

2003 No. 636

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
(No. 3) Regulations 2003**

<i>Made</i> - - - -	<i>9th March 2003</i>
<i>Laid before Parliament</i>	<i>11th March 2003</i>
<i>Coming into force</i>	
<i>as to all regulations except 5(1)</i>	<i>1st April 2003</i>
<i>as to regulation 5(1)</i>	<i>1st July 2003</i>

The Secretary of State for Transport, in exercise of the powers conferred upon him by sections 89(3) and (5), 105(1) to (3), 114(1) and 120 of the Road Traffic Act 1988(a), after consulting with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2003 and shall come into force—

- (a) as to all regulations except regulation 5(1) on 1st April 2003, and
- (b) as to regulation 5(1), on 1st July 2003.

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2. The Motor Vehicles (Driving Licences) Regulations 1999(b) (“the Principal Regulations”) are amended as provided in regulations 3 to 5.

Amendment of regulation 12

3.—(1) Regulation 12 of the Principal Regulations (restrictions on the grant of large goods and passenger-carrying vehicle licences) is amended as provided in paragraphs (2) and (3).

(2) In both paragraph (3)(b)(i) and paragraph (4)(a), for “at least one penalty point falls” there is substituted “at least four penalty points fall”.

(3) For paragraph (3)(c) there is substituted—

(a) 1988 c. 52. Section 89(3) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 63; section 105(2) was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22) (“the 1989 Act”), Schedule 3, paragraph 14, the Driving Licences (Community Driving Licence) Regulations 1990 (S.I. 1990/144), the Driving Licences (Community Driving Licence) Regulations 1996 (S.I. 1996/1974) and the Driving Licences (Community Driving Licence) Regulations 1998 (S.I. 1998/1420); sections 114 and 120 were substituted by the 1989 Act, section 2 and Schedule 2. See sections 108(1) and 121 for the meaning of “prescribed” and “regulations”.

(b) S.I. 1999/2864, to which there are amendments not relevant to these Regulations.

“(c) must satisfy the Secretary of State that he has satisfactorily completed the off-road elements of the training programme prescribed for drivers of goods vehicles by Council Directive 76/914/EEC(a) (that is those set out in paragraphs 1 and 2.1 to 2.8 of the Annex to the directive)”.

Substitution of regulation 54

4. For regulation 54 of the Principal Regulations there is substituted—

“Large goods vehicle drivers’ licences granted to persons under the age of 21

54.—(1) A large goods vehicle driver’s licence granted to a person under the age of 21 is subject to the conditions prescribed in relation thereto, for the purposes of section 114(1) of the Traffic Act(b), in the following paragraphs.

(2) An LGV trainee driver’s licence is subject to the condition that its holder shall not drive a large goods vehicle of any class which the licence authorises him to drive unless—

- (a) he is a registered employee of a registered employer, and
- (b) 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.

(3) A large goods vehicle driver’s licence held by a member of the armed forces of the Crown is subject to the condition that he shall not drive a large goods vehicle of any class unless it is owned or operated by the Secretary of State for Defence and is being used for naval, military or air force purposes.

(4) A large goods vehicle driver’s licence which—

- (a) authorises the driving of a class of vehicles included in category C, and
- (b) is a full licence,

is subject to the condition that its holder shall not drive large goods vehicles of a class included in category C+E, other than vehicles included in sub-category C1+E the maximum authorised mass of which does not exceed 7.5 tonnes, as if he were authorised to do so by a provisional licence before the expiration of a period of six months commencing on the date on which he passed the test for that licence.

(5) In this regulation—

“LGV trainee driver’s licence” means a large goods vehicle driver’s licence which—

- (a) authorises its holder to drive vehicles of a class included in category C or C+E,
- (b) is held by a person other than a member of the armed forces of the Crown, and
- (c) is in force for a period during the whole or part of which that person is under the age of 21;

“registered”, in relation to an employee, employer or training establishment, means registered for the time being by the Road Haulage and Distribution Training Council 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 Young LGV Driver Committee which is referred to in the Training Scheme;

(a) OJ No. L357, 23.12.1976, p. 36.

(b) *i.e.* the Road Traffic Act 1988.

