

2003 No. 166

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
Regulations 2003**

Made - - - - - 30th January 2003

Laid before Parliament 31st January 2003

Coming into force - - 21st February 2003

The Secretary of State for Transport, in exercise of the powers conferred by sections 88(5), 89(3) and (5), 92(2) and (4)(b), 97(3A), 101(2) and (3), 105(1) and (3) and 120(6) of the Road Traffic Act 1988(a) and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations 2003 and shall come into force on 21st February 2003.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Driving Licences) Regulations 1999(b).

Amendment of regulation 9 of the principal Regulations (minimum ages for holding or obtaining licences)

2. In regulation 9(6) after sub-paragraph (b) there is inserted—

“, or

(c) a Primary Care Trust established under section 16A of the National Health Service Act 1977(c)”.

Amendment of regulation 42 (exemption from theory test)

3. In regulation 42 of the principal Regulations—

(a) in paragraph (1)(d), the words “either”, “or of a class included in category B” and “in either case” are omitted;

(b) in paragraph (2)(d), the words “either”, “or of a class included in category A” and “in either case” are omitted.

(a) 1988 c. 52. Section 89(3) was amended by the Road Traffic Act 1991 (c. 40), section 48 and Schedule 4, paragraph 63 and section 89(4) was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, “the 1989 Act”), section 7 and Schedule 3, paragraph 8 and by the Driving Licences (Community Driving Licence) Regulations 1996 (S.I. 1996/1974, “the 1996 Regulations”). Section 92(2) was amended by the 1996 Regulations. Section 97(3A) was inserted by the 1989 Act, section 6(2) and was amended by the 1996 Regulations and the Driving Licences (Community Driving Licence) Regulations 1998 (S.I. 1998/1420). Section 120 was substituted by the 1989 Act, Schedule 2. See section 108(1) for the meaning of “prescribed” and “regulations”.

(b) S.I. 1999/2864, to which there are amendments not relevant to these Regulations.

(c) 1977 c. 49. Section 16A was inserted by the Health Act 1999 (c. 8), section 2(1).

Amendment of regulation 51 (exempted goods vehicles and military vehicles)

4. In regulation 51(1) of the principal Regulations—
 - (a) in sub-paragraph (h)—
 - (i) for “a road” there is substituted “public roads”, and
 - (ii) for “roads” there is substituted “public roads”;
 - (b) in sub-paragraph (j), for “roads”, in both places where the word occurs, there is substituted “public roads”.

Amendment of regulation 72 (disabilities prescribed in respect of Group 1 licences)

5.—(1) Regulation 72 of the principal Regulations is amended as provided in paragraphs (2) to (4).

(2) For paragraph (1) there is substituted—

“(1) There is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a holder of, a Group 1 licence, the inability to read in good daylight, with the aid of corrective lenses if worn, a registration mark which is affixed to a motor vehicle and contains characters of the prescribed size.

(1A) In paragraph (1) the “prescribed size” means—

- (a) characters 79 millimetres high and 57 millimetres wide in a case where they are viewed from a distance of—
 - (i) 12.3 metres, by an applicant for, or the holder of, a licence authorising the driving of a vehicle of a class included in category K, and
 - (ii) 20.5 metres, in any other case; or
- (b) characters 79 millimetres high and 50 millimetres wide in a case where they are viewed from a distance of—
 - (i) 12 metres, by an applicant for, or the holder of, a licence authorising the driving of a vehicle of a class included in category K, and
 - (ii) 20 metres, in any other case.”.

(3) In paragraph (2), for the words “the Secretary of State is satisfied that the driving of a vehicle by him in accordance with the licence is not likely to be source of danger to the public” there are substituted the words “where the conditions set out in paragraph (2A) are satisfied”.

(4) After paragraph (2) there is inserted—

“(2A) The conditions are that—

- (a) so far as is practicable, he complies with the directions regarding his treatment for epilepsy, including directions as to regular medical check-ups made as part of that treatment, which may from time to time be given to him by the registered medical practitioner supervising the treatment,
- (b) if required to do so by the Secretary of State, he has provided a declaration signed by him that he will observe the condition in sub-paragraph (a), and
- (c) the Secretary of State is satisfied that the driving of a vehicle by him in accordance with the licence is not likely to be a source of danger to the public.”.

