass certificate under section 3(2) of, or Schedule 1 to, the Road Traffic (New Drivers) Act 1995 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.]

Textual Amendments

- F1** Regs. 40A-40C inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **14** (with reg. 22)
- F2** Reg. 42(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 26(a)**
- F3** Reg. 42(1A)-(1E) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 26(b)**
- F4** Reg. 42(2)(a) omitted (1.2.2001) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **7(3)(a)**
- F5** Words in reg. 42(2)(b) omitted (1.2.2001) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **7(3)(b)**
- F6** Words in reg. 42(2)(d) omitted (21.2.2003) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **3(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) Regulations 1999, Section 42.