

1990 No. 1396

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
(No. 3) Regulations 1990**

<i>Made - - - -</i>	<i>9th July 1990</i>
<i>Laid before Parliament</i>	<i>12th July 1990</i>
<i>Coming into force</i>	
<i>for the purposes of regulation 6</i>	<i>2nd August 1990</i>
<i>for all other purposes</i>	<i>1st October 1990</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 89(3), 97(3), 105, 108(1)(a), 164(2) and 192(1)(b) of the Road Traffic Act 1988(c), and of all the other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1990 and shall come into force for the purposes of regulation 6 on 2nd August 1990 and for all other purposes on 1st October 1990.

2. The Motor Vehicles (Driving Licences) Regulations 1987(d) shall be further amended in accordance with the following provisions of these Regulations.

3. In regulation 9(6) (conditions attached to provisional licences) at the end of the definition of "qualified driver" there shall be added the following words—

"and who, in either such case except in the case of a member of the armed forces of the Crown acting in the course of his duties, is at least 21 years of age and has held the licence referred to above for at least 3 years."

4. In regulation 21 (production of vehicle for test etc) there shall be—

(a) inserted in paragraph (1) after sub-paragraph (b) the following sub-paragraph—

"(bb) produce evidence of his identity to the satisfaction of the examiner in the form of—

- (i) a licence to drive a motor vehicle granted under Part III or IV of the Road Traffic Act 1988 or under the 1981 Act,
- (ii) a Northern Ireland licence,
- (iii) a British external licence,
- (iv) a British Forces licence,
- (v) a driving permit issued by the service authorities of a visiting force specified in Article 3 of the Motor Vehicles (International Circulation) Order 1975(e),

(a) See the definition of "prescribed" and "regulations".

(b) See the definition of "prescribed".

(c) 1988 c.52; section 105 was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), Schedule 3, paragraph 14 and the Driving Licences (Community Driving Licence) Regulations 1990 (S.I. 1990/144) Schedule 1, paragraph 6.

(d) S.I. 1987/1378; the relevant amending instrument is S.I. 1990/842.

(e) S.I. 1975/1208; the relevant amending instrument is S.I. 1989/993.

- (vi) a Convention driving permit as defined in Article 2(7) of that Order,
- (vii) an exchangeable licence,
- (viii) any other document falling within the definition of "domestic driving permit" in that Article which bears the holder's name in the roman alphabet, his photograph and his signature,
- (ix) a passport, or
- (x) an identity card issued by his employer which bears the holder's name in the roman alphabet, his photograph and his signature;"

and
(b) inserted in paragraph (2)(b) after the word "(b)," the word "(bb),".

5. In regulation 26 (statement of date of birth) the full stop at the end of paragraph (2) shall be omitted and after that paragraph there shall be inserted the following words—
"; or

(2A) where that person is a person specified in subsection (1)(d) of that section and the police constable has reason to suspect that he is under 21 years of age."

6. In the entry in the second column of Schedule 3 in relation to category B1 for the words "with a maximum authorised mass not exceeding 500kg and an engine capacity greater than 50cc" there shall be substituted the words "with an unladen mass not exceeding 500kg and with a maximum design speed exceeding 50km per hour".

Signed by authority of the Secretary of State for Transport

Robert Atkins
Parliamentary Under Secretary of State,
Department of Transport

9th July 1990

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Driving Licences) Regulations 1987.

The principal effects of the amendments are—

- (a) to require the full licence holder by whom a learner driver must be accompanied, except in the case of a member of the armed forces of the Crown, to be 21 years of age or over and to have held a licence for at least three years (regulation 3);
- (b) to require a person submitting himself for a test to produce evidence of identity (regulation 4); and
- (c) to specify the motor tricycles included in category B1 in Schedule 3 to the 1987 Regulations by reference to their unladen mass rather than their maximum authorised mass (as defined in regulation 3(1) of the 1987 Regulations) and their maximum design speed rather than the cubic capacity of the engine (regulation 6).

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