

This Statutory Instrument has been made in consequence of a defect in S.I. 2022/1112 and is being issued free of charge to all known recipients of that Statutory Instrument.

S T A T U T O R Y I N S T R U M E N T S

2023 No. 185

POLICE

ROADS

**The Road Traffic Act 1988 (Police Driving: Prescribed Training)
Regulations 2023**

Made - - - - - *21st February 2023*

Laid before Parliament *23rd February 2023*

Coming into force - - - *20th March 2023*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 2A(1A)(b), 3ZA(2A)(b), 192(1) and 195(7) of the Road Traffic Act 1988(a).

In accordance with section 195(2) of the Road Traffic Act 1988, the Secretary of State has consulted with representative organisations.

Citation, commencement, extent and revocation

1.—(1) These Regulations may be cited as the Road Traffic Act 1988 (Police Driving: Prescribed Training) Regulations 2023 and come into force on 20th March 2023.

(2) These Regulations extend to Great Britain.

(3) The Road Traffic Act 1988 (Police Driving: Prescribed Training) Regulations 2022(b) are revoked.

Interpretation

2. In these Regulations—

“the 1988 Act” means the Road Traffic Act 1988;

“chief officer” means—

(a) 1988 c. 52. Section 2A was inserted by section 1 of the Road Traffic Act 1991 (c. 40) and amended by section 143(1) and (3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 9) and section 5 of the Police, Crime, Sentencing and Courts Act 2022 (c.32) (‘the 2022 Act’). Section 3ZA was inserted by section 30 of the Road Safety Act 2006 (c. 49) and amended by section 6 of the 2022 Act. The definition of “prescribed” in section 192(1) was amended by paragraphs 1 and 7 of Schedule 22 to the Crime and Courts Act 2013 (c. 22). There are other amendments to section 192(1) that are not relevant to this instrument. Section 195(7) was inserted by section 7 of the 2022 Act.

(b) S.I. 2022/1112.

- (a) in relation to a police force maintained under section 2 of the Police Act 1996^(a), the chief constable;
- (b) in relation to Police Scotland, the chief constable;
- (c) in relation to the metropolitan police force, the Commissioner of Police of the Metropolis;
- (d) in relation to the City of London police force, the Commissioner of Police for the City of London;
- (e) in relation to the British Transport Police Force, Ministry of Defence Police and Civil Nuclear Constabulary, the chief constable, and
- (f) in relation to the National Crime Agency, the Director General.

Prescribed training provided in England and Wales

3. A training course listed in column 1 of Table 1 in the Schedule is prescribed training for the purposes of sections 2A and 3ZA of the 1988 Act if—

- (a) it is delivered by a provider licensed by the College of Policing;
- (b) the instructor or trainer has met, respectively, the Police Sector Standards for Training for Instructors or Police Sector Standard for Training for trainers;
- (c) it includes consideration of and instruction on—
 - (i) the National Decision Model, and
 - (ii) the College of Policing’s Authorised Professional Practice for Roads Policing: Police Drivers and, where relevant, Police Pursuits;
- (d) it meets the relevant requirements in columns 2 and 3 of Table 1.

Required refresher training frequency for training provided in England and Wales

4. At the end of the period specified in column 4 of Table 1 in the Schedule, a training course listed in column 1 of Table 1 is prescribed training for the purposes of sections 2A and 3ZA of the 1988 Act if refresher training has been undertaken in accordance with the requirements in Table 2 in the Schedule.

Prescribed training provided in Scotland

5. A training course listed in column 1 of Table 1 in the Schedule is prescribed training for the purposes of sections 2A and 3ZA of the 1988 Act if—

- (a) it is delivered by Police Scotland;
- (b) the instructor or trainer has completed the relevant Scottish Police College training and the Police Scotland Training for Trainers Course;
- (c) it includes consideration of and instruction on the National Decision Model;
- (d) it meets the relevant requirements in columns 2 and 3 of Table 1.

Required refresher training frequency for training provided in Scotland

6. At the end of the period specified in column 4 of Table 1 in the Schedule, a training course listed in column 1 of Table 1 is prescribed training for the purposes of sections 2A and 3ZA of the 1988 Act if refresher training has been undertaken in accordance with the requirements in Table 2 in the Schedule.

(a) 1996 c. 16.

Prescribed training completed prior to 30th November 2022

7.—(1) Training completed by designated persons prior to 30th November 2022 is prescribed training for the purposes of sections 2A and 3ZA of the 1988 Act if—

- (a) it was approved by a chief officer, and
- (b) that chief officer is satisfied that it is equivalent to a type of training specified in Table 1.

