



Road Traffic Act 1960

1960 CHAPTER 16

PART II

MINIMUM AGE FOR DRIVING MOTOR VEHICLES AND LICENSING OF DRIVERS THEREOF

Driving Licences

99 Tests of competence to drive

- (1) Subject to the provisions of this Part of this Act as to provisional licences, a licence authorising the driving of motor vehicles of any class or description shall not be granted to a person unless he satisfies the licensing authority either—
 - (a) that at some time during the period of ten years ending on the date of coming into force of the licence applied for he has passed the test of competence to drive prescribed by virtue of the next following subsection or a test of competence which under subsection (5) of this section is a sufficient test, or
 - (b) that within the said period of ten years he has held a licence authorising the driving of vehicles of that class or description, not being a provisional licence or a licence granted by virtue of subsection (4) of this section.
- (2) Regulations may make provision with respect to the nature of tests of competence to drive for the purposes of this section, to the qualifications, selection and appointment of persons by whom they may be conducted and to the revocation of any appointment, to evidence of the results thereof and generally with respect thereto, and in particular, but without prejudice to the generality of the foregoing provisions, regulations having effect by virtue of this subsection may provide—
 - (a) for requiring a person submitting himself for a test to provide a vehicle for the purposes thereof;
 - (b) for requiring a person submitting himself for a test to pay such fee, not exceeding one pound, as may be specified in the regulations;
 - (c) for ensuring that a person submitting himself for a test and failing to pass that test shall not be eligible to submit himself to another test by the same or any other person before the expiration of a period specified in the regulations

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

except under an order made by a court or sheriff under the power conferred by the next following subsection;

and different regulations may be made with respect to tests of competence to drive different classes or descriptions of vehicles.

- (3) A magistrates' court acting for the petty sessions area in which a person who has submitted himself for a test of competence to drive resides, or if he resides in Scotland, the sheriff within whose jurisdiction he resides, shall have power on the application of that person to determine whether the test was properly conducted in accordance with the regulations and, if it appears to the court or sheriff that the test was not so conducted, the court or sheriff may order that the applicant shall be eligible to submit himself to another test before the expiration of the period specified for the purposes of paragraph (c) of the last foregoing subsection, and may order that any fee payable by the applicant in respect of the test shall not be paid or, if it has been paid, shall be repaid.
- (4) Regulations may provide for dispensing, in the case of any person not resident in Great Britain, with the requirements of subsection (1) of this section.
- (5) For the purposes of paragraph (a) of subsection (1) of this section a test of competence to drive is to be taken to be sufficient for the granting of a licence authorising the driving of vehicles of any class or description, if—
 - (a) in the case of a test passed before the first day of March, nineteen hundred and fifty-seven, it was on that day the prescribed test under section six of the Road Traffic Act, 1934, for that class or description, or the passing of the test would have authorised the granting on that day of a licence under Part I of the Road Traffic Act, 1930, comprising that class or description, or
 - (b) whenever the test was passed, the class or description is one to which at the time of the application for the licence this paragraph applied by virtue of regulations having effect by virtue of this section, or the corresponding provision of the enactments repealed by this Act applied by virtue of regulations under subsection (5) of the said section six, and the test, or any other test declared by such regulations to be equivalent thereto, was at that time the prescribed test under this section or the said section six for that class or description, or the passing of the test authorised the granting at that time of a licence under this Part of this Act or the said Part I comprising that class or description, or
 - (c) whenever the test was passed, the class or description is one which by virtue of this subsection has been comprised in a licence under this Part of this Act or the said Part I previously granted to the applicant.