
STATUTORY INSTRUMENTS

1996 No. 2824

The Motor Vehicles (Driving Licences) Regulations 1996

PART IV

GOODS AND PASSENGER-CARRYING VEHICLES

General

Part III of the Traffic Act: prescribed classes of goods and passenger-carrying vehicle

46.—(1) All classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1, C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of section 89A(5) of the Traffic Act.

(2) Subject to paragraph (3), all classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of section 99(1) and (1A) of the Traffic Act.

(3) In the case of a licence in force at a time before 1st January 1997, paragraph (2) above shall apply as if “C1” was inserted after “sub-categories”.

(4) All classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of section 99A(3) and (4) of the Traffic Act.

Part IV of the Traffic Act: prescribed classes of large goods and passenger-carrying vehicle

47.—(1) Part IV of the Traffic Act and regulations 51 to 54 shall not apply to large goods vehicles—

- (a) of a class included in category F, G or H or sub-category C1 + E (8.25 tonnes), or
- (b) which are exempted goods vehicles or exempted military vehicles.

(2) Part IV of the Traffic Act and regulations 51 to 54 shall not apply to—

- (a) any passenger-carrying vehicle manufactured more than 30 years before the date when it is driven and not used for hire or reward or for the carriage of more than 8 passengers;
- (b) a passenger-carrying vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the passenger-carrying vehicle and its passengers) or for other similar purposes.

(3) All classes of large goods and passenger-carrying vehicle to which Part IV of the Traffic Act applies are prescribed for the purposes of section 117(7) of the Traffic Act.

Exempted goods vehicles and military vehicles

48.—(1) For the purposes of this Part of these Regulations, an exempted goods vehicle is a vehicle falling within any of the following classes—

- (a) a vehicle propelled by steam;
- (b) any road construction vehicle used or kept on the road solely for the conveyance of built-in road construction machinery (with or without articles or materials used for the purpose of that machinery);
- (c) any engineering plant other than a mobile crane;
- (d) a works truck;
- (e) an industrial tractor;
- (f) an agricultural motor vehicle which is not an agricultural or forestry tractor;
- (g) a digging machine;
- (h) any vehicle which is not used on public roads or, if it is so used during any calendar week—
 - (i) is used only in passing from land in the occupation of a person keeping the vehicle to other land in the occupation of that person, and
 - (ii) is not used on public roads for distances exceeding an aggregate of six miles in that calendar week;
- (j) any vehicle, other than an agricultural motor vehicle, which—
 - (i) is used only for purposes relating to agriculture, horticulture or forestry,
 - (ii) is used on public roads only in passing between different areas of land occupied by the same person, and
 - (iii) in passing between any two such areas does not travel a distance exceeding 1.5 kilometres on public roads;
- (k) a vehicle used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;
- (l) a vehicle manufactured before 1st January 1960, used unladen and not drawing a laden trailer;
- (m) an articulated goods vehicle the unladen weight of which does not exceed 3.05 tonnes;
- (n) a vehicle in the service of a visiting force or headquarters as defined in the Visiting Forces and International Headquarters (Application of Law) Order 1965;
- (o) any vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the large goods vehicle and its load) or for other similar purposes;
- (p) a vehicle fitted with apparatus designed for raising a disabled vehicle partly from the ground and for drawing a disabled vehicle when so raised (whether by partial superimposition or otherwise) being a vehicle which—
 - (i) is used solely for dealing with disabled vehicles;
 - (ii) is not used for the conveyance of any goods or load other than a disabled vehicle when so raised and water, fuel, accumulators and articles required for the operation of, or in connection with, such apparatus or otherwise for dealing with disabled vehicles; and
 - (iii) has an unladen weight not exceeding 3.05 tonnes;
- (q) a passenger-carrying vehicle recovery vehicle; and
- (r) a mobile project vehicle.

