

---

STATUTORY INSTRUMENTS

---

**1996 No. 2824**

**The Motor Vehicles (Driving Licences) Regulations 1996**

**PART II**

**LICENCES**

*Categories of entitlement*

**Classification of vehicles**

**4.**—(1) Subject to regulation 5, the licensing authority shall grant licences authorising the driving of motor vehicles in accordance with the categories and sub-categories specified in column (1) and defined in column (2) of Schedule 2 and those categories and sub-categories are designated as groups for the purposes of section 89(1)(b) of the Traffic Act.

(2) In these Regulations, expressions relating to vehicle categories have the following meanings—

- (a) any reference to a category or sub-category identified by letter, number or word or by a combination thereof is a reference to the category or sub-category defined in column (2) of Schedule 2 opposite that letter or combination in column (1) of the Schedule,
- (b) “sub-category” means, in relation to category A, B, C, C + E, D or D + E, a class of vehicles comprising part of the category and identified as a sub-category thereof in column (2) of Schedule 2, and
- (c) unless the context otherwise requires, a reference to a category includes a reference to sub-categories of that category.

**Classes for which licences may be granted**

**5.**—(1) A licence authorising the driving of motor vehicles of a class included in a category or sub-category mentioned in Part 1 of Schedule 2 may be granted to a person who is entitled thereto by virtue of—

- (a) holding or having held a full licence, a full Northern Ireland licence, full British external licence, full British Forces licence, exchangeable licence or Community licence authorising the driving of vehicles of that class, or
- (b) having passed a test authorising the driving of motor vehicles of that class or a Northern Ireland or Gibraltar test corresponding to such a test.

(2) A licence authorising the driving of motor vehicles of a class included in any category or sub-category mentioned in Part 2 of Schedule 2 may not be granted to a person unless, at a time before 1st January 1997—

- (a) in the case of an application for a full licence—
  - (i) he held a full licence authorising the driving of vehicles of a class included in that category, or

- (ii) he passed a test which at the time it was passed authorised the driving of motor vehicles of that class or a Northern Ireland test corresponding to such a test;
- (b) in the case of an application for a provisional licence, he held a provisional licence authorising the driving of vehicles of a class included in that category.

### **Competence to drive classes of vehicle**

6.—(1) Where a person holds, or has held, a licence authorising him to drive vehicles of a class included in any category or, as the case may be, sub-category he is deemed competent to drive—

- (a) vehicles of all classes included in that category or sub-category unless by that licence he is or was authorised to drive—
  - (i) only motor vehicles of a specified class within that category or sub-category, in which case he shall be deemed competent to drive only vehicles of that class,
  - (ii) invalid carriages, in which case he shall be deemed competent to drive only invalid carriages,
  - (iii) only motor vehicles adapted on account of a disability, in which case he shall be deemed competent to drive only such classes of vehicle included in that category or sub-category as are so adapted (and for the purposes of this paragraph, a motor bicycle with a side-car may be treated in an appropriate case as a motor vehicle adapted on account of a disability),

and

- (b) all classes of vehicle included in any other category or sub-category which is specified in column (3) of Schedule 2 as an additional category or sub-category in relation to that category or sub-category unless by that licence he is or was authorised to drive—
  - (i) only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such classes of motor vehicle included in the additional category or sub-category as have automatic transmission,
  - (ii) only invalid carriages, in which case he shall be deemed competent to drive only invalid carriages,
  - (iii) only motor vehicles adapted on account of a disability, in which case he shall be deemed competent to drive only such classes of vehicle included in the additional category or sub-category as are so adapted.

(2) A person who has held a full licence to drive vehicles in category C for a period of at least two years may also drive a motor vehicle of a class included in category D which is—

- (a) being operated by the holder of a PSV operator's licence, and
- (b) not used for the carriage of any person who is not connected with the operator,

and is either—

- (i) damaged or defective and being driven to a place of repair, or
- (ii) being road tested following repair.

