
STATUTORY INSTRUMENTS

2014 No. 2216

ROAD TRAFFIC

**The Motor Cars (Driving Instruction)
(Amendment) Regulations 2014**

Made - - - - *18th August 2014*
Laid before Parliament *3rd September 2014*
Coming into force - - *1st October 2014*

The Secretary of State for Transport, in exercise of the powers conferred by sections 132 (1) and (2) (a) and 141 of the Road Traffic Act 1988(1), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 2014 and come into force on 1st October 2014.

Amendments to the Motor Cars (Driving Instruction) Regulations 2005

2.—(1) The Motor Cars (Driving Instruction) Regulations 2005(2) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “licence” after “licence” insert “, other than in regulation 12,”.

(3) In regulation 12 (nature of test and provision of a motor car)—

(a) for paragraph (2)(a) substitute—

“(a) the practical test described in paragraph (5); or”;

(b) omit paragraphs (3) and (4);

(c) in paragraph (5), for “paragraph (2)(a)(ii)” substitute “paragraph (2)(a)”;

(d) omit paragraph (7);

(e) in paragraph (8), for “elects to conduct” substitute “conducts”;

(f) after paragraph (11), insert—

(1) 1988 c.52; section 132(1) of the Road Traffic Act 1988 was amended by Schedule 29, paragraphs 1 and 9, of the Transport Act 2000 (c.38). It has been further amended by section 42 and Schedule 6, paragraphs 1 and 14, of the Road Safety Act 2006 (c.49), but those amendments have not yet been brought into force. Section 141 of the Road Traffic Act 1988 was amended by Schedule 6, paragraphs 1 and 24, of the Road Safety Act 2006.

(2) S.I. 2005/1902.

“(12) In this regulation—

“pupil” means a person who is undergoing instruction and is the holder of —

- (a) a provisional licence to drive a motor car granted under Part 3 of the Act;
- (b) a current licence to drive a motor car (not being a provisional licence) granted under Part 3 of the Act;
- (c) a current licence to drive a motor car granted under the law in force in Northern Ireland and corresponding to either a full or provisional driving licence; or
- (d) a Community licence authorising the holder to drive a motor car in Great Britain; and

“candidate” means the person undergoing the continued ability and fitness test⁽³⁾.”.

Transitional provisions

3. Where a candidate has booked a continued ability and fitness test before 1st October 2014 and that test is to take place on or after 1st October 2014 the Motor Cars (Driving Instruction) Regulations 2005 apply to that test as if the amendments made by these Regulations had not been made.

Signed by authority of the Secretary of State for Transport

18th August 2014

John Hayes
Minister of State
Department for Transport

(3) The expression “continued ability and fitness test” is defined in regulation 2(1) of the Motor Cars (Driving Instruction) Regulations 2005, [S.I. 2005/1902](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Cars (Driving Instruction) Regulations 2005 (“the 2005 Regulations”).

Regulation 12 of the 2005 Regulations is amended to remove the option of the examiner playing the role of the pupil during the practical test of continued ability and fitness to give instruction. Following these changes approved driving instructors (ADIs) will be required to give instruction to a pupil during the test. For the purposes of this test a pupil may be either a provisional licence holder or a full licence holder who is receiving instruction from the ADI.

Regulation 3 includes a transitional provision which means that the changes made by these Regulations will not apply to any test of continued ability and fitness to give instruction which is booked before 1st October 2014 and takes place on or after that date.

A full impact assessment of the effect that these amendments will have on the costs of business is available from DVSA, The Axis Building, 112 Upper Parliament Street, Nottingham, NG1 6LP. A copy is also annexed to the Explanatory Memorandum available alongside this instrument on the UK legislation website, www.legislation.gov.uk.