Status: *Point in time view as at 01/02/1991. This version of this provision is not valid for this point in time.*
Changes to legislation: *Road Traffic Act 1988, Section 125A is up to date with all changes known to be in force on or before 22 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Road Traffic Act 1988

1988 CHAPTER 52

PART V

DRIVING INSTRUCTION

Registration

VALID FROM 09/09/1996

[F1 125A Registration of disabled persons.

(1) A person who—
  (a) suffers from a relevant disability or a prospective disability,
  (b) holds a current disabled person's limited driving licence, and
  (c) holds a current emergency control certificate,

may apply to the Registrar for his name to be entered in the register as that of a disabled instructor.

(2) An application under subsection (1) above shall be made in such manner, and shall be accompanied by such particulars, as the Secretary of State may determine.

(3) If, at the time when he makes an application under subsection (1) above, a person is aware—
  (a) that he is suffering from a relevant or prospective disability which he has not previously disclosed to the Secretary of State in making an application for his current emergency control certificate, or
  (b) that a relevant or prospective disability from which he has at any time suffered (and which has been previously so disclosed) has become more acute since the granting of his current emergency control certificate,

his application under subsection (1) above must be accompanied by written notification of the nature and extent of his disability.

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(4) Any person who fails without reasonable excuse to comply with the requirement imposed by subsection (3) above is guilty of an offence.

(5) Where a person duly applies for the entry of his name in the register as that of a disabled instructor and satisfies the Registrar that the conditions in subsection (6) below are fulfilled in his case, the Registrar must, subject to section 125B(4) of this Act, on payment of such fee, if any, as may be prescribed by regulations, enter the applicant's name in the register with an indication that he is a disabled person.

(6) The conditions referred to in subsection (5) above are that—

(a) the applicant has passed such examination of ability to give instruction in the driving of motor cars (consisting of a written examination, a practical test of ability and fitness to drive and a practical test of ability and fitness to instruct) as may be prescribed by regulations,

(b) the conditions set out in paragraphs (c) and (d) of section 125(3) of this Act are fulfilled, and

(c) apart from the fulfilment of the preceding conditions, he is a fit and proper person to have his name entered in the register as that of a disabled instructor;

and for the purposes of paragraph (b) above, references in paragraphs (c) and (d) of subsection (3) of section 125 of this Act to the making of an application under subsection (2) of that section shall be read as references to the making of an application under subsection (1) above.

(7) Regulations may provide that persons of such class as may be specified in the regulations shall be exempt from the condition mentioned in paragraph (a) of subsection (6) above as regards such part of the examination mentioned in that paragraph as may be so specified.

(8) In this Part of this Act—

"appropriate motor car" means, subject to section 125B(2) of this Act, a motor car equipped with automatic transmission;

"disability" means a want of physical ability affecting the driving of motor cars; and

(i) "relevant disability", in relation to a person, means any disability which is prescribed in regulations or any other disability likely to cause the driving of a motor car by him to be a source of danger to the public; and

(ii) "prospective disability", in relation to a person, means any other disability which, at the material time, is not of such a kind that it is a relevant disability but, by virtue of the intermittent or progressive nature of the disability or otherwise, may become a relevant disability in course of time;

"disabled person's limited driving licence" means a licence of one of the following kinds, that is to say—

(a) a licence to drive a motor car granted under Part III of this Act (not being a provisional licence) which is limited, by virtue of a notice served under section 92(5)(b) of this Act, to an appropriate motor car; and

(b) a licence to drive a motor car granted under the law in force in Northern Ireland (not being a licence corresponding to a provisional licence) which is similarly limited by virtue of any corresponding provision of that law;

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"emergency control assessment" and "emergency control certificate" mean an assessment and a certificate under section 133A of this Act;

"modifications", in relation to a motor car, includes equipment; and

"registered disabled instructor" means a person whose name is in the register with an indication that he is disabled;

and any reference, in relation to a person, to the class of motor car covered by his disabled person's limited driving licence is a reference to the class of motor car specified in the notice served on him under section 92(5)(b) of this Act but disregarding any modifications specified in the notice.**]**

Textual Amendments

F1 S. 125A inserted (9.9.1996) by 1993 c. 31, **s.1**; S.I. 1996/1980, **art. 2**

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