

2014 No. 1816

ROAD TRAFFIC

**The Driving Theory Test Fees (Various Amendments)
Regulations 2014**

<i>Made</i>	- - - -	<i>7th July 2014</i>
<i>Laid before Parliament</i>		<i>23rd July 2014</i>
<i>Coming into force</i>	- -	<i>20th August 2014</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 89(3), (4), (5) and (5ZA), 105(1), (3) and (4), 132 and 141 of the Road Traffic Act 1988(a), section 2(2) of the European Communities Act 1972(b) and section 56(1) and (2) of the Finance Act 1973(c), by virtue of the Department of Transport (Fees) Order 1988(d) and, in the case of section 89 of the 1988 Act and section 56 of the 1973 Act, with the approval of the Treasury, makes the following Regulations.

The Secretary of State for Transport is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(e) in relation to the regulation and supervision of the qualifications and working conditions of persons engaged in road transport.

The Secretary of State for Transport has consulted with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988.

Citation and commencement

1. These Regulations may be cited as the Driving Theory Test Fees (Various Amendments) Regulations 2014 and come into force on 20th August 2014.

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2.—(1) The Motor Vehicles (Driving Licences) Regulations 1999(f) are further amended as follows.

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- (a) 1988 c. 52. Section 89(3) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 63. Section 89(3), (4), (5) and (5ZA) was amended by the Road Safety Act 2006 (c. 49), section 36(1) to (5). Section 105(4) was amended by S.I. 1998/1420. Section 132 was amended by the Transport Act 2000 (c. 38), Schedule 29, paragraph 9. Section 141 was amended by the Road Safety Act 2006, Schedule 6, paragraph 24.
- (b) 1972 c. 68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and by the European Union (Amendment) Act 2008 (c. 7), Schedule, Part 1.
- (c) 1973 c. 51; section 56(1) was amended by S.I. 2011/1043.
- (d) S.I. 1988/643; relevant amending instruments are S.I. 1995/1684, 1996/1961, 2003/1094 and 2009/1885. The relevant functions and matters for the purposes of section 102 of the Finance (No. 2) Act 1987 (c. 51) are specified in columns (2) and (3) of items 5 and 12 in Table III (Road Traffic Act 1988) of Schedule 1 and in Schedule 2 to the Order.
- (e) S.I. 1975/1707.
- (f) S.I. 1999/2864; relevant amending instruments are S.I. 2006/524, 2007/698, 2008/508 and 1435, 2009/788, 2010/1203 and 2012/977.

(2) In regulation 23A—

(a) for paragraph (2) there is substituted—

“(2) For each test set supplied under paragraph (1) in respect of a test which—

- (a) is of the type specified in column (2) of an item in the table;
- (b) relates to a vehicle falling within a category specified in column (3); and
- (c) is to be conducted at a time specified in column (4),

the Secretary of State may make a charge of the amount specified in column (5).

Table

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Type of test</i>	<i>(3)</i> <i>Vehicle</i> <i>category</i>	<i>(4)</i> <i>Time</i>	<i>(5)</i> <i>Charge £</i>
1.	Any test	AM, A or B	Before 1st October 2014	18.50
2.	Any test	AM, A or B	On or after 1st October 2014	15
3.	Large vehicle test of driving theory	C or D	Before 1st October 2014	20
4.	Large vehicle test of driving theory	C or D	On or after 1st October 2014	12
5.	Large vehicle test of hazard perception	C or D	Any time	9”

(b) In paragraph (4)—

(i) in sub-paragraph (a) for “the test referred to in paragraph (2)(a)” there is substituted “a test falling within item 1 or 2 of the table in paragraph (2)”; and

(ii) in sub-paragraph (b) for “the test referred to in paragraph (2)(b)” there is substituted “a test falling within item 3, 4 or 5 of the table in paragraph (2)”.

(3) In regulation 27(1)(d) for “regulation 30(2)” there is substituted “regulation 30(3)”.

(4) In regulation 28(1)(d) for “regulation 30(1)” there is substituted “regulation 30(1) or (2)”.

(5) In regulation 28A(1)(c) for “regulation 30” there is substituted “regulation 30(3)”.

(6) For regulation 30 there is substituted—

“Fees for theory tests

30.—(1) The fee payable for a large vehicle test of driving theory to be conducted by an appointed person is—

- (a) £35 if the test is to be conducted before 1st October 2014;
- (b) £28 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
- (c) £26 if the test is to be conducted on or after 1st October 2015.

(2) The fee payable for a large vehicle test of hazard perception to be conducted by an appointed person is—

- (a) £15 if the test is to be conducted before 1st October 2014;
- (b) £12 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
- (c) £11 if the test is to be conducted on or after 1st October 2015.

(3) Subject to paragraph (4), the fee payable for a theory test to be conducted by an appointed person in respect of a motor vehicle in category AM, A or B is—

- (a) £31 if the test is to be conducted before 1st October 2014;
- (b) £25 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;

- (c) £23 if the test is to be conducted on or after 1st October 2015.
- (4) The fee payable for a theory test within the meaning of regulation 3A(1)(ab) is—
 - (a) £24 if the test is to be conducted before 1st October 2014;
 - (b) £19 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
 - (c) £18 if the test is to be conducted on or after 1st October 2015.”

Amendment of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007

3. The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007(a) are further amended as follows.

4.—(1) Regulation 5 is amended as follows.

