

2005 No. 1975

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
Regulations 2005**

<i>Made</i> - - - -	<i>15th July 2005</i>
<i>Laid before Parliament</i>	<i>19th July 2005</i>
<i>Coming into force</i> - -	<i>10th August 2005</i>

The Secretary of State for Transport, in exercise of the powers conferred upon him by sections 89(4)(b), 89(5)(b) and 105(3) of the Road Traffic Act 1988(a), after consulting with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988 and with the approval of the Treasury(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations 2005 and shall come into force on 10th August 2005.

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2.—(1) The Motor Vehicles (Driving Licences) Regulations 1999(c) are amended in accordance with regulations 3 to 6.

3. In regulation 30 (fees for theory tests) for paragraph (1) substitute—

“(1) The fee payable for a theory test to be conducted by an appointed person in respect of any category of motor car is—

- (a) where the test is to be conducted before 1st April 2006, £21.00; and
- (b) where the test is to be conducted on or after 1st April 2006, £21.50;

and is payable to the Secretary of State.”

4. In regulation 35 (fees in respect of practical or unitary tests)—

- (a) in paragraph (2) for “(4) and (5)” substitute “(3A), (4) and (5)”;
- (b) in paragraph (3) for “paragraph (4)” substitute “paragraphs (3A) and (4)”;
- (c) after paragraph (3), insert—

“(3A) In paragraphs (2) and (3), where a reference is made to the Table in Schedule 5, that reference shall be—

(a) 1988 c.52. See section 108(1) for the definition of “regulations”.
(b) See section 105(4) of the Road Traffic Act 1988. Section 105(4) was amended by the Driving Licences (Community Driving Licence) Regulations 1998 (S.I. 1998/1420), regulations 2 and 10.
(c) S.I. 1999/2864; relevant amending instruments are S.I. 2002/2641, 2003/2003 and 2004/3028.

- (a) in the case of a test to be conducted before 1st April 2006, to the Table in Part 1 of Schedule 5; and
- (b) in the case of a test to be conducted on or after 1st April 2006, to the Table in Part 2 of Schedule 5.”

5. For regulation 47(8) substitute—

“(8) A person authorised to conduct theory tests by virtue of paragraphs (b), (c), (d) or (e) of regulation 23(1) or regulation 23(2)(b) shall issue theory test pass certificates using forms supplied by the Secretary of State who may make a charge—

- (a) where the order is received before 1st April 2006, £12 per form; and
- (b) where the order is received on or after 1st April 2006, £14 per form.”

6. For the table in Schedule 5 substitute the following tables—

“PART 1

Fees for tests to be conducted before 1st April 2006

(1) Category or sub-category of vehicle	(2) Test, other than extended driving test commencing:		(3) Extended driving test commencing:	
	(a) During normal hours	(b) Out of hours	(a) During normal hours	(b) Out of hours
1. A1, A and P	£55.00	£65.00	£110.00	£130.00
2. B1, B, F, G, H and K	£45.50	£55.00	£91.00	£110.00
3. B+E, C1, C1+E, D1, D1+E, C, C+E, D and D+E	£85.00	£103.00	-	-

PART 2

Fees for tests to be conducted on or after 1st April 2006

(1) Category or sub-category of vehicle	(2) Test, other than extended driving test commencing:		(3) Extended driving test commencing:	
	(a) During normal hours	(b) Out of hours	(a) During normal hours	(b) Out of hours
1. A1, A and P	£58.00	£68.00	£116.00	£136.00
2. B1, B, F, G, H and K	£48.50	£58.00	£97.00	£116.00
3. B+E, C1, C1+E, D1, D1+E, C, C+E, D and D+E	£89.00	£107.00	-	-”

Signed by authority of the Secretary of State

27th June 2005

S J Ladyman
Minister of State
Department for Transport

We approve the making of these Regulations

*Dave Watts
Vernon Coaker*

15th July 2005

Two of the Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase some of the fees payable under the Motor Vehicle (Driving Licences) Regulations 1999 ("the Principal Regulations").

Regulation 6 amends the fees payable upon application for a practical or a unitary driving test where the test is to be conducted on or after the coming into force of these Regulations but before 1st April 2006 and then on or after 1st April 2006. The following tables show the new fees with the percentage increase (or further percentage increase) in brackets. The fees were last increased on 8th December 2004.

ORDINARY TESTS

<i>Type of vehicle</i>	<i>Test commenced during normal hours</i>	<i>Test commenced at any other time</i>
Motor bicycles and mopeds		
-before 1st April 2006		
-on or after 1st April 2006	£55.00 (7.8%) £58.00 (5.5%)	£65.00 (8.3%) £68.00 (4.6%)
Motor cars, tractors and other minor categories		
- before 1st April 2006		
- on or after 1st April 2006	£45.50 (8.3%) £48.50 (6.6%)	£55.00 (8.3%) £58.00 (5.5%)
Lorries, buses and vehicle-plus-trailer combinations		
-before 1st April 2006		
-on or after 1st April 2006		£103.00 (5.1%) £107.00 (3.9%)

EXTENDED TESTS

<i>Type of vehicle</i>	<i>Test commenced during normal hours</i>	<i>Test commenced at any other time</i>
Motor bicycles and mopeds		
-before 1st April 2006		
-on or after 1st April 2006	£110.00 (7.8%) £116.00 (5.5%)	£130.00 (8.3%) £136.00 (4.6%)
Motor cars, tractors and other minor categories		
-before 1st April 2006		
-on or after 1st April 2006	£91.00 (8.3%) £97.00 (6.6%)	£110.00 (7.8%) £116.00 (5.5%)

Regulation 3 amends the fees payable upon application for a theory test conducted by a person appointed by the Secretary of State on or after the coming into force of these Regulations. Where a test is conducted before 1st April 2006, the fee is increased to £21.00, and where the test is conducted on or after 1st April 2006, the fee is increased to £21.50. Each of these increases represents a percentage increase of 2.4%. The fees were last increased on 1st September 2003.

Regulation 5 increases the fee payable to the Secretary of State by persons authorised to conduct theory tests, other than those appointed under regulation 23(1) of the Principal Regulations, for theory test pass certificate forms. Where an order is received on or after the coming into force of these Regulations but before 1st April 2006, the fee is increased to £12 per form, and for orders received on or after 1st April 2006, the fee is increased to £14 per form. These increases represent a percentage increase of 20% and 16% respectively. The fees were last increased on 1st September 2003.

These Regulations are made in conjunction with the Motor Cars (Driving Instruction) Regulations 2005. A combined full regulatory impact assessment of the effect that these amendments will have on the costs of business is available from the Driving Standards Agency, Stanley House, Talbot Street, Nottingham NG1 5GU.

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