
STATUTORY INSTRUMENTS

1996 No. 2824

The Motor Vehicles (Driving Licences) Regulations 1996

PART II

LICENCES

Provisional licences

Provisional licences: interpretation

13.—(1) In regulations 15 and 16, the following expressions have the following meanings—

“exempted island” means any island outside the mainland of Great Britain from which motor vehicles, unless constructed specially for that purpose, cannot at any time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicles but excluding any of the following islands, namely, the Isle of Wight, St Mary’s (Isles of Scilly), the islands of Arran, Barra, Bute, Great Cumbrae, Islay, the island which comprises Lewis and Harris, mainland Orkney, mainland Shetland, Mull, the island which comprises North Uist, Benbecula and South Uist and Tiree;

“provisional licence”, in relation to a class of vehicles, includes a full licence which is treated, by virtue of section 98 of the Traffic Act, as authorising its holder to drive vehicles of that class as if he held a provisional licence therefor;

“qualified driver” means—

(a) in the case of the supervision of the driver of a motor vehicle of a class included in category B, other than a vehicle in sub-category B1, by a person whose licence is limited by virtue of a notice served under section 92(5)(b) of the Traffic Act to vehicles of a particular class, a person who holds a full licence authorising him to drive a vehicle of a class included in category B, other than a vehicle in sub-category B1, and who would in an emergency be able to take control of the steering and braking functions of that vehicle,

(b) in any other case, a person who holds—

- (i) a full licence (other than an LGV trainee driver’s licence),
- (ii) a full Northern Ireland licence, or
- (iii) a Community licence,

authorising him to drive a motor vehicle of the same class as the vehicle being driven by the holder of the provisional licence,

and who is either—

- (i) at least 21 years of age and has (unless paragraph (2) applies) held the licence referred to above for an aggregate period of 3 years or more, or
- (ii) a member of the armed services of the Crown acting in the course of his duties for naval, military or air force purposes.

(2) In the case of the supervision of a driver of a large goods or passenger-carrying vehicle of any class, it shall not be a requirement that he shall have held the licence for an aggregate period of 3 years or more.

Duration of provisional licences authorising the driving of motor bicycles

14.—(1) Subject to paragraph (2), there is prescribed for the purposes of section 99(2) of the Traffic Act—

- (a) a motor bicycle of any class, and
- (b) a period of two years.

(2) There are prescribed for the purposes of section 99(2)(b)(ii) of that Act the circumstances that—

- (a) the previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act,
- (b) if it had not been so surrendered or revoked, a period of at least one month, commencing on the date of surrender or revocation, would have elapsed before the previous licence would have expired, and
- (c) the licence when granted would come into force within the period of one year beginning on the date of surrender or revocation of the previous licence.

Conditions attached to provisional licences

15.—(1) Subject to the following paragraphs of this regulation, the holder of a provisional licence shall comply with the following conditions in relation to motor vehicles of a class which he is authorised to drive by virtue of the provisional licence, that is to say he shall not drive or ride such a motor vehicle—

- (a) otherwise than under the supervision of a qualified driver who is present with him in or on the vehicle,
- (b) unless a distinguishing mark in the form set out in Part 1 of Schedule 4 is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle, or
- (c) while it is being used to draw a trailer.

(2) The condition specified in paragraph (1)(a) shall not apply when the holder of the provisional licence—

- (a) is driving a motor vehicle of a class included in sub-category B1 or B1 (invalid carriages) or in category F, G or H which is constructed to carry only one person and not adapted to carry more than one person;
- (b) is riding a moped or a motor bicycle with or without a side-car; or
- (c) is driving a motor vehicle on a road in an exempted island.

(3) The condition specified in paragraph (1)(b) shall not apply—

- (a) when the holder of the provisional licence is driving a motor vehicle on a road in Wales, and
- (b) a distinguishing mark in the form set out in Part 2 of Schedule 4 is displayed on the motor vehicle in the manner described in paragraph (1)(b).

(4) The condition specified in paragraph (1)(c) shall not apply to the holder of a provisional licence authorising the driving of a vehicle of a class included in category B + E, C + E, D + E or F, in relation to motor vehicles of that class.

(5) The holder of a provisional licence authorising the driving of—

- (a) a moped, or
- (b) a motor bicycle with or without a side-car,

shall not drive such a vehicle while carrying on it another person.

