
STATUTORY INSTRUMENTS

1999 No. 2864

The Motor Vehicles (Driving Licences) Regulations 1999

PART I
PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) Regulations 1999 and shall come into force on 12th November 1999.

Revocation and saving

2.—(1) The regulations specified in Schedule 1 are hereby revoked.

(2) Subject to otherwise herein provided, and without prejudice to the operation of sections 16 and 17 of the Interpretation Act 1978^{F1}, the revocation of those regulations shall not affect the validity of any application or appointment made, notice or approval given, licence, certificate or other document granted or issued or other thing done thereunder and any reference in such application, appointment, notice, approval, licence, certificate or other document or thing to a provision of any regulation hereby revoked, whether specifically or by means of a general description, shall, unless the context otherwise requires, be construed as a reference to the corresponding provision of these Regulations.

Textual Amendments

F1 1978 c. 30.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the following meanings—

“1981 Act” means the Public Passenger Vehicles Act 1981^{F2};

“1985 Act” means the Transport Act 1985^{F3};

[^{F4}“A1 motorcycle” means a motor bicycle with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kilowatts and with a power to weight ratio not exceeding 0.1 kilowatts per kilogram;

“A1 motor tricycle” means a motor tricycle with a power not exceeding 15 kilowatts;

“A2 motorcycle” means a motor bicycle of a power not exceeding 35 kilowatts, with a power to weight ratio not exceeding 0.2 kilowatts per kilogram and not being derived from a vehicle of more than double its power;

“A3 motorcycle” means a motor bicycle—

- (a) of a power exceeding 35 kilowatts or with a power to weight ratio exceeding 0.2 kilowatts per kilogram; or
- (b) of a power not exceeding 35 kilowatts with a power to weight ratio not exceeding 0.2 kilowatts per kilogram and derived from a vehicle of more than double its power;

“A3 motor tricycle” means a motor tricycle with a power exceeding 15 kilowatts;]

[^{F5}“abridged standard test of driving theory” means the test described in regulation 40B(1A);]

“ambulance” means a motor vehicle which—

- (a) is constructed or adapted for, and used for no other purpose than, the carriage of sick, injured or disabled people to or from welfare centres or places where medical or dental treatment is given, and
- (b) is readily identifiable as such a vehicle by being marked “Ambulance” on both sides;

“appropriate driving test” and “extended driving test” have the same meanings respectively as in section 36 of the Offenders Act ^{F6};

[^{F7}“category P vehicle” means a motor vehicle with fewer than four wheels with a maximum design speed exceeding 45 kilometres per hour but not exceeding 50 kilometres per hour and which, if propelled by an internal combustion engine, has a cylinder capacity not exceeding 50 cubic centimetres;

“category Q vehicle” means a motor vehicle with less than four wheels which—

- (a) if propelled by an internal combustion engine, has a cylinder capacity not exceeding 50 cubic centimetres and, if not equipped with pedals by means of which the vehicle is capable of being propelled, has a maximum design speed not exceeding 25 kilometres per hour; and
- (b) if propelled other than by an internal combustion engine, has a maximum design speed not exceeding 25 kilometres per hour;]

[^{F8}“certified direct access instructor” has the meaning given by regulation 64(2);]

“Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986 ^{F9};

“controlled by a pedestrian” in relation to a vehicle means that the vehicle either—

- (a) is constructed or adapted for use under such control; or
- (b) is constructed or adapted for use either under such control or under the control of a person carried on it but is not for the time being in use under, or proceeding under, the control of a person carried on it;

[^{F10}“deductible period” means—

- (a) any period during which a person is disqualified under section 34 or 35 of the Offenders Act;
- (b) in a case where a person is or has been disqualified under section 36 of the Offenders Act, the period beginning on the date of the court order under subsection (1) of that section and ending on the date when the disqualification is deemed by virtue of that section to have expired;
- (c) in a case where a person’s licence or test pass certificate has been revoked by the Secretary of State under section 3 of, or Schedule 1 to, the Road Traffic (New Drivers) Act 1995, the period beginning on the date of the notice of revocation under that Act and ending on the date when the person whose certificate or licence, as appropriate, has been revoked passes the relevant driving test within the meaning of that Act; and
- (d) any period during which a person’s licence has ceased to be in force;]

[^{F11}“disability assessment test” means a test of competence to drive for which a person is required, by notice under section 94(5)(c) of the Traffic Act, to submit himself; and “disability assessment licence” means a provisional licence granted to enable him to drive a motor vehicle for the purposes of preparing for, and taking, such a test]

“dual purpose vehicle” means a motor vehicle which is constructed or adapted both to carry or haul goods and to carry more than eight persons in addition to the driver;