(3) A person who holds a full licence to drive vehicles in category C may drive a dual purpose vehicle if—

- (a) he is a member of the armed forces of the Crown, and
- (b) the vehicle is—
  - (i) adapted to carry not more than 24 persons in addition to the driver, and
  - (ii) used to carry passengers for naval, military or air force purposes.

(4) A person who is the holder of a full passenger-carrying vehicle driver's licence may drive a passenger-carrying vehicle recovery vehicle unless by that licence he is or was authorised to drive only passenger-carrying vehicles having automatic transmission, in which case he shall be deemed competent to drive only such passenger-carrying vehicle recovery vehicles as have automatic transmission.

(5) A person may drive an incomplete large vehicle if he holds a licence authorising the driving of motor vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 and B1 (invalid carriages)) unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only incomplete large vehicles having automatic transmission.

(6) A person who is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 and B1 (invalid carriages)) may drive—

- (a) an exempted goods vehicle, other than a passenger-carrying vehicle recovery vehicle, and
- (b) an exempted military vehicle,

unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles as have automatic transmission.

(7) A person who—

- (a) is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)),
- (b) has held that licence for an aggregate period of not less than 2 years, and
- (c) is aged 21 or over,

may drive a mobile project vehicle on behalf of a non-commercial body—

- (i) to or from the place where the equipment it carries is to be, or has been, used, or the display or exhibition is to be, or has been, mounted, or
- (ii) to or from the place where a mechanical defect in the vehicle is to be, or has been, remedied, or
- (iii) in such circumstances that by virtue of paragraph 22 of Schedule 2 to the Vehicle Excise and Registration Act 1994<sup>(1)</sup> the vehicle is not chargeable with duty in respect of its use on public roads,

unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only mobile project vehicles having automatic transmission.

(8) A person who—

- (a) is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)),
- (b) has held that licence for an aggregate period of not less than 2 years,
- (c) is aged 21 or over, and
- (d) receives no payment or consideration for so doing, other than out-of-pocket expenses,

may drive, on behalf of a non-commercial body for social purposes but not for hire or reward, a vehicle of a class included in sub-category D1 which has no trailer attached and has a maximum authorised mass—

---

(1) 1994 c. 22.

- (i) not exceeding 3.5 tonnes, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers, and
- (ii) not exceeding 4.25 tonnes otherwise,

unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only vehicles of classes included in sub-category D1 having automatic transmission.

(9) A person who is the holder of a full licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 (invalid carriages)) may drive a vehicle of a class included in category B + E where—

- (a) the trailer consists of a vehicle which is damaged or defective and is likely to represent a road safety hazard or obstruction to other road users, and
- (b) the vehicle is driven only so far as is reasonably necessary in the circumstances to remove the hazard or obstruction,

unless by that licence he is authorised to drive only motor vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles as have automatic transmission.

#### *Minimum ages for holding or obtaining licences*

#### **Minimum ages for holding or obtaining licences**

7.—(1) Subsection (1) of section 101 of the Traffic Act shall have effect as if for the classes of vehicle and the ages specified in the Table in that subsection there were substituted classes of vehicle and ages in accordance with the following provisions of this regulation.

(2) In item 3 (motor bicycles), the age of 21 is substituted for the age of 17 in a case where the motor bicycle is a large motor bicycle except in the following cases, namely—

- (a) a case where a person who has passed a test for a licence authorising the driving of a motor vehicle of a class included in category A, other than sub-category A1, and a period of two years commencing on the date when the test was passed has elapsed, and
- (b) a case where the large motor bicycle—
  - (i) is owned or operated by the Secretary of State for Defence, or
  - (ii) is being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown,
 and is being used for naval, military or air force purposes.

(3) In item 4 (agricultural and forestry tractors), in the case of an agricultural or forestry tractor which—

- (a) is so constructed that the whole of its weight is transmitted to the road surface by means of wheels,
- (b) has an overall width not exceeding 2.45 metres, and
- (c) is driven either
  - (i) without a trailer attached to it, or
  - (ii) with a trailer which has an overall width not exceeding 2.45 metres and is either a two-wheeled or close-coupled four-wheeled trailer,

the age of 16 is substituted for the age of 17 in the case of a person who has passed a test prescribed in respect of category F, or is proceeding to, taking or returning from, such a test.