(6) The holder of a provisional licence authorising the driving of a moped must, when he is riding the vehicle (unless he is exempt from the requirements imposed by section 97(3)(e) or, as the case may be, section 98(3)(c) of the Traffic Act), be the holder of a valid certificate furnished under regulation 63(1).

(7) The holder of a provisional licence authorising the driving of a large motor bicycle shall not drive such a vehicle otherwise than under the supervision of a certified direct access instructor (within the meaning of regulation 59(2)) who is—

- (a) present with him on the road while riding another motor bicycle,
- (b) able to communicate with him by means of a radio which is not hand-held while in operation, and
- (c) supervising only that person or only that person and another person who holds such a provisional licence,

while he and the instructor are wearing reflective or luminous apparel.

(8) The holder of a passenger-carrying vehicle driver's provisional licence shall not drive a vehicle which he is authorised to drive by that licence while carrying any passenger in the vehicle other than—

- (a) the person specified in paragraph (1)(a), or
- (b) a person who holds a passenger-carrying vehicle driver's licence and either is giving or receiving instruction in the driving of passenger-carrying vehicles, or has given or received, or is to give or receive, such instruction.

(9) The conditions specified in paragraphs (1)(a), (7) and (8) shall not apply when the holder of the provisional licence is undergoing a test.

(10) The conditions specified in paragraphs (1), (5), (6), (7) and (8) shall not apply in relation to the driving of motor vehicles of a class in respect of which the provisional licence holder has been furnished with a valid certificate under regulation 45(1)(a) or, as the case may be, certificates under regulations 44(2)(a) and 45(2) stating that he has passed a test for the grant of a licence authorising him to drive vehicles of that class.

(11) In the case of an LGV trainee driver's licence, this regulation shall apply as modified by regulation 51.

Conditions attached to provisional licences: holders of driving permits other than licences granted under Part III of the Traffic Act

16. A holder of a provisional licence authorising the driving of vehicles of any class who also holds a permit by virtue of which he is at any time—

- (a) treated, by virtue of regulation 74, as the holder, for the purposes of section 87 of the Traffic Act, of a licence authorising the driving of vehicles of that class, or

- (b) entitled, pursuant to article 2(1) of the Motor Vehicles (International Circulation) Order 1975(1), to drive motor vehicles of that class,

need not comply with regulation 15 at that time.

Full licences not carrying provisional entitlement

17.—(1) Section 98(2) of the Traffic Act shall not apply to a licence—

- (a) which authorises the driving only of motor vehicles adapted on account of a disability, whether pursuant to an application in that behalf made by the holder of the licence or pursuant to a notice served under section 92(5)(b) of the Traffic Act;
- (b) in so far as it authorises its holder to drive vehicles of a class included in category B + E, C + E, D + E, K or P or sub-category B1 (invalid carriages), C1, C1 + E, C1 + E (8.25 tonnes), D1 (not for hire or reward), D1 + E or D1 + E (not for hire or reward).

(2) Subject to the following provisions of this regulation, the holder of a full licence authorising him to drive motor vehicles of a class included in a category or sub-category specified in column (1) of the table at the end of this regulation may drive—

- (a) in a case where the full licence authorises only the driving of vehicles with automatic transmission, motor vehicles of all classes included in that category or sub-category which have manual transmission, and
- (b) motor vehicles of all classes included in a category or sub-category specified, in relation to that category or sub-category, in column (2) of the table,

as if he were authorised by a provisional licence to do so and the application of section 98(2) of the Traffic Act to those classes of vehicle is limited accordingly.

(3) In the case of a licence which authorises the driving only of—

- (a) motor bicycles of a class included in sub-category A1, or
- (b) standard motor bicycles,

section 98(2) shall not apply so as to authorise the driving of a large motor bicycle by a person under the age of 21.

(4) In the case of a provisional large goods vehicle driver's licence, this regulation shall apply as modified by regulation 51.

TABLE

<i>Full licence held</i>	<i>Provisional entitlement included</i>
A1	A, B, F, and K
A	B and F
B1	A, B and F
B	A, B + E, G and H
C	C1 + E, C + E
D1	D1 + E
D	D1 + E, D + E
F	B and P

(1) [S.I. 1975/1208](#). Article 2(1) was substituted by [S.I. 1989/993](#) and amended by [S.I. 1991/771](#).

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

<i>Full licence held</i>	<i>Provisional entitlement included</i>
G	H
H	G