“the Training Scheme” means the Young Large Goods Vehicle (LGV) Driver 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 27th February 2003 for training young drivers of large goods vehicles.”

Amendment of Schedule 7

5.—(1) For Parts 1 and 2 of Schedule 7 to the Principal Regulations (specified matters for the theory test) there are substituted respectively Parts 1 and 2 of Schedule 1 to these Regulations.

(2) For Parts 3 and 4 of Schedule 7 to the Principal Regulations there are substituted respectively Parts 1 and 2 of Schedule 2 to these Regulations.

Transitional provisions

6.—(1) Notwithstanding regulation 5 above, for the purposes of regulations 38 and 40 of the Principal Regulations—

(a) a person shall be treated as having passed the theory test if, before the date when the relevant provision of these Regulations comes into force, he has satisfied the person conducting a theory test that he has a sound knowledge and understanding of the specified matters prescribed at the date when he took that theory test, and

(b) a theory test pass certificate furnished to that person in respect of that test shall continue to be valid in accordance with regulation 47 of the Principal Regulations.

(2) In this regulation, “specified matters”, “theory test” and “theory test pass certificate” have the same meanings respectively as in the Principal Regulations.

Signed by authority of the Secretary of State for Transport

9th March 2003

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

SPECIFIED MATTERS FOR THE THEORY TEST: CATEGORIES A, B AND P

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 the subject matter of all those sections.

A. Road traffic regulations

Road traffic regulations including in particular 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, judgement 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, with particular reference to conditions as they change with the weather and the time of day or night and to slippery parts such as drain covers, road markings and tram rails.
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.
3. The visibility of motor cycle riders to other road users.

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 devices and raising the alarm) and the measures which he can take to assist road accident victims where necessary.
3. Safety factors relating to the vehicle, its load and persons carried.

F. Road and vehicle safety

1. Mechanical aspects of the vehicle with a bearing on road safety, i.e. detection of the most common faults (in particular in the steering, suspension and braking systems, tyres, lights and direction indicators), reflectors, rear-view mirrors, the exhaust system, the emergency stop switch, oil levels, the chain and audible warning devices.
2. The use of protective outfits such as gloves, boots and safety helmets.
3. Precautions necessary when alighting from the vehicle.

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 the subject matter of all those sections.

A. Road traffic regulations

Road traffic regulations including in particular 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, judgement 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 devices and raising the alarm) and the measures which he can take to assist road accident victims where necessary.
3. Safety factors relating to the vehicle, its load and persons carried.

F. Road and vehicle safety

1. Mechanical aspects of the vehicle with a bearing on road safety, i.e. 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, the exhaust system, seat-belts and audible warning devices.
2. Vehicle safety equipment including, in particular, the use of seat-belts, head restraints and child safety equipment.
3. Precautions necessary when alighting from the vehicle.

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.”

SCHEDULE 2

Regulation 5(2)

SPECIFIED MATTERS FOR THE THEORY TEST: CATEGORIES C AND D

PART 1

“CATEGORY C

The specified matters are set out in sections A to H. The person conducting the test shall examine the candidate on the subject matter of all those sections.

A. Road traffic regulations

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, judgement 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 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. Rules of behaviour in the event of an accident, measures to be taken after an accident or similar occurrence, including emergency action and a basic knowledge of first aid.
3. Rules on vehicle weights and dimensions and speed limiters.
4. Rules on driving hours and rest periods as defined in Council Regulation 3820/85 (EEC)(a) and the use of recording equipment as defined in Council Regulation 3821/85 (EEC)(b).
5. Vehicle and transport documents required for the national and international carriage of goods.

(a) OJ No. L370, 31.12.85, p. 1.

(b) OJ No. L370, 31.12.85, p. 8.

6. The driver's responsibility in respect of the receipt, carriage and delivery of goods in accordance with the agreed conditions.

F. Road and vehicle safety

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

2. Vehicle safety equipment, including in particular the use of seat-belts and head restraints.

3. Precautions necessary when alighting from the vehicle.

4. Safety factors relating to loading, including in particular control of the load (stowing and fastening), difficulties with different kinds of load (such as liquids and hanging loads), the loading and unloading of goods and the use of loading equipment.