(4) In item 5 (small vehicles), the age of 16 is substituted for the age of 17 in the case of—

- (a) a person to whom an award of the higher rate component of the disability living allowance has been made in pursuance of section 73 of the Social Security Contributions and Benefits Act 1992<sup>(2)</sup> (whether before or after his 16th birthday) which is still in force, and
- (b) a small vehicle driven without a trailer attached.

(5) In item 6 (medium-sized goods vehicles), the age of 21 is substituted for the age of 18 in the case of a vehicle drawing a trailer where the maximum authorised mass of the combination exceeds 7.5 tonnes.

(6) In item 7 (other vehicles, including large goods and passenger-carrying vehicles), the age of 18 is substituted for the age of 21 in the case of a person driving a small passenger-carrying vehicle which is an ambulance.

(7) In item 7, the age of 18 is substituted for the age of 21 in the case of a motor vehicle and trailer combination which is in sub-category C1 + E and the maximum authorised mass of the combination does not exceed 7.5 tonnes.

(8) In item 7, the age of 18 is substituted for the age of 21 in the case of a person who is a registered employee of a registered employer, in relation to a large goods vehicle which is—

- (a) of a class to which his training agreement applies, and
- (b) owned or operated by his employer or by a registered LGV training establishment.

(9) In item 7, the age of 18 is substituted for the age of 21 in relation to a passenger-carrying vehicle where—

- (a) the driver of the vehicle holds a provisional licence authorising the driving of the vehicle and is not engaged in the carriage of passengers, or
- (b) the driver holds a full passenger-carrying vehicle driver's licence and—
  - (i) is engaged in the carriage of passengers on a regular service over a route which does not exceed 50 kilometres, or
  - (ii) where he is not so engaged, is driving a vehicle of a class included in sub-category D1,

and the vehicle is operated under a PSV operator's licence granted under section 12 of the 1981 Act, a permit granted under section 19 of the 1985 Act or a community bus permit granted under section 22 of that Act.

(10) In items 6 and 7, the age of 17 is substituted for the ages of 18 and 21 respectively in the case of—

- (a) motor vehicles owned or operated by the Secretary of State for Defence, or
- (b) motor vehicles driven by persons for the time being subject to the orders of a member of the armed forces of the Crown,

when they are being used for naval, military or air force purposes.

(11) In this regulation—

- (a) for the purposes of paragraph (3)—
  - (i) any implement fitted to a tractor shall be deemed to form part of the tractor notwithstanding that it is not a permanent or essentially permanent fixture,
  - (ii) “close-coupled”, in relation to wheels on the same side of a trailer, means fitted so that at all times while the trailer is in motion the wheels remain parallel to the longitudinal axis of the trailer and that the distance between the centres of their respective areas of contact with the road surface does not exceed 840 millimetres, and

---

(2) 1992 c. 4.

- (iii) “overall width”, in relation to a vehicle, means the width of the vehicle measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of any driving mirror and so much of the distortion of any tyre as is caused by the weight of the vehicle;
- (b) for the purposes of paragraph (8), “registered” and “training agreement” have the meanings respectively given in regulation 51;
- (c) in paragraph (9), expressions used which are also used in Council Regulation 3820/85/EEC(3) have the same meanings as in that Regulation.

### *Applications for licences*

#### **Applications for the grant of licences: general**

**8.—**(1) The licensing authority may consider an application for the grant of a licence before the date on which the grant of the licence is to take effect if the application is received by him—

- (a) in the case of an application for a Group 2 licence, during the period of three months ending on that date,
- (b) in any other case, during the period of two months ending on that date,

and may during such period grant the licence so that it takes effect on that date.

(2) For the purposes of subsection (1A)(b) of section 89 of the Traffic Act the holder of an exchangeable licence satisfies the relevant residence requirement if he has been normally resident in Great Britain for a period of not more than five years.

