

2000 No. 1805

ROAD TRAFFIC

**The Motor Cars (Driving Instruction) (Amendment)
Regulations 2000**

<i>Made - - - -</i>	<i>10th July 2000</i>
<i>Laid before Parliament</i>	<i>10th July 2000</i>
<i>Coming into force for all purposes except the purposes of regulation 7</i>	<i>1st August 2000</i>
<i>for the purposes of regulation 7</i>	<i>1st February 2001</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by sections 125(3)(a), 125A(6)(a), 129(5) and 134(a) of the Road Traffic Act 1988(a), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 2000 and shall come into force—

- (a) for all purposes except the purposes of regulation 7, on the 1st August 2000;
- (b) for the purposes of regulation 7, on the 1st February 2001.

Amendment of the Motor Cars (Driving Instruction) Regulations 1989

2.—(1) The Motor Cars (Driving Instruction) Regulations 1989(b) (“the Principal Regulations”) are amended in accordance with regulations 3 to 9 below.

3. In regulation 4 (written examination), for the words from “regulation 44(2)” to the end of paragraph (i) of sub-paragraph (g), there shall be substituted “regulation 47(2) or, as the case may be, regulation 48(1) of the Motor Vehicles (Driving Licences) Regulations 1999”(c).

4.—(1) Regulation 5 (driving ability and fitness test) is amended in accordance with paragraphs (2) and (3) below.

(2) For paragraph (3) there shall be substituted—

“(3) The test of driving technique shall, so far as possible, be conducted both on urban roads and on roads of different classes outside built-up areas and a candidate must satisfy the person conducting the test that he has an adequate knowledge of the principles of good driving and road safety and that he can apply that knowledge in practice.”.

(a) 1988 c. 52. Section 125A was inserted, and section 129(5) was amended, respectively by sections 1 and 2(3) of the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c. 31).

(b) S.I. 1989/2057. The relevant amendments to regulations 4, 7 and 9 are by S.I. 1998/2247.

(c) S.I. 1999/2864.

(3) For paragraph (5) there shall be substituted—

“(5) A candidate taking the test of driving technique must satisfy the person conducting the test of his ability to meet the requirements specified in Schedule A1 to these Regulations.”

5.—(1) Regulation 7 (motor car to be provided for practical examination) is amended in accordance with paragraphs (2) and (3) below.

(2) In paragraph (2)—

(a) “either—

(a)”,

(b) the word “or” at the end of sub-paragraph (a), and

(c) sub-paragraph (b),

shall be omitted.

(3) In paragraphs (4) and (5), in each case for the words from “regulation 15(1)(b)” to the end of the paragraph there shall be substituted “regulation 16(2) of the Motor Vehicles (Driving Licences) Regulations 1999”.

6. After regulation 7 there shall be inserted—

“PART IIA

ADDITIONAL CONDITIONS FOR ENTRY OF NAME ON REGISTER

7A.—(1) To the conditions as to which the Registrar must be satisfied before entering the name of a person in the register—

(a) under section 125 of the Act, or

(b) under section 125A of the Act,

(as the case may be) there is added the condition in paragraph (2) below.

(2) The condition is that both the application for entry of the person’s name in the register and the prescribed fee have been received by the Registrar—

(a) in the case of a person who has passed the examination of ability to give instruction in the driving of motor cars on or before 31st July 2000, not later than 31st July 2001, and

(b) in any other case, not later than the expiration of the period of one year beginning on the date when the person passed that examination.”.

7.—(1) Regulation 9 (additional conditions to be satisfied for the grant of a licence) is amended in accordance with paragraphs (2) and (3) below.

(2) For regulation 9(2)(e) there shall be substituted—

“(e) except in the case of an application for a substitute licence, that he has received within the period of 6 months ending on the date of his application for a licence not less than 40 hours training which fulfils the requirements of paragraph (2A) below;”.

(3) After paragraph (2) there shall be inserted—

“(2A) This paragraph requires that the training—

(a) is given by an approved driving instructor,

(b) includes training in all the matters specified in Part I of Schedule 1 to these Regulations, and

(c) is training of which at least 10 hours is conducted in a motor car where the approved driving instructor and the person being trained are accompanied, if at all, by no more than one other person who is receiving training of the same nature.”.

8.—(1) Subject to paragraph (2) below, for regulation 10 (duration of licences) there shall be substituted—

“10. A licence shall remain in force until—

- (a) the expiration of a period of six months commencing on the date of the grant, or
- (b) the day immediately following the day on which the holder of the licence failed the instructional ability and fitness test at the third attempt,

whichever shall first occur.”.

(2) Paragraph (1) above shall not apply in the case of a licence granted before the date on which this regulation comes into force and the provisions of regulation 10 of the Principal Regulations in force immediately before that date shall apply to such a licence.

9. There shall be inserted before Schedule 1 the following Schedule—

SCHEDULE A1

“Regulation 5(5)

REQUIREMENTS FOR TEST OF DRIVING TECHNIQUE

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. Perform the following manoeuvres—
 - (a) reverse in a straight line and reverse right or left round a corner while keeping within the correct traffic lane;
 - (b) turn the vehicle to face the opposite way, using forward and reverse gears;
 - (c) park the vehicle and leave a parking space (parallel, oblique or right-angle) both forwards and in reverse, on the flat, uphill and downhill.

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.

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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. Alighting from vehicle

Take all precautions necessary when alighting.”.

Signed on behalf of the Secretary of State

10th July 2000

Larry Whitty
Parliamentary Under Secretary of State,
Department of the Environment,
Transport and the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Cars (Driving Instruction) Regulations 1989 by—

- (a) amending the requirements for the practical test of driving ability to be undertaken as part of the qualifying examination by persons wishing to have their names entered in the register of approved driving instructors (*regulations 4 and 9*);
- (b) removing the option under which a candidate may take that test of driving ability in a dual purpose vehicle (that is to say a vehicle constructed or adapted for the carriage of both passengers and goods and satisfying certain other constructional requirements) (*regulation 5*);
- (c) imposing, as an additional condition for the entry of a name on the register of approved driving instructors, a time limit for the making of an application for such entry of one year beginning on the date when an applicant passes the qualifying examination (*regulation 6*);
- (d) amending the period during which a prospective applicant for a trainee licence under section 129 of the Road Traffic Act 1988 must receive relevant training to the period of 6 months immediately before the application is made (*regulation 7*);
- (e) making provision under which a trainee licence ceases to have effect if its holder fails for a third time the final part of the qualifying examination (the test of instructional fitness and ability) (*regulation 8*);
- (f) updating references to the Motor Vehicles (Driving Licences) Regulations.

The provisions come into force on 1st August 2000 save that regulation 7 comes into force on 1st February 2001 and the coming into force of regulations 6 and 8 is subject to transitional provision.

STATUTORY INSTRUMENTS

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