[^{F12}“electric scooter” means a category Q vehicle which—

- (a) is fitted with an electric motor with a maximum continuous power rating not exceeding 500 watts;
- (b) is not fitted with pedals that are capable of propelling the vehicle;
- (c) has two wheels, one front and one rear, aligned along the direction of travel;
- (d) is designed to carry no more than one person;
- (e) has a maximum weight, excluding the driver, not exceeding 55 kilograms;
- (f) has a maximum design speed not exceeding 15.5 miles per hour;
- (g) has a means of directional control through the use of handlebars which are mechanically linked to the steered wheel;
- (h) has a means of controlling the speed through hand controls; and
- (i) has a power control that defaults to the ‘off’ position;]

“exempted goods vehicle” and “exempted military vehicle” have the meanings respectively given in regulation 51;

“extended driving test” means a test of a kind prescribed by regulation 41;

[^{F13}“fire and rescue authority” has the same meaning as in section 1 of the Fire and Rescue Services Act 2004;]

[^{F14}“fire engine” means a category C motor vehicle that is being used—

- (a) in England or Wales, by a fire and rescue authority^{F15} ... ; or
- (b) in Scotland, by the Scottish Fire and Rescue Service (as established under section 1A of the Fire (Scotland) Act 2005[^{F16}]);]

“full”, in relation to a licence of any nature, means a licence granted otherwise than as a provisional licence;

“Group 1 licence” and “Group 2 licence” have the meanings respectively given in regulation 70;

[^{F17}“IBC” means an intermediate bulk container, being one single sealed container—

- (a) made of plastic or metal;
- (b) designed for the storage and transport of fluids;
- (c) with a capacity of 1,000 litres;
- (d) having its capacity clearly marked on its exterior; and
- (e) filled to capacity with water;]

“incomplete large vehicle” means—

- (a) an incomplete motor vehicle, typically consisting of a chassis and a complete or incomplete cab, which is capable of becoming, on the completion of its construction, a medium-sized or large goods vehicle or a passenger-carrying vehicle, or
- (b) a vehicle which would be an articulated goods vehicle but for the absence of a fifth-wheel coupling,

and which is not drawing a trailer;

[^{F18c}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;]

[^{F18c}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;]

[^{F18c}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;]

[^{F18c}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;]

[^{F18c}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;]

^{F19} ...

[^{F20c}large vehicle test of driving theory” means the test of driving theory described in regulation 40B(2);]

[^{F20c}large vehicle test of hazard perception” means the test of hazard perception described in regulation 40B(4);]

[^{F20c}large vehicle theory test pass certificate” means a certificate in the form specified in regulation 47B(1);]

[^{F21c}local public authority” means—

- (a) in England and Wales, any body, other person or holder of any office listed in Part 2 (local government) of Schedule 1 to the Freedom of Information Act 2000; and
- (b) in Scotland, any body, other person or holder of any office listed in Part 3 (local government) of Schedule 1 to the Freedom of Information (Scotland) Act 2002;]

^{F22} ...

[^{F23c}manoeuvres test” means a test consisting of the activities and manoeuvres specified in Schedule 8A and includes such a test conducted as part of an extended driving test;]

“maximum authorised mass”—

- (a) in relation to a goods vehicle, has the same meaning as “permissible maximum weight” in section 108(1) of the Traffic Act,
- (b) in relation to an incomplete large vehicle, means its working weight, and
- (c) in relation to any other motor vehicle or trailer, has the same meaning as “maximum gross weight” in regulation 3(2) of the Construction and Use Regulations;

“maximum speed” means the speed which the vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden;

[^{F24c}maximum net power output”, in relation to an engine, means the maximum net power output measured under full engine load]

“mobile project vehicle” means a vehicle which has a maximum authorised mass exceeding 3.5 tonnes, is constructed or adapted to carry not more than eight persons in addition to the driver and carries principally goods or burden consisting of—

(a) play or educational equipment and articles required in connection with the use of such equipment, or

(b) articles required for the purposes of display or of an exhibition,

and the primary purpose of which is use as a recreational, educational or instructional facility when stationary;

[^{F25}“module 1 pass certificate” means a certificate relating to the passing of a manoeuvres test in the form set out in Part 1 of Schedule 10D;

“module 1 statement of failure” means a statement in the form set out in Part 2 of Schedule 10D regarding the failing of a manoeuvres test;]

[^{F26}“motor tricycle” means a motor vehicle with three symmetrically arranged wheels which has a maximum design speed of more than 45 kilometres per hour and, if fitted with an internal combustion engine, has an engine capacity of more than 50 cubic centimetres;]

“Northern Ireland test” means a test of competence to drive conducted under the law of Northern Ireland;

“Offenders Act” means the Road Traffic Offenders Act 1988 ^{F27};