(3) An applicant for a licence who before the licence is granted is required to satisfy the licensing authority that he has passed a test shall at the time when he applies for the licence deliver to the licensing authority, in support of that application—

- (a) a valid certificate furnished under regulation 45(1)(a), or
- (b) a certificate corresponding to the certificate mentioned in paragraph (a) furnished under the law of Northern Ireland or Gibraltar, or
- (c) where paragraph (2) of regulation 38 applies, certificates furnished under regulations 44(2)(a) and 45(2) which are valid in accordance with regulation 38(3), or
- (d) certificates corresponding to the certificates mentioned in paragraph (c) furnished under the law of Northern Ireland.

(4) A person may not present a certificate in support of an application as evidence that he has passed—

- (a) a test, a theory test or a practical test, or
- (b) a test corresponding to any of those tests conducted under the law of Northern Ireland,

if the applicant took the test in respect of which the certificate was issued at a time when he was ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations or a corresponding provision of the law of Northern Ireland, to take the test to which the certificate relates.

(5) An applicant for a Group 2 licence (as defined in regulation 65) shall, if required to do so by the licensing authority, send in support of his application a report (in such form as the licensing authority may require) signed by a qualified medical practitioner, prepared and dated not more than four months prior to the date on which the licence is to take effect, for the purpose of satisfying the licensing authority that he is not suffering from a relevant or prospective disability.

---

(3) OJ No. L370, 31.12.85, p.1. See also regulation 4 of the Community Drivers Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 (S.I. 1986/1456).

(6) In this regulation, “Group 2 licence” has the meaning given in regulation 65.

### **Eligibility to apply for provisional licence**

9.—(1) Subject to the following provisions of this regulation, an applicant for a provisional licence authorising the driving of motor vehicles of a class included in a category or sub-category specified in column (1) of the table at the end of this regulation must hold a relevant full licence authorising the driving of motor vehicles of a class included in the category or sub-category specified in column (2) of the table in relation to the first category.

(2) Paragraph (1) shall not apply in the case of an applicant who is a full-time member of the armed forces of the Crown.

(3) For the purposes of paragraph (1), a licence authorising the driving only of vehicles in sub-categories D1 (not for hire or reward), D1 + E (not for hire or reward) and C1 + E (8.25 tonnes) shall not be treated as a licence authorising the driving of motor vehicles of a class included in sub-categories D1, D1 + E and C1 + E.

(4) In this regulation, “relevant full licence” means a full licence granted under Part III of the Traffic Act, a full Northern Ireland licence, a full British external licence, a full British Forces licence, an exchangeable licence or a Community licence.

TABLE

<i>(1) Category or sub-category of licence applied for</i>	<i>(2) Category/sub-category of full licence required</i>
B + E	B
C	B
C1	B
D	B
D1	B
C1 + E	C1
C + E	C
D1 + E	D1
D + E	D
G	B
H	B

### **Restrictions on the grant of large goods and passenger-carrying vehicle drivers' licences**

10.—(1) An applicant for a large goods or passenger-carrying vehicle driver’s licence shall not, subject to paragraph (2), be granted a licence if, at the date from which the licence applied for is to take effect, any—

- (a) large goods or passenger-carrying vehicle driver’s licence held by him is suspended, or
- (b) Northern Ireland large goods or passenger-carrying vehicle driver’s licence held by him is suspended,

under section 115 of the Traffic Act or, as the case may be, under the provision of the law for the time being in force in Northern Ireland corresponding to that enactment.

(2) A person may apply for a large goods vehicle driver's licence notwithstanding that, at the date from which the licence applied for is to take effect, any passenger-carrying vehicle driver's licence held by him is suspended and such suspension relates to his conduct other than as a driver of a motor vehicle.

