
STATUTORY INSTRUMENTS

1996 No. 2824

The Motor Vehicles (Driving Licences) Regulations 1996

PART V

APPROVED TRAINING COURSES FOR RIDERS OF MOTOR BICYCLES

Persons by whom approved training courses may be provided

55.—(1) Approved training courses for riders of motor bicycles may be provided—

- (a) by the licensing authority, in so far as concerns the instruction of persons in the service of the Crown under his department;
- (b) by the Secretary of State for Defence, in so far as concerns the instruction of persons in the service of the Crown under his department;
- (c) by any chief officer of police, in so far as concerns the instruction of—
 - (i) members of a police force, or
 - (ii) persons employed in the driving of motor vehicles for police purposes by a police authority or by the Receiver for the Metropolitan Police District; and
- (d) by any person approved for the purpose by the licensing authority.

(2) A person may apply to the licensing authority to be approved to provide an approved training course for riders of motor bicycles under paragraph (1)(d), and the licensing authority may, if satisfied that—

- (a) proper arrangements will be made by the applicant for the conduct of the course in accordance with these Regulations; and
- (b) proper records of the course and results thereof will be kept by the applicant,

grant the application subject to any conditions which he thinks fit to impose.

(3) A person authorised or approved to provide approved training courses under or by virtue of this regulation is referred to in this Part of these Regulations, as an “approved training body”.

Instructors

56.—(1) Subject to the following provisions of this regulation and to regulations 57 to 60, an approved training body may authorise motor bicycle instructors to conduct instruction on his behalf.

(2) A person may not be authorised under paragraph (1) to act as a motor bicycle instructor unless—

- (a) he satisfies the conditions set out in sub-paragraphs (a), (b) and (c) of paragraph (3), in which case, on being authorised, he shall be a certified instructor; or
- (b) he satisfies the conditions set out in sub-paragraphs (a) and (c)(ii) of paragraph (3), in which case, on being authorised, he shall be an assistant instructor.

(3) The conditions referred to in paragraph (2) are that—

- (a) he holds a full licence to drive vehicles in category A other than vehicles included in sub-category A1; and
 - (b) he has held that licence for an aggregate period of not less than 2 years; and
 - (c) either—
 - (i) he has completed successfully the licensing authority's assessment course for motor bicycle instructors, or
 - (ii) he has been trained by a certified instructor who has completed such a course successfully.
- (4) Subject, in the case of a certified instructor, to paragraphs (5) and (6), and in the case of an assistant instructor, to paragraph (5)—
- (a) a certified instructor shall be entitled—
 - (i) to conduct approved training courses, and
 - (ii) in the case of an instructor who has completed successfully the licensing authority's assessment course for motor bicycle instructors, to train other motor bicycle instructors in the conduct of such courses, and
 - (b) an assistant instructor shall be entitled to conduct the instruction of riders except element (E) of the prescribed training course.
- (5) An authorisation given under paragraph (1) shall be of no effect unless—
- (a) the approved training body has notified the licensing authority in writing of the proposed authorisation, and
 - (b) the licensing authority has approved the authorisation in writing.
- (6) An authorisation given under paragraph (1) shall be of no effect in the case of a certified instructor unless there is in force in respect of him a valid certificate, in the form set out in Part 1 of Schedule 12, issued by the licensing authority to the approved training body who authorised him under paragraph (1).
- (7) A certificate issued pursuant to paragraph (6) shall be valid for a period of four years but may be renewed upon application being made to the licensing authority by the approved training body who authorised the instructor.
- (8) Where an assistant instructor duly authorised under this regulation satisfies the condition set out in paragraph (3)(b) and a certificate in respect of him is issued by the licensing authority under paragraph (6), he shall be deemed to have been authorised as a certified instructor and may conduct instruction as such.
- (9) Where an approved training body who has been approved to provide training courses under regulation 55(2)—
- (a) satisfies the conditions set out in sub-paragraphs (a), (b) and (c) of paragraph (3) and a certificate in respect of him is issued by the licensing authority under paragraph (6), he shall be deemed to have been authorised as a certified instructor and may conduct instruction as such;
 - (b) satisfies the conditions set out in sub-paragraphs (a) and (c) of paragraph (3), he shall be deemed to have been authorised as an assistant instructor and may conduct instruction as such.
- (10) When conducting a prescribed training course a certified instructor shall carry with him the certificate issued in respect of him by the licensing authority and shall, upon being required to do so by a constable or the licensing authority, produce it for examination.
- (11) In this Part of these Regulations, "prescribed training course" means the training course prescribed under regulation 61.

