
STATUTORY INSTRUMENTS

2021 No. 1154

**The Motor Vehicles (Driving Licences)
(Amendment) (No. 3) Regulations 2021**

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021.

(2) These Regulations come into force at 1.00 a.m. on 15th November 2021.

(3) These Regulations extend to England and Wales and Scotland.

Amendments to the Motor Vehicles (Driving Licences) Regulations 1999

2. The Motor Vehicles (Driving Licences) Regulations 1999(1) are amended as follows.

3. In regulation 3 (interpretation)—

(a) after the definition of “incomplete large vehicle” insert—

““large vehicle off road manoeuvres test” means a test consisting of the activities and manoeuvres specified in Schedule 8B and includes such a test conducted as part of an extended driving test;

“large vehicle off road manoeuvres test examiner” means a person approved by the Secretary of State in accordance with paragraph (1ZA) of regulation 24 to conduct large vehicle off road manoeuvres tests;

“large vehicle off road manoeuvres test pass certificate” means a certificate relating to the passing of the large vehicle off road manoeuvres test in the form specified in Part 1 of Schedule 10E;

“large vehicle off road manoeuvres test provider” means a body approved by the Secretary of State in accordance with sub-paragraph (a) of paragraph (1ZA) of regulation 24;

“large vehicle off road manoeuvres test statement of failure” means a statement relating to the failure of the large vehicle off road manoeuvres test in the form specified in Part 2 of Schedule 10E;”;

(b) for the definition of “practical test” substitute—

““practical test” means a practical test of driving skills and behaviour or, where a test is by virtue of these Regulations required to be conducted in two, three or four parts, the part of it consisting of that test; and the term—

(a) includes such a test conducted as part of an extended driving test;

(b) excludes the manoeuvres test; and

(c) excludes the large vehicle off road manoeuvres test;”.

(1) S.I. 1999/2864; relevant amending instruments are S.I. 2005/2717, 2010/1203, 2012/977, 2014/613, 2014/3190, 2020/663, 2021/1128, 2021/[] and 2021/[].

4. In regulation 22 (interpretation of Part III)—
- (a) in the definition of “appointed person”—
 - (i) in sub-paragraph (a), omit “and”,
 - (ii) in sub-paragraph (b), after “regulation 23;” insert “and”,
 - (iii) after sub-paragraph (b), insert—
 - “(c) in the case of a large vehicle off road manoeuvres test, a large vehicle off road manoeuvres test examiner;”;
 - (b) in the definition of “DVSA examiner”, after “conduct manoeuvres tests,” insert “large vehicle off road manoeuvres tests,”.
5. In regulation 24 (persons by whom manoeuvres, practical and unitary tests may be conducted)
- (a) for the heading, substitute “Persons by whom manoeuvres tests, large vehicle off road manoeuvres tests, practical tests and unitary tests may be conducted”;
 - (b) in paragraph (1), in the first line, for “manoeuvres test, practical test” substitute “manoeuvres test, large vehicle off road manoeuvres test, practical test”;
 - (c) after paragraph (1), insert—
 - “(1ZA) A large vehicle off road manoeuvres test other than a large vehicle off road manoeuvres test conducted in the circumstances specified in paragraph (2) or (2A) may, subject to the following provisions of this regulation, be conducted by—
 - (a) a person appointed by a body which has been approved by the Secretary of State for the purpose of conducting large vehicle off road manoeuvres tests, and
 - (b) such person must also be approved in writing by the Secretary of State for the purpose of testing a class of persons specified in the instrument of appointment, and such appointment—
 - (i) may be made subject to such conditions as are, in the opinion of the Secretary of State, reasonably necessary in the general interests of candidates, and
 - (ii) where a person so approved breaks such a condition, the Secretary of State may approve another person to carry out large vehicle off road manoeuvres tests in substitution for that person notwithstanding that the first approval has not been revoked.”;
 - (d) in paragraph (2), for “manoeuvres test, practical test” substitute “manoeuvres test, large vehicle off road manoeuvres test, practical test”;
 - (e) in paragraph (2A), for “manoeuvres test or a practical test” substitute “manoeuvres test, a large vehicle off road manoeuvres test or a practical test”;
 - (f) in paragraph (3)—
 - (i) for “manoeuvres tests, practical tests” substitute “manoeuvres tests, large vehicle off road manoeuvres tests, practical tests”,
 - (ii) after “paragraph (1)”, insert “, paragraph (1ZA)”;
 - (g) in paragraph (5), after “paragraph (1)”, insert “, under paragraph (1ZA)”.
6. In regulation 25 (revocation of authority to conduct tests)—
- (a) in paragraph (1)—
 - (i) in sub-paragraph (a), after “24(1)(a)”, insert “, (1ZA)”;
 - (ii) in sub-paragraph (b), after “(1)(cf)(ii)” insert “, (1ZA)(a), (3)”;