Amendment of regulation 73 (disabilities prescribed in respect of Group 2 licences)

6. In regulation 73 of the principal Regulations—

(a) for paragraph (1) there is substituted—

“(1) There is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or the holder of, a Group 2 licence the disability described in regulation 72(1).”;

(b) paragraph (3)(c) is omitted.

Amendment of regulation 80 (persons who become resident in Great Britain)

7. In regulation 80 of the principal Regulations—

(a) in paragraph (2)—

- (i) for “Isle of Man or Jersey” there is substituted “Isle of Man, Jersey or Guernsey”, and

- (ii) for “large goods vehicles”, in both places where the expression occurs, there is substituted “large and medium-sized goods vehicles”;
- (b) in paragraph (3)(a), for “Isle of Man or Jersey” there is substituted “Isle of Man, Jersey or Guernsey”.

Amendment of Schedule 8 to the principal Regulations (specified requirements for practical or unitary test)

8.—(1) Schedule 8 to the principal Regulations is amended as provided in paragraphs (2) to (4).

(2) In Part 1, for section A (eyesight) there is substituted—

“Either—

read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79 millimetres high and 57 millimetres wide at a distance of 20.5 metres, or

read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79 millimetres high and 50 millimetres wide at a distance of 20 metres.”

(3) In Part 2, for section A (eyesight) there is substituted—

“Either—

read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79 millimetres high and 57 millimetres wide at a distance of 20.5 metres, or

read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79 millimetres high and 50 millimetres wide at a distance of 20 metres.”

(4) In Part 5, for paragraph 1 there is substituted—

“1. Either—

(a) read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79 millimetres high and 57 millimetres wide at a distance of—

(i) 12.3 metres, in the case of a test conducted in respect of a vehicle included in category K;

(ii) 20.5 metres, in any other case, or

(b) read in good daylight (with the aid of corrective lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79 millimetres high and 50 millimetres wide at a distance of—

(i) 12 metres, in the case of a test conducted in respect of a vehicle included in category K;

(ii) 20 metres, in any other case.”.

Amendment of Schedule 12 (elements of an approved training course)

9. In Schedule 12 to the principal Regulations, for element (A)2 there is substituted—

“Trainees’ eyesight must be tested. Trainees must be able to read, in good daylight (with the aid of corrective lenses if worn) either—

a vehicle registration mark containing letters and figures 79 millimetres high and 57 millimetres wide at a distance of 20.5 metres, or

a vehicle registration mark containing letters and figures 79 millimetres high and 50 millimetres wide at a distance of 20 metres”.

Signed by authority of the Secretary of State for Transport

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

30th January 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles (Driving Licences) Regulations 1999 (“the principal Regulations”). The amendments made are as follows.

Regulation 2 amends regulation 9 of the principal Regulations by providing that the minimum age for driving an ambulance is reduced to 18 in the case of a vehicle owned or operated by a Primary Care Trust.

Regulation 3 amends regulation 42 of the principal Regulations by removing certain exemptions from the requirement to pass a theory test for licences authorising the driving of vehicles in category A or B.

Regulation 4 corrects an error in regulation 51 of the principal Regulations by amending the definition of “exempted goods vehicle” to include goods vehicles which are used only for short distances on “public roads” (as defined in regulation 51) rather than on roads in general.

Regulations 5, 6, 8 and 9 amend the principal Regulations to take account of the changes in the mandatory size and style (particularly the narrower size of the font) specified by the Road Vehicle (Display of Registration Marks) Regulations 2001 (S.I. 2001/561) for the characters in registration marks on plates issued from 1st September 2001. The visual acuity requirements of the principal Regulations may be satisfied by testing persons on marks comprising either the new or the earlier type of character. The regulations provide that driving test candidates, applicants for licences, existing licence holders and participants in compulsory basic training courses for motor cyclists must, if tested on marks comprising the new type, be able to read a registration mark at a distance of 20 metres (or 12 metres in the case of category K, mowing machines). In particular, inability to read a plate from that distance constitutes a prescribed disability in relation to all licences for the purposes of section 92(2) of the Road Traffic Act 1988.

Regulation 5 also amends the conditions that drivers with controlled epilepsy must satisfy to obtain and hold Group 1 licences.

Regulation 7 amends regulation 80 of the principal Regulations to provide that holders of British external licences issued in the Isle of Man, Guernsey or Jersey authorising the driving of large or medium-sized goods vehicles or passenger-carrying vehicles may drive such vehicles in Great Britain during the first year of their becoming resident there.

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