Withdrawal of approval to provide training courses or to act as instructor

57.—(1) The licensing authority may at any time by notice in writing withdraw an approval given under regulation 55(2) or 56(5).

- (2) Where the licensing authority withdraws an approval given under regulation 55(2)—
- (a) the approval of that person for the purposes of that regulation, and
 - (b) the authority of that person, and of any other person whom he has approved to act as a certified or assistant instructor under regulation 56(5),

shall cease forthwith and the person whose approval is withdrawn shall, before the expiration of a period of 28 days commencing on the date of withdrawal, return to the licensing authority all certificates which were issued to him under regulation 56(6) and all forms for certificates which were supplied to him under regulation 63(3).

- (3) Where the licensing authority withdraws an approval given under regulation 56(5)—
- (a) the authority of the person whose approval to act (as the case may be) as a certified or assistant instructor is withdrawn shall cease forthwith, and
 - (b) in the case of the withdrawal of an approval given in respect of a certified instructor, the person whose approval is withdrawn shall as soon as is reasonably practicable return the certificate issued under regulation 56(6) and all forms of certificates which were supplied to him under regulation 63(3) to the approved training body who authorised him who must, on receiving them, return them immediately to the licensing authority.

Cessation of conduct of training

58.—(1) Where a certified instructor authorised under regulation 56(1) ceases to conduct instruction on behalf of the approved training body who authorised him, he shall as soon as is reasonably practicable return the certificate issued under regulation 56(6) and all forms of certificates which were supplied to him under regulation 63(3) to the approved training body who must, on receiving them, return them immediately to the licensing authority.

(2) Where an approved training body who is also entitled under regulation 56(9) to conduct instruction as a certified instructor ceases to conduct such instruction, he shall immediately return the certificate issued under regulation 56(6) and all forms of certificates which were supplied to him under regulation 63(3) to the licensing authority.

Approved training courses conducted on large motor bicycles

59.—(1) In the case of a person holding a provisional licence authorising the driving of large motor bicycles and wishing to undertake an approved training course on such a motor bicycle, the training course may be conducted only by a certified direct access instructor.

(2) “Certified direct access instructor” means a person authorised in accordance with regulation 60.

Certified direct access instructors

60.—(1) An approved training body may, subject to the following provisions of this regulation, authorise motor bicycle instructors to conduct on his behalf instruction of persons in the riding of large motor bicycles.

- (2) A person may not be authorised under paragraph (1) unless he—
- (a) holds a full licence to drive large motor bicycles,
 - (b) has held that licence for an aggregate period of not less than 2 years,

- (c) is a certified instructor, and
 - (d) has completed successfully the licensing authority's assessment course for certified direct access instructors.
- (3) An authorisation given under paragraph (1) shall be of no effect unless—
- (a) the person whom the approved training body proposes to authorise, or any other person who is at that time validly authorised by the approved training body to provide instruction in the riding of large motor bicycles, has successfully completed the licensing authority's assessment course for motor bicycle instructors in addition to the assessment course for direct access instructors,
 - (b) the approved training body has notified the licensing authority in writing of the proposed authorisation, and
 - (c) the licensing authority has approved the authorisation in writing.
- (4) An authorisation given under paragraph (1) shall be of no effect in the case of a direct access instructor unless there is in force in respect of him a valid certificate, in the form set out in Part 2 of Schedule 12, issued by the licensing authority to the person who has authorised him under paragraph (1).
- (5) The licensing authority may at any time withdraw an approval given under paragraph (3)(c).
- (6) Any authorisation given under paragraph (1) by an approved training body shall cease to be valid if at any time there ceases to be a person who—
- (a) is validly authorised by that approved training body to provide instruction in the riding of large motor bicycles, and
 - (b) has successfully completed the licensing authority's assessment course for motor bicycle instructors in addition to the assessment course for direct access instructors.
- (7) Where—
- (a) an approved training body who has been approved to provide training courses under regulation 55(2) satisfies the conditions set out in paragraph (2),
 - (b) that training body or any other person who is at that time validly authorised by him to provide instruction in the riding of large motor bicycles, has successfully completed the licensing authority's assessment course for motor bicycle instructors in addition to the assessment course for direct access instructors, and
 - (c) a certificate in respect of that training body is issued by the licensing authority under paragraph (4),
- he shall be deemed to have been authorised under paragraph (1) as a certified direct access instructor and may conduct instruction as such;
- (8) Regulations 56(7) and (10), 57(3) and 58 shall apply in respect of a certified direct access instructor as they apply in respect of a certified instructor.
- (9) Where an authorisation given (or deemed to be given) under paragraph (1) in respect of a certified direct access instructor ceases to be valid by virtue of paragraph (4), that instructor shall as soon as is reasonably practicable return the certificate issued under paragraph (5) to the approved training body who must, on receiving it, return it immediately to the licensing authority.

