Transport Act 2000

2000 CHAPTER 38

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Driver training and driving instructors

257 Compulsory driver training courses.

In the [M1]Road Traffic Act 1988, after section 99 insert—

" Driver training

99ZA Compulsory driver training courses.

Regulations may make provision about training in the driving of motor vehicles by means of courses provided in accordance with the regulations ("driver training courses").

99ZB Requirements to complete training courses.

(1) Regulations under section 99ZA of this Act may provide that persons who have not successfully completed a driver training course—

(a) may not take a test of competence to drive motor vehicles of a prescribed class (or a prescribed part of such a test),

(b) are not authorised to drive motor vehicles of a prescribed class (before having passed a test of competence to drive them) by a provisional licence (or by section 98(2) or 99A(5) of this Act),

(c) are not granted a licence authorising the driving of motor vehicles of a prescribed class by virtue of regulations under section 89(6)(b) or (c) of this Act, or

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(d) are not authorised to drive motor vehicles of a prescribed class in prescribed circumstances (despite having passed a test of competence to drive them).

(2) But a person is exempt from provision made by virtue of subsection (1)(b), (c) or (d) above if he is undergoing training on a driver training course and is driving a motor vehicle as part of the training.

(3) And regulations under section 99ZA of this Act may include provision exempting persons from any provision made by virtue of subsection (1) above in other circumstances; and regulations including such provision may (in particular)—

(a) limit an exemption to persons in prescribed circumstances,

(b) limit an exemption to a prescribed period or in respect of driving in a prescribed area,

(c) attach conditions to an exemption, and

(d) regulate applications for an exemption.

(4) Regulations under section 99ZA of this Act may include provision for the evidencing by a person of his being within—

(a) the exemption specified in subsection (2) above, or

(b) any exemption provided by virtue of subsection (3) above.

(5) Regulations under section 99ZA of this Act may provide that a driver training course is not to be taken into account for the purposes of the regulations if it was completed before such time as is prescribed.

99ZC Driver training courses: supplementary.

(1) Regulations under section 99ZA of this Act may include—

(a) provision about the nature of driver training courses,

(b) provision for the approval by the Secretary of State of persons providing such courses and the withdrawal of approvals (including provision for appeals against refusal and withdrawal of approvals) and provision for exemptions from any requirement of approval,

(c) provision for the training or assessment, or the supervision of the training or assessment, of persons providing driver training courses,

(d) provision setting the maximum amount of any charges payable by persons undergoing such courses, and

(e) provision for the evidencing of the successful completion of such courses.

(2) Such regulations may include provision for the charging of reasonable fees in respect of the exercise of any function conferred or imposed on the Secretary of State by such regulations.

(3) Such regulations may make different provision—

(a) for different classes of motor vehicles,

(b) for different descriptions of persons, or

(c) otherwise for different circumstances.”

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Commencement Information

I1 S. 257 wholly in force at 1.5.2002; s. 257 not in force at Royal Assent, see s. 275(1)(2); s. 257 in force at 1.5.2002 by S.I. 2002/1014, art. 2(2), **Sch. Pt. 2** (with transitional provisions in art. 3)

Marginal Citations

M1 1988 c. 52.

258 Register of approved instructors: destination of appeals.

(1) Section 131 of the [M2]Road Traffic Act 1988 (appeals to Secretary of State by persons aggrieved by decision of registrar of approved driving instructors) is amended as follows.

[F1](2) . . . . . .

[F1](3) . . . . . .

(4) After subsection (4) insert—

"(4A) If the Tribunal consider that any evidence adduced on an appeal had not been adduced to the Registrar before he gave the decision to which the appeal relates, they may (instead of making an order under subsection (3) above) remit the matter to the Registrar for him to reconsider the decision."

Textual Amendments

F1 S. 258(2)(3) repealed (1.9.2009) by The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 3**

Marginal Citations

M2 1988 c. 52.

259 Taking effect of decisions about instructors.

(1) In section 127 of the [M3]Road Traffic Act 1988 (application to retain name in register of approved instructors), after subsection (7) insert—

"(7A) A decision to refuse an application shall take effect at the end of the period of fourteen days beginning with the day on which notice of the decision is given (or, if any appeal brought against the decision under the following provisions of this Part of this Act is previously withdrawn or dismissed, when the appeal is withdrawn or dismissed).",

and, in subsection (8), for "A decision to refuse an application shall" substitute " But the Registrar may, when giving notice of his decision to refuse the application, direct that the decision shall instead ".