(2) For the purposes of this Part of these Regulations, an exempted military vehicle is a vehicle falling within any of the following classes—

- (a) a vehicle designed for fire fighting or fire salvage purposes which is the property of, or for the time being under the control of, the Secretary of State for Defence, when being driven by a member of the armed forces of the Crown;
- (b) a vehicle being driven by a member of the armed forces of the Crown in the course of urgent work of national importance in accordance with an order of the Defence Council in pursuance of the Defence (Armed Forces) Regulations 1939(1) which were continued permanently in force, in the form set out in Part C of Schedule 2 to the Emergency Laws (Repeal) Act, 1959(2), by section 2 of the Emergency Powers Act 1964(3); or
- (c) an armoured vehicle other than a track-laying vehicle which is the property of, or for the time being under the control of, the Secretary of State for Defence.

(3) In this Regulation—

“digging machine” has the same meaning as in paragraph 4(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“agricultural motor vehicle”, “engineering plant”, “industrial tractor” and “works truck” have the same meaning as in regulation 3(2) of the Construction and Use Regulations;

“public road”, “road construction vehicle” and “road construction machinery” have the same meanings respectively as in section 62(1) of the Vehicle Excise and Registration Act 1994.

Correspondences

49.—(1) For the purposes of section 89A(5) of the Traffic Act, a heavy goods vehicle or public service vehicle of a class specified in column (1) of the table at the end of this regulation corresponds to a class of large goods vehicle or passenger-carrying vehicle, as the case may be, specified in column (2) of that table in relation to the class of vehicle in column (1).

(2) For the purposes of paragraph (1), where a heavy goods vehicle driver’s licence held before 1st April 1991 was restricted to vehicles having a permissible maximum weight not exceeding 10 tonnes by virtue of—

- (a) paragraph 3(3) and (5) of Schedule 2 to the Road Traffic (Drivers' Ages and Hours of Work) Act 1976(4); or
- (b) paragraph (1) or (2) of regulation 31 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 1977(5) before they ceased to have effect,

such restriction shall be disregarded.

TABLE

<i>(1) Class of heavy goods or public service vehicle</i>	<i>(2) Corresponding class of large goods or passenger-carrying vehicle</i>
<i>Heavy goods vehicles</i>	<i>Large goods vehicles</i>
1	Categories C and C + E
1A	Categories C and C + E (limited, in each case, to vehicles with automatic transmission)

(1) S.R. & O. 1939/1304.

(2) 1959 c. 19.

(3) 1964 c. 38.

(4) 1976 c. 3.

(5) S.I. 1977/1309, to which there were amendments not relevant to these Regulations.

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

<i>(1) Class of heavy goods or public service vehicle</i>	<i>(2) Corresponding class of large goods or passenger-carrying vehicle</i>
2	Category C and vehicles in category C + E which are drawbar trailer combinations
2A	Category C and vehicles in category C + E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
3	Category C and vehicles in category C + E which are drawbar trailer combinations
3A	Category C and vehicles in category C + E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
<i>Public Service Vehicles</i>	<i>Passenger-carrying vehicles</i>
1	Categories D and D + E
1A	Categories D and D + E (limited, in each case, to vehicles with automatic transmission)
2	Categories D and D + E
2A	Categories D and D + E (limited, in each case, to vehicles with automatic transmission)
3	Category D
3A	Category D (limited to vehicles with automatic transmission)
4	Sub-category D1 and vehicles in category D not more than 5.5 metres in length
4A	Sub-category D1 and vehicles in category D not more than 5.5 metres in length (limited, in each case, to vehicles with automatic transmission)

Part IV of the Traffic Act: dual purpose vehicles

50.—(1) Except in the case of a vehicle mentioned in paragraph (2), Part IV of the Traffic Act and regulations 51 to 54 shall apply to dual purpose vehicles to the extent that they apply to passenger-carrying vehicles.

(2) Part IV of the Traffic Act and regulations **51** to **54** shall apply to any dual purpose vehicle which is—

- (a) adapted to carry not more than 24 persons in addition to the driver,
- (b) driven by a member of the armed forces of the Crown, and
- (c) used to carry passengers for naval, military or air force purposes,

to the extent that they apply to large goods vehicles.