“passenger-carrying vehicle recovery vehicle” means a vehicle (other than an articulated goods vehicle combination as defined in section 108(1) of the Traffic Act) which—

(a) has an unladen weight not exceeding 10.2 tonnes,

(b) is being operated by the holder of a PSV operator’s licence, and

(c) is being used for the purpose of—

(i) proceeding to, or returning from, a place where assistance is to be, or has been, given to a damaged or disabled passenger-carrying vehicle; or

(ii) giving assistance to or moving a disabled passenger-carrying vehicle or moving a damaged vehicle;

“penalty points” means penalty points attributed to an offence under section 28 of the Offenders Act;

“power to weight ratio”, in relation to a motor bicycle, means the ratio of the maximum net power output of the engine of the vehicle to its weight (including the weight of any side-car) with—

(a) a full supply of fuel in the tank,

(b) an adequate supply of other liquids needed for its propulsion, and

(c) no load other than its normal equipment, including loose tools;

[^{F28}“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;]

“propelled by electrical power”, in relation to a motor vehicle, means deriving motive power solely from an electrical storage battery carried on the vehicle and having no connection to any other source of power when the vehicle is in motion;

“PSV operator’s licence” has the meaning given by section 82(1) of the 1981 Act;

[^{F29}“standard access period” means the period of two years commencing on the date, before 19th January 2013, when a person passed a test for a licence authorising the driving of standard motor bicycles of any class, other than motor bicycles with an engine the maximum net power output of which is 11 kilowatts or less, but disregarding any deductible period, or part thereof, which subsists in relation to that person on or after the date on which the test was passed;]

[^{F30}“standard motor bicycle” means—

- (a) in the case of a motor bicycle without a side-car, a motor bicycle the engine of which has a maximum net power output not exceeding 25 kilowatts and a power to weight ratio not exceeding 0.16 kilowatts per kilogram, or
- (b) in the case of a motor bicycle and side-car combination, a combination having a power to weight ratio not exceeding 0.16 kilowatts per kilogram;]

[^{F31}“standard test of driving theory” means the test described in regulation 40B(1);]

[^{F31}“standard test of hazard perception” means the test described in regulation 40B(3);]

[^{F31}“standard theory test pass certificate” means a certificate in the form specified in regulation 47(2)(a); and]

“test” means any test of competence to drive conducted pursuant to section 89 of the Traffic Act including an extended driving test;

“test pass certificate” means a certificate in the form specified in regulation 48(1)(a);

^{F32}

^{F32}

“Traffic Act” means the Road Traffic Act 1988;

[^{F33}“traffic commissioner” means a commissioner appointed under section 4 of the Public Passenger Vehicles Act 1981;]

[^{F34}“training load” means a load consisting of—

- (a) an IBC; or
- (b) training load packages that are all marked with the same nominal quantity by weight;

“training load package” means a product packaged in a transparent sealed bag so that the combination of the product and the individual bag in which it is packed is either or both of the following—

- (a) a “package” to which the Weights and Measures (Packaged Goods) Regulations 2006 “the 2006 Regulations” or the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 “the 2011 Regulations” apply, [^{F35}where]—
 - (i) [^{F36}it] is marked in accordance with the requirements of regulation 5(1) of the 2006 Regulations or the 2011 Regulations as the case may be;
 - (ii) [^{F37}it] is marked with its nominal quantity by weight in accordance with regulation 8 of the 2006 Regulations or the 2011 Regulations as the case may be; and
 - (iii) that nominal quantity by weight so marked on the package is no less than 10kg; or
- (b) a “prepackage” to which Council [Directive 76/211/EEC](#) applies, [^{F38}where]—
 - (i) [^{F39}it] is marked in accordance with points 3.1 and 3.2 of Annex I to that Directive; and
 - (ii) the nominal quantity by weight so marked on the prepackage is no less than 10kg;]

[^{F40}“trial” means an assessment as to the suitability of electric scooters for use on roads conducted by virtue of—

- (a) an order made under sections 44 and 63(5) of the Traffic Act; or
- (b) an arrangement made between one or more local public authorities and a person who hires out electric scooters;]

“unitary test” means a test which, by virtue of these Regulations, is to consist of a single test of both practical driving skills and behaviour and knowledge of the Highway Code and other matters and includes such a test conducted as an extended driving test;

“unladen weight” has the same meaning as in regulation 3(2) of the Construction and Use Regulations and, in the case of a road roller, includes the weight of any object for the time being attached to the vehicle, being an object specially designed to be so attached for the purpose of temporarily increasing the vehicle’s weight;

“vehicle with automatic transmission” means a class of vehicle in which either—

- (a) the driver is not provided with any means whereby he may vary the gear ratio between the engine and the road wheels independently of the accelerator and the brakes, or
- (b) he is provided with such means but they do not include a clutch pedal or lever which he may operate manually,

(and accordingly a vehicle with manual transmission is any other class of vehicle);

“working weight” means the weight of a vehicle in working condition on a road but exclusive of the weight of any liquid coolant and fuel used for its propulsion.