(3) An applicant for an LGV trainee driver's licence—

- (a) must be a registered employee of a registered employer (within the meaning of regulation 51), and
- (b) must not be a person who—
  - (i) has been convicted (or is to be treated as if he had been convicted) of an offence as a result of which the number of penalty points to be taken into account under section 29 of the Offenders Act at the date of the application exceeds three, or
  - (ii) has at any time been disqualified by a court for holding or obtaining a licence or by a court in Northern Ireland for holding or obtaining a Northern Ireland licence, and
- (c) must satisfy the licensing authority that he holds a Certificate of Professional Competence issued by the Road Haulage and Distribution Training Council stating that the applicant has completed a course of induction training in the driving of goods vehicles which meets the requirements of Council Directive [76/914/EEC](#)(4).

### **Restrictions on the grant of provisional licences to drive motor bicycles**

**11.**—(1) Subject to paragraphs (2) to (4), the licensing authority must refuse to grant a provisional licence authorising the driving of a motor bicycle of any class to a person who was the holder of a previous licence and the licence applied for would come into force within the period of one year beginning at the end of the period for which the previous licence authorised (or would, if not surrendered or revoked, have authorised) the riding of a motor bicycle.

(2) In a case where the applicant's previous licence was surrendered or revoked under subsection (3) or (4) of section 99 of the Traffic Act before its expiry date, paragraph (1) shall not apply.

(3) In a case where—

- (a) the applicant's previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act, and
- (b) the circumstances mentioned in regulation 14(2)(b) and (c) apply (so that the licensing authority is required to grant a licence which would be in force for a period of less than two years),

the licensing authority must refuse to grant a provisional licence which would come into force within the period of two months commencing on the date of such surrender or revocation.

(4) In a case where—

- (a) the applicant's previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act, and
- (b) the circumstances mentioned in regulation 14(2)(b) and (c) do not apply,

the licensing authority must refuse to grant a provisional licence which would come into force within the period of one year commencing on the date of such surrender or revocation.

---

(4) OJ No. L357, 29.12.76, p. 36.



## **Fees for licences**

12.—(1) An applicant for a licence shall pay a fee (if any) determined in accordance with paragraphs (2) and (3).

(2) The fee payable upon an application for a licence shall, in the case of a licence of a description, and (as the case may be) in the circumstances, specified in column (1) of the table set out in Schedule 3, be the fee specified in relation to that licence in column (2) of that table.

(3) When an application is made for a licence which, but for this paragraph, would attract more than one fee, the only fee payable shall be the highest of the fees specified in that table in relation to that application.

## *Provisional licences*

### **Provisional licences: interpretation**

13.—(1) In regulations 15 and 16, the following expressions have the following meanings—

“exempted island” means any island outside the mainland of Great Britain from which motor vehicles, unless constructed specially for that purpose, cannot at any time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicles but excluding any of the following islands, namely, the Isle of Wight, St Mary’s (Isles of Scilly), the islands of Arran, Barra, Bute, Great Cumbrae, Islay, the island which comprises Lewis and Harris, mainland Orkney, mainland Shetland, Mull, the island which comprises North Uist, Benbecula and South Uist and Tiree;

“provisional licence”, in relation to a class of vehicles, includes a full licence which is treated, by virtue of section 98 of the Traffic Act, as authorising its holder to drive vehicles of that class as if he held a provisional licence therefor;

“qualified driver” means—

- (a) in the case of the supervision of the driver of a motor vehicle of a class included in category B, other than a vehicle in sub-category B1, by a person whose licence is limited by virtue of a notice served under section 92(5)(b) of the Traffic Act to vehicles of a particular class, a person who holds a full licence authorising him to drive a vehicle of a class included in category B, other than a vehicle in sub-category B1, and who would in an emergency be able to take control of the steering and braking functions of that vehicle,
- (b) in any other case, a person who holds—
  - (i) a full licence (other than an LGV trainee driver’s licence),
  - (ii) a full Northern Ireland licence, or
  - (iii) a Community licence,authorising him to drive a motor vehicle of the same class as the vehicle being driven by the holder of the provisional licence,  
and who is either—
  - (i) at least 21 years of age and has (unless paragraph (2) applies) held the licence referred to above for an aggregate period of 3 years or more, or
  - (ii) a member of the armed services of the Crown acting in the course of his duties for naval, military or air force purposes.