(2) At the end of the relevant period, training described in paragraph (1) is prescribed training for the purposes of sections 2A and 3ZA of the 1988 Act if refresher training for the type of training that it is equivalent to has been undertaken in accordance with the requirements in Table 2 in the Schedule.

(3) The relevant period in paragraph (2) is the period specified in column 4 of Table 1 for the type of training that it is equivalent to, beginning with 30th November 2022.

Chris Philp
Minister of State
Home Office

21st February 2023

SCHEDULE

Regulations 3, 4, 5, 6 and 7

Table 1

<i>Course type</i>	<i>Required length of course</i>	<i>Required number of trainers to maximum number of students ratio</i>	<i>Period training is valid for before refresher training is required</i>
Standard response driving	Three weeks	One to three	Five years
Advanced driving	Four weeks	One to three	Five years
Initial phase pursuit (IPP)	Three days	Three to six	Five years
Tactical phase pursuit (TPaC)	Five days	Five to six	Three years
Riding with a pillion passenger	Two days	One to two	Two years
Response motorcycling undertaken from 1st April 2022 to 31st March 2023 (inclusive)	Three weeks	One to two	Three years
Response motorcycling undertaken from 1st April 2023	Three weeks	One to two	Two years
Advanced motorcycling undertaken from 1st April 2022 to 31st March 2023 (inclusive)	Two weeks	One to two	Three years
Advanced motorcycling undertaken from 1st April 2023	Two weeks	One to two	Two years
Evasive and offensive driving	Two days	Three to six	Two years

Protected convoy driving	Three days	Three to six	Two years
VIP protection motorcycle escorts	Five days	Two to four	Two years
Escorting vehicles (abnormal loads etc)	Three days	One to three	Unlimited validity
Off-road motorcycling	Five days	One to two	Unlimited validity
Off-road driving	Two days	One to three	Unlimited validity
Category B vans & passenger vehicles	Four hours	One to two	Unlimited validity
VIP protection driving	Three days	One to three	Two years
Pre-surveillance motorcycle riding	Five days	One to one	Two years

Table 2

<i>Course type</i>	<i>Required refresher training frequency</i>	<i>Required refresher training length</i>	<i>Required refresher training minimum number of trainers to maximum number of students ratio</i>
Standard response driving	Every five years	One day	One to two
Advanced driving	Every five years	One day	One to two
Initial phase pursuit (IPP)	Every five years	One day	Three to six
Tactical phase pursuit (TPaC)	Every three years	Two days	Five to six
Riding with a pillion passenger	Every two years	Half a day	One to two
Response motorcycling undertaken from 1st April 2022 to 31st March 2023 (inclusive)	Every three years	Two days	One to two
Response motorcycling undertaken from 1st April 2023	Every two years	Two days	One to two
Advanced motorcycling undertaken from 1st April 2022 to 31st March 2023 (inclusive)	Every three years	Two days	One to two
Advanced motorcycling undertaken from 1st April 2023	Every two years	Two days	One to two
Evasive and offensive driving	Every two years	One day	Three to six
Protected convoy driving	Every two years	One day	Three to six
VIP protection motorcycle escorts	Every two years	Two days	Two to four

VIP protection driving	Every two years	One day	One to three
Pre-surveillance motorcycle riding	Every two years	Two days	One to one

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe training for the purposes of sections 2A and 3ZA of the Road Traffic Act 1988 (c. 52).

These Regulations revoke the Road Traffic Act 1988 (Police Driving: Prescribed Training) Regulations 2022 (S.I. 2022/1112). These Regulations are materially the same as the Regulations revoked, except technical changes have been made. The Police, Crime, Sentencing and Courts Act 2022 (c. 32) amended sections 2A and 3ZA of the Road Traffic Act 1988 to make provision as to the meaning of dangerous driving and careless driving in respect of police driving. Those standards for police driving refer to the driver having undertaken “prescribed training”. Regulation 3 sets out when a training course provided in England and Wales only will be prescribed training. Regulation 4 makes provision for refresher training to be undertaken for a training course provided in England and Wales following the end of the validity period for that course. Regulation 5 sets out when a training course provided in Scotland only will be prescribed training. Regulation 6 makes provision for refresher training to be undertaken for a training course provided in Scotland following the end of the validity period for that course. Regulation 7 makes provision for training completed prior to the commencement of the Regulations revoked to be prescribed training.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector or community bodies is foreseen.

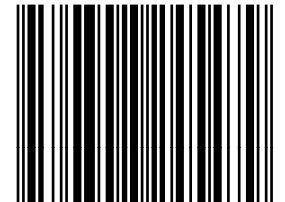
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