

## **EXPLANATORY MEMORANDUM TO**

### **The Motor Vehicles (Driving Licences) (Fees) (Amendment) Regulations (Northern Ireland) 2012**

**SR 2012 No. 354**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 13(1), 19C(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981 and is subject to the negative resolution procedure.
- 1.3. The rule is due to come into operation on 15th October 2012.

#### **2. Purpose**

- 2.1. The purpose of these Regulations is to further amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 to increase and create new fees to enable Driver Vehicle Agency (DVA) to reduce the current deficit in the Northern Ireland driving licence account. The deficit has arisen due to a number of factors which include an increase in costs associated with licence production, administration and the loss of a subsidiary from DVLA in GB.

#### **3. Background**

- 3.1. Under the Road Traffic (Northern Ireland) Order 1981, the Department is responsible for the licensing of persons who drive motor vehicles in Northern Ireland. The licensing function ensures that legislative requirements in relation to driving competence, experience and, in certain aspects, conduct, are satisfied, and that the licence applicant meets the appropriate medical standards of fitness to drive.
- 3.2. These Regulations will increase fees for first applications and non-UK exchanges by 25% to £62.50, renewal and replacement applications will increase by 50% to £30, licences issued after revocation or disqualification will increase by 60% to £80, £104 and £144 respectively, and Certificates of Entitlements will be increased by 50% to £7.50. A new fee of £20 will be introduced for vocational provisional and renewal applications.

#### **4. Matters of Special Interest to the Environment Committee**

- 4.1. None

#### **5. Consultation**

- 5.1. DVA issued a consultation document on 14th May 2012 which ran until 8th July 2012. In total 7 consultees responded, all respondents raised concerns regarding the levels of proposed fee increases.

## **6. Position in Great Britain**

- 6.1. Since 2004 driver licensing fees in Northern Ireland were kept at the same level as those in Britain, but it is no longer possible for DVA to maintain parity with Great Britain on fees charged without the NI account going into deficit, therefore it is necessary to break parity.

## **7. Equality Impact**

- 7.1. The proposed legislation has been screened for equality issues and none have been identified.

## **8. Regulatory Impact**

- 8.1. A Partial Regulatory Impact Assessment (RIA) has been completed by DVA and is available from Darren Graham, Driver Licensing, Driver & Vehicle Agency, County Hall, Castlerock Road, Waterside, Coleraine, BT51 3TB.

## **9. Financial Implications**

- 9.1. All expenditure would be recovered from fees.

## **10. Section 24 of the Northern Ireland Act 1998**

- 10.1. The proposed Regulations are not incompatible with section 24 of the Northern Ireland Act 1998.

## **11. EU Implications**

- 11.1. Not applicable.

## **12. Additional Information**

- 12.1. Not applicable.