- (iii) after the first occurrence of “theory tests”, insert “or large vehicle off road manoeuvres tests”;
 - (iv) after “manoeuvres tests,”, insert “large vehicle off road manoeuvres tests,”;
 - (b) in paragraph (2), after “(1)(cf)(ii)”, insert “, 24(1ZA)”.
7. In regulation 31 (applications for manoeuvres, practical and unitary tests: applicants in person)
- (a) for the heading, substitute “Applications for manoeuvres tests, large vehicle off road manoeuvres tests, practical tests and unitary tests: applicants in person”;
 - (b) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (c) after paragraph (1) insert—
 - “(1A) An applicant in person wishing to take a large vehicle off road manoeuvres test to be conducted by a large vehicle off road manoeuvres test examiner shall—
 - (a) apply for an appointment for such a test to a large vehicle off road manoeuvres test provider,
 - (b) provide the large vehicle off road manoeuvres test provider with such details relating to themselves, the licence which they hold, the preferred location of the test, the nature of the test and the vehicle on which the test is to be taken as the large vehicle off road manoeuvres test provider may reasonably require, and
 - (c) pay such fee as may be specified in regulation 35.”;
 - (d) in paragraph (2), after “Secretary of State”, insert “or a large vehicle off road manoeuvres test provider, as the case may be,”;
 - (e) in paragraph (3), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (f) after paragraph (3), insert—
 - “(4) For the purposes of paragraph (1A), no application may be made for a large vehicle off road manoeuvres test which can or will be conducted by a large vehicle off road manoeuvres test examiner that has provided any form of instruction in any capacity to the applicant in person.”.
8. In regulation 33 (applications for practical tests: large vehicle instructors)—
- (a) for the heading, substitute “Applications for large vehicle off road manoeuvres tests or practical tests: large vehicle instructors”;
 - (b) in paragraph (1), after “make an appointment for a”, insert “large vehicle off road manoeuvres test or a”;
 - (c) in paragraph (2), for “practical or unitary tests”, substitute “large vehicle off road manoeuvres tests, practical tests or unitary tests”;
 - (d) in paragraph (5), after “practical test”, insert “or a large vehicle off road manoeuvres test”.
9. After regulation 33 (applications for practical tests: large vehicle instructors), insert—

“Applications for large vehicle off road manoeuvres tests conducted by large vehicle off road manoeuvres test examiners: large vehicle instructors

33A.—(1) A large vehicle instructor who wishes to make an appointment for a large vehicle off road manoeuvres test prescribed in respect of category or sub-category B + E, C, C1, C + E, C1 + E, D, D1, D + E or D1 + E which is to be conducted by a large vehicle off road manoeuvres test examiner and taken by a person who has, or will have, received

from that instructor instruction in the driving of a class of vehicle included in any of those categories shall—

- (a) apply for such an appointment to a large vehicle off road manoeuvres test provider, specifying the date and time for the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to—
 - (i) the instructor,
 - (ii) the instructor's establishment,
 - (iii) the vehicle on which the test is to be taken, and
 - (iv) the nature of the test, as the large vehicle off road manoeuvres test provider may reasonably require, and
- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as may be specified in regulation 35.

(2) The large vehicle off road manoeuvres test provider may refuse to accept an application from a large vehicle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where an appointment specified in the application is unavailable.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the large vehicle off road manoeuvres test provider shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the large vehicle off road manoeuvres test provider receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving instruction from that instructor who will at the appointment submit themselves for that test,
- (b) the licence which that person holds,
- (c) the nature of the test, and
- (d) the vehicle on which the test is to be taken, as the large vehicle off road manoeuvres test provider may reasonably require,

the large vehicle off road manoeuvres test provider shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a large vehicle instructor pursuant to paragraph (4) for a large vehicle off road manoeuvres test in respect of any class of vehicle may neither be so nominated nor apply under regulation 31 for a further appointment for a test in respect of a motor vehicle of a class included in the same category unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) they have kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring at 16.00 hours on the day which allows one clear working day to elapse between that day and the day for which the appointment is made.

(7) For the purposes of paragraph (1), no application may be made for a large vehicle off road manoeuvres test which can or will be conducted by a large vehicle off road manoeuvres test examiner that has provided any form of instruction in any capacity to the applicant in person.”.

