
STATUTORY INSTRUMENTS

1996 No. 2824

The Motor Vehicles (Driving Licences) Regulations 1996

PART II

LICENCES

Categories of entitlement

Classification of vehicles

4.—(1) Subject to regulation 5, the licensing authority shall grant licences authorising the driving of motor vehicles in accordance with the categories and sub-categories specified in column (1) and defined in column (2) of Schedule 2 and those categories and sub-categories are designated as groups for the purposes of section 89(1)(b) of the Traffic Act.

(2) In these Regulations, expressions relating to vehicle categories have the following meanings—

- (a) any reference to a category or sub-category identified by letter, number or word or by a combination thereof is a reference to the category or sub-category defined in column (2) of Schedule 2 opposite that letter or combination in column (1) of the Schedule,
- (b) “sub-category” means, in relation to category A, B, C, C + E, D or D + E, a class of vehicles comprising part of the category and identified as a sub-category thereof in column (2) of Schedule 2, and
- (c) unless the context otherwise requires, a reference to a category includes a reference to sub-categories of that category.

Classes for which licences may be granted

5.—(1) A licence authorising the driving of motor vehicles of a class included in a category or sub-category mentioned in Part 1 of Schedule 2 may be granted to a person who is entitled thereto by virtue of—

- (a) holding or having held a full licence, a full Northern Ireland licence, full British external licence, full British Forces licence, exchangeable licence or Community licence authorising the driving of vehicles of that class, or
- (b) having passed a test authorising the driving of motor vehicles of that class or a Northern Ireland or Gibraltar test corresponding to such a test.

(2) A licence authorising the driving of motor vehicles of a class included in any category or sub-category mentioned in Part 2 of Schedule 2 may not be granted to a person unless, at a time before 1st January 1997—

- (a) in the case of an application for a full licence—
 - (i) he held a full licence authorising the driving of vehicles of a class included in that category, or

- (ii) he passed a test which at the time it was passed authorised the driving of motor vehicles of that class or a Northern Ireland test corresponding to such a test;
- (b) in the case of an application for a provisional licence, he held a provisional licence authorising the driving of vehicles of a class included in that category.

Competence to drive classes of vehicle

6.—(1) Where a person holds, or has held, a licence authorising him to drive vehicles of a class included in any category or, as the case may be, sub-category he is deemed competent to drive—

- (a) vehicles of all classes included in that category or sub-category unless by that licence he is or was authorised to drive—
 - (i) only motor vehicles of a specified class within that category or sub-category, in which case he shall be deemed competent to drive only vehicles of that class,
 - (ii) invalid carriages, in which case he shall be deemed competent to drive only invalid carriages,
 - (iii) only motor vehicles adapted on account of a disability, in which case he shall be deemed competent to drive only such classes of vehicle included in that category or sub-category as are so adapted (and for the purposes of this paragraph, a motor bicycle with a side-car may be treated in an appropriate case as a motor vehicle adapted on account of a disability),

and

- (b) all classes of vehicle included in any other category or sub-category which is specified in column (3) of Schedule 2 as an additional category or sub-category in relation to that category or sub-category unless by that licence he is or was authorised to drive—
 - (i) only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such classes of motor vehicle included in the additional category or sub-category as have automatic transmission,
 - (ii) only invalid carriages, in which case he shall be deemed competent to drive only invalid carriages,
 - (iii) only motor vehicles adapted on account of a disability, in which case he shall be deemed competent to drive only such classes of vehicle included in the additional category or sub-category as are so adapted.

(2) A person who has held a full licence to drive vehicles in category C for a period of at least two years may also drive a motor vehicle of a class included in category D which is—

- (a) being operated by the holder of a PSV operator's licence, and
- (b) not used for the carriage of any person who is not connected with the operator,

and is either—

- (i) damaged or defective and being driven to a place of repair, or
- (ii) being road tested following repair.

(3) A person who holds a full licence to drive vehicles in category C may drive a dual purpose vehicle if—

- (a) he is a member of the armed forces of the Crown, and
- (b) the vehicle is—
 - (i) adapted to carry not more than 24 persons in addition to the driver, and
 - (ii) used to carry passengers for naval, military or air force purposes.

(4) A person who is the holder of a full passenger-carrying vehicle driver's licence may drive a passenger-carrying vehicle recovery vehicle unless by that licence he is or was authorised to drive only passenger-carrying vehicles having automatic transmission, in which case he shall be deemed competent to drive only such passenger-carrying vehicle recovery vehicles as have automatic transmission.

(5) A person may drive an incomplete large vehicle if he holds a licence authorising the driving of motor vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 and B1 (invalid carriages)) unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only incomplete large vehicles having automatic transmission.

(6) A person who is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 and B1 (invalid carriages)) may drive—

- (a) an exempted goods vehicle, other than a passenger-carrying vehicle recovery vehicle, and
- (b) an exempted military vehicle,

unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles as have automatic transmission.

(7) A person who—

- (a) is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)),
- (b) has held that licence for an aggregate period of not less than 2 years, and
- (c) is aged 21 or over,

may drive a mobile project vehicle on behalf of a non-commercial body—

- (i) to or from the place where the equipment it carries is to be, or has been, used, or the display or exhibition is to be, or has been, mounted, or
- (ii) to or from the place where a mechanical defect in the vehicle is to be, or has been, remedied, or
- (iii) in such circumstances that by virtue of paragraph 22 of Schedule 2 to the Vehicle Excise and Registration Act 1994⁽¹⁾ the vehicle is not chargeable with duty in respect of its use on public roads,

unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only mobile project vehicles having automatic transmission.

(8) A person who—

- (a) is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)),
- (b) has held that licence for an aggregate period of not less than 2 years,
- (c) is aged 21 or over, and
- (d) receives no payment or consideration for so doing, other than out-of-pocket expenses,

may drive, on behalf of a non-commercial body for social purposes but not for hire or reward, a vehicle of a class included in sub-category D1 which has no trailer attached and has a maximum authorised mass—

(1) 1994 c. 22.

- (i) not exceeding 3.5 tonnes, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers, and
- (ii) not exceeding 4.25 tonnes otherwise,

unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only vehicles of classes included in sub-category D1 having automatic transmission.

(9) A person who is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)) may drive a vehicle of a class included in category B + E where—

- (a) the trailer consists of a vehicle which is damaged or defective and is likely to represent a road safety hazard or obstruction to other road users, and
- (b) the vehicle is driven only so far as is reasonably necessary in the circumstances to remove the hazard or obstruction,

unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles as have automatic transmission.