- (2) In paragraph (5A) for “at the end of this regulation” there is substituted “in paragraph (11)”.
- (3) In paragraph (5B) for “at the end of this regulation” there is substituted “in paragraph (11)”.
- (4) In paragraph (6) for “the fee specified in the table at the end of this regulation” there is substituted “the fee determined in accordance with paragraph (11)”.

(5) In paragraph (6ZA)—

- (a) for “at the end of this regulation” there is substituted “in paragraph (11)”; and
- (b) for “the fee specified in the table” there is substituted “the fee determined in accordance with paragraph (11)”.

(6) For paragraph (6A) there is substituted—

“(6A) A person approved under paragraph (1) must, in respect of each test which that person is to conduct, pay to the competent authority a fee determined in accordance with paragraph (6AA).

(6AA) The amount of the fee under paragraph (6A) is—

- (a) for a practical test, £41; and
- (b) for a theoretical test—
 - (i) £30 if the test is to be conducted before 1st October 2014;
 - (ii) £27 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
 - (iii) £26 if the test is to be conducted on or after 1st October 2015.”

(7) For the table appearing after paragraph (10) there is substituted—

“(11) For the part of the test—

- (a) specified in column (2) of an item in the table;
- (b) to be commenced at the time of day (if any) specified in column (2); and
- (c) to be conducted at the time specified in column (3),

the fee payable under paragraph (6) or (6ZA) is the amount specified in column (4).

Table

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Part of test</i>	<i>(3)</i> <i>Time to be conducted</i>	<i>(4)</i> <i>Fee £</i>
1.	Theoretical test	Before 1st October 2014	30
2.	Theoretical test	During the period beginning with 1st October 2014 and ending on 30th	24

(a) S.I. 2007/605; relevant amending instruments are S.I. 2008/1965, 2010/865 and 2013/1753.

		September 2015	
3.	Theoretical test	On or after 1st October 2015	23
4.	Practical test commencing during normal hours	Any time	55
5.	Practical test not commencing during normal hours	Any time	63”

5. In regulation 5A(2A) for “regulation 5” there is substituted “regulation 5(11)”.

6. In regulation 5B(4) in the definitions of “practical test” and “theoretical test” for “regulation 5”, in each place where those words occur, there is substituted “regulation 5(11)”.

Amendment of the Motor Cars (Driving Instruction) Regulations 2005

7. For regulation 17(1) of the Motor Cars (Driving Instruction) Regulations 2005(a) there is substituted—

“(1) The amount of the fee payable by a person who applies in respect of a matter, and at the time if any, specified in column (2) of an item in the table is the amount specified in column (3) of the item.

Table

(1)	(2)	(3)
<i>Item</i>	<i>Matter in respect of which application is made</i>	<i>Fee</i>
1.	Submission to the written examination where the examination is to be conducted before 1st October 2014	90
2.	Submission to the written examination where the examination is to be conducted in the period beginning with 1st October 2014 and ending on 30th September 2015	83
3.	Submission to the written examination where the examination is to be conducted on or after 1st October 2015	81
4.	Submission to the driving ability and fitness test	111
5.	Submission to the instructional ability and fitness test	111
6.	Retention of a name in the register	300
7.	A licence	140
8.	Entry to the register on the passing of an examination	300
9.	Entry to the register without passing the examination by virtue of section 125(7), 125B(3) or 126(3) or (4) of the Act	300”

Signed by authority of the Secretary of State for Transport

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport

2nd July 2014

We consent to the making of these Regulations to the extent that they are made in exercise of powers conferred by section 89 of the Road Traffic Act 1988 or section 56 of the Finance Act 1973.

Mark Lancaster
Sam Gyimah

7th July 2014

Two of the Lords Commissioners of Her Majesty’s Treasury

(a) S.I. 2005/1902. Relevant amending instruments are S.I. 2007/697, 2008/419 and 2009/844.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend three sets of Regulations setting charges or fees for various types of driving theory test. In some cases the fees remain at their present levels and in others they are reduced. In no case is there an increase. The practical effect of these Regulations when they come into force is to confirm all the relevant fees at their current levels. Thereafter, some of the fees will reduce.

Regulation 2 amends the Motor Vehicles (Driving Licences) Regulations 1999. Regulation 23A is amended so as to reduce the charge to be levied by the Secretary of State for the supply of a test set from 1st October 2014, except in a case falling within item 5 of the table where the charge is unchanged. *Regulation 2* also substitutes a new regulation 30 prescribing the fees payable for various types of theory test. In each case the fee payable for a test to be conducted before 1st October 2014 remains unchanged but there are reduced fees for tests to be conducted in the period from 1st October 2014 to 30th September 2015 and a further reduction for tests to be conducted thereafter.

Regulations 3, 4, 5 and 6 amend the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 so far as relating to the fees payable for theory tests by applicants for certificates of professional competence as drivers of buses or heavy goods vehicles. Again, the fees are either held at their present level or reduced from 1st October 2014 and, in some cases, further reduced with effect from 1st October 2015.

Regulation 7 amends the Motor Cars (Driving Instruction) Regulations 2005 in relation to the fees payable for the taking of a test by an applicant for a driving instructor's licence or for registration as an approved driving instructor.

A full impact assessment of the effect that these Regulations will have on the costs to business and the voluntary sector is available from the Department for Transport, Great Minster House, 33 Horseferry Road London SW1P 4DR and is published with the Explanatory Memorandum alongside these Regulations at <http://www.legislation.gov.uk>.

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£4.25

UK2014070913 07/2014 19585

<http://www.legislation.gov.uk/id/uksi/2014/1816>

ISBN 978-0-11-111788-0



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