
STATUTORY INSTRUMENTS

2018 No. 1251

**The Driving Licences (Amendment)
(EU Exit) Regulations 2018**

PART 2

Amendment of primary legislation

Amendment of the Road Traffic Act 1988

- 2.—**(1) The Road Traffic Act 1988 is amended as follows.
- (2) In section 88(1B)(aa) (exceptions)(1), omit “(other than the United Kingdom)”.
- (3) In section 89(2)(a)(iii) (tests of competence to drive)(2), omit “other than the United Kingdom”.
- (4) In section 97(1)(d)(ii) (grant of licences)(3), omit “(other than the United Kingdom)”.
- (5) In section 108 (interpretation)(4)—
- (a) in subsection (1), in the definition of “Community licence”, in the words before paragraph (a) omit—
- (i) “other than the United Kingdom”;
- (ii) “(including the United Kingdom)”;
- (b) in subsection (1B)(b)—
- (i) for “another place in the EEA” substitute “an EEA state or Northern Ireland”;
- (ii) for “other place” substitute “EEA state or Northern Ireland”;
- (c) after subsection (1B) insert—
- “(1BA) In order to be normally resident in Great Britain by virtue of subsection (1B) (b) a person must return there regularly, except where the person is living in the EEA state or Northern Ireland in order to carry out a task of a definite duration.”;
- (d) in subsection (1C)(b)—
- (i) for “another place in the EEA” substitute “an EEA state”;
- (ii) for “other place” substitute “EEA state”;
- (e) in subsection (1D)—
- (i) omit “Great Britain or”;
- (ii) omit “(1B)(b) or”;

(1) Section 88(1B) was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), section 3. Paragraph (aa) was inserted by S.I. 1996/1974, Schedule 1, paragraph 1.

(2) Section 89(2) was substituted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), section 4(3). Paragraph (a) was substituted by S.I. 1996/1974, Schedule 1, paragraph 2(4).

(3) Section 97(1)(d)(ii) inserted by S.I. 2012/977, Schedule 1, paragraphs 1, 2(1) and (2)(b).

(4) The definition of “community licence” in section 108(1) was amended by S.I. 1996/1974, Schedule 1, paragraph 19(2). Section 108(1B), (1C) and (1D) were inserted by S.I. 2014/3190, regulation 10(1) and (4).

(iii) for “another place in the EEA” substitute “the EEA state”.

Amendment of the Road Traffic Offenders Act 1988

3.—(1) The Road Traffic Offenders Act 1988⁽⁵⁾ is amended as follows.

(2) In section 36(11)(a) (disqualification until test is passed)⁽⁶⁾, for “another” substitute “an”.

(3) In section 91A(7)(b)(i) (application to Community licence holders)⁽⁷⁾, for “another” substitute “an” .

Amendment of the Road Traffic (New Drivers) Act 1995

4. In section 1 of the Road Traffic (New Drivers) Act 1995⁽⁸⁾ (probationary period for newly qualified drivers)—

(a) in subsection (2)(b)(i)⁽⁹⁾, for “another” substitute “an”;

(b) omit subsections (3) and (4).

⁽⁵⁾ 1988 c. 53.

⁽⁶⁾ Section 36 was substituted by the Road Traffic Act 1991 (c. 40), section 32. Subsection (11)(a) was amended by S.I. 1996/1974, Schedule 2, paragraph 3(a) and (b).

⁽⁷⁾ Section 91A was inserted by S.I. 1996/1974, Schedule 2, paragraph 4. Subsection (7) was substituted by the Road Safety Act 2006 (c. 49), Schedule 3, paragraphs 30 and 59(1) and (6).

⁽⁸⁾ 1995 c. 13.

⁽⁹⁾ Subsection (2)(b)(i) was substituted by S.I. 1996/1974, Schedule 4, paragraph 5(2).