(2) In the case of the supervision of a driver of a large goods or passenger-carrying vehicle of any class, it shall not be a requirement that he shall have held the licence for an aggregate period of 3 years or more.

### **Duration of provisional licences authorising the driving of motor bicycles**

**14.—**(1) Subject to paragraph (2), there is prescribed for the purposes of section 99(2) of the Traffic Act—

- (a) a motor bicycle of any class, and
- (b) a period of two years.

(2) There are prescribed for the purposes of section 99(2)(b)(ii) of that Act the circumstances that—

- (a) the previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act,
- (b) if it had not been so surrendered or revoked, a period of at least one month, commencing on the date of surrender or revocation, would have elapsed before the previous licence would have expired, and
- (c) the licence when granted would come into force within the period of one year beginning on the date of surrender or revocation of the previous licence.

### **Conditions attached to provisional licences**

**15.—**(1) Subject to the following paragraphs of this regulation, the holder of a provisional licence shall comply with the following conditions in relation to motor vehicles of a class which he is authorised to drive by virtue of the provisional licence, that is to say he shall not drive or ride such a motor vehicle—

- (a) otherwise than under the supervision of a qualified driver who is present with him in or on the vehicle,
- (b) unless a distinguishing mark in the form set out in Part 1 of Schedule 4 is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle, or
- (c) while it is being used to draw a trailer.

(2) The condition specified in paragraph (1)(a) shall not apply when the holder of the provisional licence—

- (a) is driving a motor vehicle of a class included in sub-category B1 or B1 (invalid carriages) or in category F, G or H which is constructed to carry only one person and not adapted to carry more than one person;
- (b) is riding a moped or a motor bicycle with or without a side-car; or
- (c) is driving a motor vehicle on a road in an exempted island.

(3) The condition specified in paragraph (1)(b) shall not apply—

- (a) when the holder of the provisional licence is driving a motor vehicle on a road in Wales, and
- (b) a distinguishing mark in the form set out in Part 2 of Schedule 4 is displayed on the motor vehicle in the manner described in paragraph (1)(b).

(4) The condition specified in paragraph (1)(c) shall not apply to the holder of a provisional licence authorising the driving of a vehicle of a class included in category B + E, C + E, D + E or F, in relation to motor vehicles of that class.

(5) The holder of a provisional licence authorising the driving of—

- (a) a moped, or
- (b) a motor bicycle with or without a side-car,

shall not drive such a vehicle while carrying on it another person.

(6) The holder of a provisional licence authorising the driving of a moped must, when he is riding the vehicle (unless he is exempt from the requirements imposed by section 97(3)(e) or, as the case may be, section 98(3)(c) of the Traffic Act), be the holder of a valid certificate furnished under regulation 63(1).

(7) The holder of a provisional licence authorising the driving of a large motor bicycle shall not drive such a vehicle otherwise than under the supervision of a certified direct access instructor (within the meaning of regulation 59(2)) who is—

- (a) present with him on the road while riding another motor bicycle,
- (b) able to communicate with him by means of a radio which is not hand-held while in operation, and
- (c) supervising only that person or only that person and another person who holds such a provisional licence,

while he and the instructor are wearing reflective or luminous apparel.

(8) The holder of a passenger-carrying vehicle driver's provisional licence shall not drive a vehicle which he is authorised to drive by that licence while carrying any passenger in the vehicle other than—

- (a) the person specified in paragraph (1)(a), or
- (b) a person who holds a passenger-carrying vehicle driver's licence and either is giving or receiving instruction in the driving of passenger-carrying vehicles, or has given or received, or is to give or receive, such instruction.

(9) The conditions specified in paragraphs (1)(a), (7) and (8) shall not apply when the holder of the provisional licence is undergoing a test.

(10) The conditions specified in paragraphs (1), (5), (6), (7) and (8) shall not apply in relation to the driving of motor vehicles of a class in respect of which the provisional licence holder has been furnished with a valid certificate under regulation 45(1)(a) or, as the case may be, certificates under regulations 44(2)(a) and 45(2) stating that he has passed a test for the grant of a licence authorising him to drive vehicles of that class.