5. Precautions to be taken during the removal and replacement of wheels.

G. Vehicle construction and maintenance

1. The principles of the construction and functioning of internal combustion engines, fluids (such as engine oil, coolant and washer fluid), the fuel system, the electrical system, the ignition system and the transmission system.

2. Lubrication and antifreeze protection.

3. The principles of the construction, fitting, care and correct use of tyres.

4. Principles of the types, operation, main parts, connection, use and day-to-day maintenance of braking systems and speed governors and the use of anti-lock brakes.

5. The principles of the types, operation, main parts, connection, use and day-to-day maintenance of coupling systems.

6. Methods of locating the cause of breakdowns.

7. Preventive maintenance and necessary running repairs.

H. 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 D

The specified matters are set out in sections A to H. The person conducting the test shall examine the candidate on the subject matter of all those sections.

A. Road traffic regulations

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, judgement 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 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. Rules of behaviour in the event of an accident, measures to be taken after an accident or similar occurrence, including the evacuation of passengers and other emergency action and a basic knowledge of first aid.
3. Rules on vehicle weights and dimensions and speed limiters.
4. Rules on driving hours and rest periods as defined in Council Regulation 3820/85 (EEC) and the use of recording equipment as defined in Council Regulation 3821/85 (EEC).
5. Vehicle and transport documents required for the national and international carriage of passengers.

F. Road and vehicle safety

1. Mechanical aspects of the vehicle with a bearing on road safety, i.e. detection of the most common faults, in particular in the steering, suspension and brake systems, tyres, lights and direction indicators, reflectors, rear-view mirrors, audible warning devices, windscreen and wipers, the exhaust system and seat-belts.
2. Vehicle safety equipment, including in particular the use of seat-belts and head restraints.
3. Precautions necessary when alighting from the vehicle.
4. The driver's responsibility in respect of the carriage of passengers, the comfort and safety of passengers, the transport of children, necessary checks before driving away, this item to cover all types of passenger-carrying vehicle (coaches, service buses, vehicles with special dimensions and so on).
5. Precautions to be taken during the removal and replacement of wheels.

G. Vehicle construction and maintenance

1. The principles of the construction and functioning of internal combustion engines, fluids (such as engine oil, coolant and washer fluid), the fuel system, the electrical system, the ignition system and the transmission system.
2. Lubrication and antifreeze protection.
3. Principles of the types, operation, main parts, connection, use and day-to-day maintenance of braking systems and speed governors and the use of anti-lock brakes.
4. The principles of the construction, fitting, care and correct use of tyres.
5. The principles of the types, operation, main parts, connection, use and day-to-day maintenance of coupling systems.
6. Methods of locating the cause of breakdowns.
7. Preventive maintenance and necessary running repairs.

H. 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.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Driving Licences) Regulations 1999 by—

- (a) permitting the grant of a large goods vehicle driver's licence to a person under the age of 21 who has accumulated not more than 3 penalty points but imposing on an applicant for such a licence a requirement to produce evidence of satisfactory completion of the off-road element of the young LGV driver training course (*regulation 3*);
- (b) modifying the conditions subject to which large goods vehicle drivers' licences are granted to persons under the age of 21, to correspond with the terms of the new Young LGV Drivers Training Scheme approved by the Secretary of State on 27th February 2003 (*regulation 4*);
- (c) substituting (with effect from 1st April or 1st July 2003 as the case may be) new syllabuses for the theory tests to be taken by applicants for licences to drive vehicles in categories A, B, C, D and P (*regulation 5 and Schedules*). This implements in part Article 1(2) and Annex II of Commission Directive 2000/56/EC of 14th September 2000 amending Council Directive 91/439/EEC on driving licences.

They contain transitional provisions preserving the validity of theory test passes gained before the Regulations come into force (*regulation 6*).

A regulatory impact assessment has been prepared and copies may be obtained from the Driving Standards Agency, Stanley House, 56 Talbot Street, Nottingham NG1 5GU, or viewed on the Driving Standards Agency website www.dsa.gov.uk. A copy has been placed in the library of both of Houses of Parliament.

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