(2) In section 128 of that Act (removal of name from register), after subsection (6) insert—

"(6A) A decision to remove a name from the register shall take effect at the end of the period of fourteen days beginning with the day on which notice of the decision is given (or, if any appeal brought against the decision under the following

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provisions of this Part of this Act is previously withdrawn or dismissed, when the appeal is withdrawn or dismissed).",

and, in subsection (7), for "A decision to remove a name from the register shall" substitute " But the Registrar may, when giving notice of his decision to remove the name from the register, direct that the decision shall instead ".

(3) In section 130 of that Act (revocation of licence for giving instruction in order to obtain practical experience), for subsection (6) substitute—

"(5A) A decision to revoke a licence shall take effect at the end of the period of fourteen days beginning with the day on which notice of the decision is given (or, if any appeal brought against the decision under the following provisions of this Part of this Act is previously withdrawn or dismissed, when the appeal is withdrawn or dismissed).

(6) But the Registrar may, when giving notice of his decision to revoke a licence, direct that (if an appeal under the following provisions of this Part of this Act is brought against the decision) it shall instead take effect—

(a) if the appeal is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal, or

(b) if and when the appeal is dismissed, and not otherwise."

(4) In section 131 of that Act (appeals against decisions of registrar), after subsection (4A) (inserted by section 258) insert—

"(4B) A person who is aggrieved by a decision of the Registrar not to give a direction under section 127(8), 128(7) or 130(6) of this Act may by notice in writing appeal to the Transport Tribunal within the period of ten days beginning with the day on which notice of the decision is given.

(4C) The Transport Tribunal shall determine the appeal by either—

(a) giving the direction concerned, or

(b) dismissing the appeal,

within the period of fourteen days beginning with the day on which notice of the decision is given.

(4D) Where the Registrar has decided to refuse an application for the retention of a name in the register, to remove a name from the register or to revoke a licence granted under section 129 of this Act but either—

(a) he gave a direction under section 127(8), 128(7) or 130(6) of this Act, or

(b) the Transport Tribunal have given such a direction on appeal,

he may by notice in writing apply to the Transport Tribunal for an order that the decision is to take effect immediately.

(4E) The Transport Tribunal shall determine the Registrar's application by either granting or refusing the application, within the period of fourteen days beginning with the day on which it is made.

(4F) The Transport Tribunal may only grant the application if they consider that a failure to do so might prejudicially affect—

(a) the well-being of any person to whom the person concerned may give instruction in the driving of a motor car, or

(b) the safety of road users."

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Marginal Citations

M3 1988 c. 52.

260 Training and instructors: minor and consequential amendments.

Schedule 29 makes minor and consequential amendments about driver training and driving instructors.

Commencement Information

I2 S. 260 partly in force; s. 260 not in force at Royal Assent see s. 275; s. 260 in force for certain purposes at 1.4.2002 by S.I. 2002/658, art. 2(2), **Sch. Pt. 2** (with transitional provision in art. 3)

Changes to legislation:
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by S.I. 2011/1043 art. 34

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 146(1)(defn.)(a)(b) by 2000 c. 38 s. 274 Sch. 31 Pt. 2
- s. 19(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 9(1C)(b) (as inserted) by S.I. 2019/1245 reg. 25 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 86(8) inserted by 2024 c. 13 Sch. 29 para. 2
- s. 131A(2)(a) words omitted by 2017 c. 21 Sch. 2 para. 13(a)(i)
- s. 131A(2)(b) omitted by 2017 c. 21 Sch. 2 para. 13(a)(ii)
- s. 131A(4) omitted by 2017 c. 21 Sch. 2 para. 13(b)
- s. 131A(5)(b) words omitted by 2017 c. 21 Sch. 2 para. 13(c)(i)
- s. 131A(5)(c) words omitted by 2017 c. 21 Sch. 2 para. 13(c)(ii)
- s. 132B(1)(a) omitted by 2017 c. 21 Sch. 2 para. 19
- Sch. 9 para. 3(3)(ri) inserted by 2024 c. 13 Sch. 30 para. 27(a)
- Sch. 16 para. 34(4)(a)para. 34(4)(b)(c) repealed by 2005 c. 14 Sch. 13 Pt. 1