(11) In the case of an LGV trainee driver's licence, this regulation shall apply as modified by regulation 51.

### **Conditions attached to provisional licences: holders of driving permits other than licences granted under Part III of the Traffic Act**

**16.** A holder of a provisional licence authorising the driving of vehicles of any class who also holds a permit by virtue of which he is at any time—

- (a) treated, by virtue of regulation 74, as the holder, for the purposes of section 87 of the Traffic Act, of a licence authorising the driving of vehicles of that class, or
- (b) entitled, pursuant to article 2(1) of the Motor Vehicles (International Circulation) Order 1975(5), to drive motor vehicles of that class,

need not comply with regulation 15 at that time.

### **Full licences not carrying provisional entitlement**

**17.—(1)** Section 98(2) of the Traffic Act shall not apply to a licence—

---

(5) [S.I. 1975/1208](#). Article 2(1) was substituted by [S.I. 1989/993](#) and amended by [S.I. 1991/771](#).

- (a) which authorises the driving only of motor vehicles adapted on account of a disability, whether pursuant to an application in that behalf made by the holder of the licence or pursuant to a notice served under section 92(5)(b) of the Traffic Act;
- (b) in so far as it authorises its holder to drive vehicles of a class included in category B + E, C + E, D + E, K or P or sub-category B1 (invalid carriages), C1, C1 + E, C1 + E (8.25 tonnes), D1 (not for hire or reward), D1 + E or D1 + E (not for hire or reward).

(2) Subject to the following provisions of this regulation, the holder of a full licence authorising him to drive motor vehicles of a class included in a category or sub-category specified in column (1) of the table at the end of this regulation may drive—

- (a) in a case where the full licence authorises only the driving of vehicles with automatic transmission, motor vehicles of all classes included in that category or sub-category which have manual transmission, and
- (b) motor vehicles of all classes included in a category or sub-category specified, in relation to that category or sub-category, in column (2) of the table,

as if he were authorised by a provisional licence to do so and the application of section 98(2) of the Traffic Act to those classes of vehicle is limited accordingly.

(3) In the case of a licence which authorises the driving only of—

- (a) motor bicycles of a class included in sub-category A1, or
- (b) standard motor bicycles,

section 98(2) shall not apply so as to authorise the driving of a large motor bicycle by a person under the age of 21.

(4) In the case of a provisional large goods vehicle driver's licence, this regulation shall apply as modified by regulation 51.

TABLE

<i>Full licence held</i>	<i>Provisional entitlement included</i>
A1	A, B, F, and K
A	B and F
B1	A, B and F
B	A, B + E, G and H
C	C1 + E, C + E
D1	D1 + E
D	D1 + E, D + E
F	B and P
G	H
H	G

*Miscellaneous*

**Signature of licences**

**18.** Every person to whom a licence is granted shall forthwith sign it in ink with his usual signature.

### **Lost or defaced licences**

**19.**—(1) If the holder of a licence—

(a) satisfies the licensing authority that—

(i) the licence or its counterpart has been lost or defaced; and

(ii) the holder is entitled to continue to hold the licence; and

(b) pays the fee prescribed by regulation 12,

the licensing authority shall, on surrender of any licence or counterpart that has not been lost, issue to him a duplicate licence and counterpart and shall endorse upon the counterpart any particulars endorsed upon the original licence or counterpart as the case may be and the duplicates so issued shall have the same effect as the originals.

(2) If at any time while a duplicate licence is in force the original licence is found, the person to whom the original licence was issued, if it is in his possession, shall return it to the licensing authority, or if it is not in his possession, but he becomes aware that it is found, shall take all reasonable steps to take possession of it and if successful shall return it as soon as may be to the licensing authority.

(3) The obligation in paragraph (2) shall apply in respect of the counterpart of a licence as if for the words “original licence” in each place where they occur there were substituted the words “original counterpart”.