- 10.** In regulation 34 (eligibility to reapply for manoeuvres, practical or unitary tests)—
- (a) for the heading, substitute “Eligibility to reapply for manoeuvres tests, large vehicle off road manoeuvres tests, practical tests or unitary tests”;
 - (b) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (c) in paragraph (3)—
 - (i) after sub-paragraph (za), insert—

“(zb) in the case where the first test is a large vehicle off road manoeuvres test conducted by a large vehicle off road manoeuvres test examiner, 1 clear calendar day,”;
 - (ii) in sub-paragraph (a), before “in the case of”, insert “subject to sub-paragraph (zb),”.
- 11.** In regulation 35 (fees in respect of manoeuvres, practical or unitary tests)—
- (a) for the heading, substitute “Fees in respect of manoeuvres tests, large vehicle off road manoeuvres tests, practical tests or unitary tests”;
 - (b) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (c) in paragraph (2), for “practical or unitary test”, substitute “large vehicle off road manoeuvres test, practical test or unitary test”;
 - (d) in paragraph (3), for “practical or unitary test”, substitute “large vehicle off road manoeuvres test, practical test or unitary test”;
 - (e) in paragraph (4), for “practical test,”, substitute “large vehicle off road manoeuvres test or practical test”.
- 12.** In regulation 36 (cancellation of tests)—
- (a) in sub-paragraph (a), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (b) after sub-paragraph (a), insert—

“(ab) for a large vehicle off road manoeuvres test to be conducted by a large vehicle off road manoeuvres test examiner must be given to the large vehicle off road manoeuvres test provider not less than three clear working days before the day for which the appointment is made;”.
- 13.** In regulation 37 (test vehicles)—
- (a) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (b) in paragraph (2), for “manoeuvres test or”, substitute “manoeuvres test, large vehicle off road manoeuvres test or”;
 - (c) in paragraph (4), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (d) in paragraph (7), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
 - (e) in paragraph (7A), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
 - (f) in paragraph (8), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
 - (g) in paragraph (10), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
 - (h) in paragraph (10A), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;

- (i) in paragraph (10B), after “submitting himself for a,” insert “large vehicle off road manoeuvres test or”;
- (j) in paragraph (10C), after “submitting himself for a,” insert “large vehicle off road manoeuvres test or”;
- (k) in paragraph (10D), after “submitting himself for a,” insert “large vehicle off road manoeuvres test or”.

14. In regulation 38 (further requirements of tests)—

- (a) in paragraph (1), after “manoeuvres test,” insert “large vehicle off road manoeuvres test,”;
- (b) in paragraph (4), after “manoeuvres test,” insert “, large vehicle off road manoeuvres test”;
- (c) in paragraph (4A)—
 - (i) in sub-paragraph (a), after “manoeuvres test,” insert “, large vehicle off road manoeuvres test”;
 - (ii) in sub-paragraph (b), after “manoeuvres test,” insert “, large vehicle off road manoeuvres test”;
- (d) in paragraph (5), after “manoeuvres test,” insert “large vehicle off road manoeuvres test,”;
- (e) in paragraph (5A), after “manoeuvres test,” insert “large vehicle off road manoeuvres test,”;
- (f) in paragraph (7), after “manoeuvres test,” insert “large vehicle off road manoeuvres test,”;
- (g) in paragraph (9), after “manoeuvres test,” insert “large vehicle off road manoeuvres test,”.

15. In regulation 39 (examiner’s right to refuse to conduct test), in paragraph (2)(b), after “manoeuvres test,” insert “large vehicle off road manoeuvres test,”.

16. In regulation 40 (nature of tests other than extended tests)—

- (a) for paragraph (3), substitute—

“(3) Subject to paragraphs (3A) and (4), the test for a licence authorising the driving of a motor vehicle of a class included in category C, C + E, D or D + E shall be conducted in four parts, namely—

 - (a) the large vehicle test of driving theory,
 - (b) the large vehicle test of hazard perception,
 - (c) the large vehicle off road manoeuvres test, and
 - (d) a practical test of driving skills and behaviour,

and a person taking such a test must pass all four parts.”;
- (b) after paragraph (3), insert—

“(3A) Where a large vehicle off road manoeuvres test and practical test are to be conducted by a DVSA examiner, such tests may be conducted concurrently and the requirements of regulation 40A(2)(c) shall not apply.”;
- (c) in paragraph (4)—
 - (i) in sub-paragraph (a), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”;
 - (ii) in sub-paragraph (aa), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”;
 - (iii) in sub-paragraph (ab), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”;