Nature and conduct of training courses

61.—(1) A training course for riders of motor bicycles may not be approved by the licensing authority unless it comprises elements (A) to (E) set out in Schedule 13.

(2) Before any practical instruction is given to riders on an approved training course all the requirements of element (A) of the course must be fulfilled.

(3) To complete an approved training course successfully, a rider of a motor bicycle must satisfy the approved training body or a certified instructor acting on his behalf as to each of the following matters in the following sequence—

- (a) that he has fulfilled the requirements set out in element (B) of the course; and
- (b) that he can execute the manoeuvres set out in element (C) of the course; and
- (c) that all the requirements of element (D) of the course have been fulfilled; and
- (d) that he rides safely on roads in a variety of road traffic situations, including as many as practicable of those set out in element (E) of the course.

Ratio of trainees to instructors

62.—(1) When, during an approved training course, riders are receiving on-site instruction and practical on-site riding as part of elements (B) and (C) of the prescribed training course there shall—

- (a) in the case of instruction or riding which may under these Regulations be conducted by a certified or an assistant instructor, be no more than 4 riders in the charge of any one instructor at any one time,
- (b) in the case of instruction or riding which may under these Regulations be conducted by a direct access instructor, be no more than 2 riders in the charge of any one instructor at any one time.

(2) When riders are undertaking on-road riding as part of element (E) of the prescribed training course there shall be no more than 2 riders in the charge of any one certified or certified direct access instructor at any one time.

Evidence of successful completion of course

63.—(1) A certified instructor or, as the case may be, a certified direct access instructor shall furnish a trainee who successfully completes an approved training course with a certificate in the form set out in Part 3 of Schedule 12, which must be signed by a certified instructor, who may be the approved training body providing the course.

(2) A certificate issued under paragraph (1) may not be submitted, in support of an application for a licence, as evidence of the successful completion of that course—

- (a) in the case of a course completed on or before 30th June 1996, after 30th June 1999, and
- (b) in the case of any other course, after the expiration of a period of 3 years commencing with the date of the certificate.

(3) A certified instructor or a certified direct access instructor shall issue certificates using forms supplied by the licensing authority to the approved training body and the licensing authority may make a charge of £5.00 per form.

Exemptions from Part V

64.—(1) Section 98(3)(c) of the Traffic Act shall not apply to a person who is a provisional entitlement holder by virtue of having passed a test for the time being prescribed in respect of category P on or after 1st December 1990 and such a person shall be exempt from the requirement imposed by section 89(2A) of that Act.

(2) A provisional licence or provisional entitlement holder who is resident on an exempted island shall be exempt from the requirement imposed by section 89(2A) of the Traffic Act in respect of a test of competence to drive a motor bicycle of any class taken, or to be taken, on an island, whether or not that island is an exempted island.

(3) A provisional licence holder who is resident on an exempted island shall be exempt from the restriction imposed by section 97(3)(e) of the Traffic Act if he satisfies either of the conditions set out in paragraph (5) below.

(4) Section 98(3)(c) of the Traffic Act shall not apply to a provisional entitlement holder who is resident on an exempted island if he satisfies either of the conditions set in paragraph (5) below.

(5) The conditions referred to in paragraphs (3) and (4) are that he is—

- (a) driving on an exempted island, whether or not he is also resident on that island; or
- (b) driving on an island which is not an exempted island for the purpose of—
 - (i) undertaking, or travelling to or from, an approved training course,
 - (ii) undergoing, or travelling to or from a place where he is to take or where he has taken, a test of competence prescribed in respect of category A or P.

(6) In this regulation—

“exempted island” means any island in Great Britain other than—

- (a) the Isle of Wight, the island which comprises Lewis and Harris, the island which comprises North Uist, Benbecula and South Uist, Mainland Orkney and Mainland Shetland, and
- (b) any other island from which motor vehicles not constructed specially for that purpose can at some time be conveniently driven to a road in any other part of Great Britain because of the presence of a bridge, tunnel, ford or other way suitable for the passage of such motor vehicles;

“provisional licence holder” means a person who holds a provisional licence which, subject to section 97(3) of the Traffic Act, authorises the driving of motor bicycles of any class; and

“provisional entitlement holder” means a person who holds a full licence which is treated, by virtue of section 98 of the Traffic Act, as authorising him to drive motor bicycles of any class as if he held a provisional licence therefor.