- (iv) in sub-paragraph (ac), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”,
 - (v) in sub-paragraph (b), after “shall consist of”, insert “a large vehicle off road manoeuvres test and”.
- 17.** In regulation 40A (nature of tests other than extended tests), for paragraph (2), substitute—
- “(2) Where a test is required to be conducted in four parts pursuant to regulation 40(3), a person—
- (a) must pass the large vehicle test of driving theory and the large vehicle test of hazard perception or have passed, within the last 2 years, those parts of a Northern Ireland test concerning the theory of driving vehicles in category C, C + E, D or D + E (including hazard perception), before they take the large vehicle off road manoeuvres test or practical test;
 - (b) shall not be entitled to apply for an appointment (or, as the case may be, be nominated pursuant to regulation 33(4) or regulation 33A(4)) for a large vehicle off road manoeuvres test or a practical test in respect of a motor vehicle of a class included in category C, C + E, D or D + E until they have been furnished with—
 - (i) a valid large vehicle theory test pass certificate in respect of that category; or
 - (ii) a certificate or certificates relating to the passing of those parts of the Northern Ireland test referred to in sub-paragraph (a); and
 - (c) shall not be entitled to apply for an appointment (or, as the case may be, be nominated pursuant to regulation 33(4)) for a practical test in respect of a motor vehicle of a class included in category C, C + E, D or D + E until they have been furnished with—
 - (i) a valid large vehicle off road manoeuvres test pass certificate in respect of that category; or
 - (ii) a certificate or certificates relating to the passing of those parts of the Northern Ireland test referred to in sub-paragraph (a); and
 - (d) must, before taking a practical test in relation to a vehicle in category C, C + E, D or D + E, or in sub-category C1, C1 + E, D1 or D1 + E, have passed the large vehicle off road manoeuvres test in respect of a vehicle in the same category or sub-category and transmission as that in respect of which the practical test is to be taken within the last six months.”.
- 18.** In regulation 40B (contents of the test), after paragraph (5A), insert—
- “(5B) The large vehicle off road manoeuvres test may be conducted on a special testing ground or on roads.”.
- 19.** In regulation 40C (passing the test)—
- (a) In paragraph (3), for “manoeuvres test or”, substitute “manoeuvres test, large vehicle off road manoeuvres test or”;
 - (b) after paragraph (7), insert—

“(8) The specified requirements for the large vehicle off road manoeuvres test are those specified in Schedule 8B.”.
- 20.** In regulation 43 (entitlement upon passing a test other than an appropriate driving test)—
- (a) in paragraph (2)—

- (i) in sub-paragraph (a), after “the test,”, insert “large vehicle off road manoeuvres test,”,
 - (ii) in sub-paragraph (b), after the first occurrence of “the test,”, insert “large vehicle off road manoeuvres test,”;
 - (b) in paragraph (3)—
 - (i) in sub-paragraph (a), after “the test,”, insert “large vehicle off road manoeuvres test,”,
 - (ii) in sub-paragraph (b), after the first occurrence of “the test,”, insert “large vehicle off road manoeuvres test,”.
- 21.** In regulation 48 (evidence of the result of manoeuvres, practical or unitary test)—
- (a) for the heading, substitute “evidence of the result of manoeuvres test, large vehicle off road manoeuvres test, practical test or unitary test”;
 - (b) after paragraph (ZA1), insert—
 - “(ZB1) A person conducting a large vehicle off road manoeuvres test shall upon completion of the test furnish—
 - (a) a person who passes the test with a large vehicle off road manoeuvres test pass certificate;
 - (b) a person who fails to pass the test with a large vehicle off road manoeuvres test statement of failure.”;
 - (c) after paragraph (2), insert—
 - “(2A) A large vehicle off road manoeuvres test pass certificate is invalid if—
 - (a) the person to whom it is furnished is at that time ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations, to take any test to which the certificate relates, or
 - (b) at the time when it was issued, the large vehicle theory test pass certificate produced to the person conducting the test in accordance with regulation 38(4) is invalid by virtue of regulation 47B(5).
 - (2B) A large vehicle off road manoeuvres test pass certificate is not valid for the purposes of regulation 40A(2) if—
 - (a) it is furnished in error or with an error in the particulars required to be specified in it, or
 - (b) it is invalid by virtue of paragraph (2A).”;
 - (d) in paragraph (3)—
 - (i) for “practical or”, substitute “large vehicle off road manoeuvres tests, practical tests or”,
 - (ii) after “of regulation 24(1)”, insert “or regulation 24(1ZA)”.
- 22.** In Schedule 8 (specified requirements for practical or unitary test)—
- (a) in Part 3, omit—
 - (i) paragraph (4),
 - (ii) paragraph (6) of Section C,
 - (iii) Section F;
 - (b) in Part 4, omit—
 - (i) paragraph (4),

- (ii) paragraph (6) of Section C,
- (iii) Section F;

23. After Schedule 8A (specified requirements for manoeuvres test), insert the content of Schedule 1 of these Regulations.

24. After Schedule 10D (forms of certificate and statement), insert the content of Schedule 2 of these Regulations.

Review

25.—(1) The Secretary of State must from time to time—

- (a) carry out a review of the regulatory provisions contained in these Regulations; and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of three years beginning with the date on which these Regulations come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015(2) requires that a report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate;
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Signed by authority of the Secretary of State for Transport

At 9.20 a.m. on 18th October 2021

Vere
Parliamentary Under Secretary of State
Department for Transport