(2) In these Regulations, unless the context otherwise requires—

- (a) a reference to a licence being in force is a reference to it being in force in accordance with section 99 of the Traffic Act, save that for the purpose of these Regulations a licence shall remain in force notwithstanding that it is—

- (i) surrendered to the Secretary of State or is revoked otherwise than by notice under section 93(1) or (2) of the Traffic Act (revocation because of disability or prospective disability), or

- (ii) treated as revoked by virtue of section 37(1) of the Offenders Act, and

- (b) a reference to the expiry of a licence is a reference to the time at which it ceases to be so in force (and “expired” shall be construed accordingly).

(3) Except where otherwise expressly provided, any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations, and any reference to a numbered paragraph (otherwise than as part of a reference to a numbered regulation) is a reference to the paragraph bearing that number in the regulation or Schedule in which the reference occurs.

(4) Where a statement or certificate (but not a distinguishing mark specified in regulation 16) is required under these Regulations to be in a form prescribed herein, the reference is to a certificate or statement in that form (or as nearly in that form as circumstances permit), adapted to the circumstances of the case and duly completed and signed where required.

(5) For the purposes of section 97(3)(d) of the Traffic Act and these Regulations the date of first use of a motor bicycle means—

- (a) except in a case to which paragraph (b) applies, the date on which it was first registered under the Roads Act 1920, the Vehicles (Excise) Act 1949 ^{F41}, the Vehicles (Excise) Act 1962 ^{F42} or the Vehicles (Excise) Act 1971 ^{F43},

- (b) in the case of a motor bicycle which was used in any of the following circumstances before the date on which it was first registered, namely:—

- (i) where the bicycle was used under a trade licence as defined in section 16 of the Vehicles (Excise) Act 1971, otherwise than for the purposes of demonstration or

testing or of being delivered from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement,

- (ii) where the bicycle belonged to the Crown and is or was used or appropriated for use for naval, military or air force purposes,
- (iii) where the bicycle belonged to a visiting force or a headquarters or defence organisation to which the Visiting Forces and International Headquarters (Application of Law) Order 1965^{F44} applied,
- (iv) where the bicycle had been used on roads outside Great Britain and was imported into Great Britain, or
- (v) where the bicycle had been used otherwise than on roads after being sold or supplied by retail and before being registered,

the date of manufacture of the bicycle.

(6) In paragraph (5)(b)(v) "sold or supplied by retail" means sold or supplied otherwise than to a person acquiring solely for the purpose of re-sale or re-supply for a valuable consideration.

Textual Amendments

- F2** 1981 c. 14.
- F3** 1985 c. 67.
- F4** Words in reg. 3(1) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 2(a)**
- F5** Words in reg. 3 inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **3**
- F6** Section 36 was substituted by the 1991 Act, section 32.
- F7** Words in reg. 3(1) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 2(b)**
- F8** Words in reg. 3(1) inserted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **3**
- F9** S.I. 1986/1078. The relevant amending instruments are S.I. 1987/676, 1990/1981 and 1994/329.
- F10** Words in reg. 3(1) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 2(c)**
- F11** Words in reg. 3(1) inserted (1.1.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\)\(No. 2\) Regulations 2000 \(S.I. 2000/3157\)](#), regs. 1, **3**
- F12** Words in reg. 3 inserted (4.7.2020) by [The Electric Scooter Trials and Traffic Signs \(Coronavirus\) Regulations and General Directions 2020 \(S.I. 2020/663\)](#), Pt. 1 regs. 1(2), **4(2)(a)**
- F13** Words in reg. 3(1) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **3(a)**
- F14** Words in reg. 3 inserted (15.8.2013) by [The Motor Vehicles \(Driver Testing and Vehicle Load\) Regulations 2013 \(S.I. 2013/1753\)](#), regs. 1(1), **2(2)(b)**
- F15** Words in reg. 3(1) omitted (1.11.2021) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **3(b)**
- F16** Reg. 3(1) bracket inserted (29.12.2014) by [The Road Traffic Act 1988 and Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/3190\)](#), regs. 1, **3(a)**
- F17** Words in reg. 3 inserted (15.8.2013) by [The Motor Vehicles \(Driver Testing and Vehicle Load\) Regulations 2013 \(S.I. 2013/1753\)](#), regs. 1(1), **2(2)(a)**
- F18** Words in reg. 3 inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **3(a)**

- F19** Words in reg. 3(1) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 2(d)**
- F20** Words in reg. 3 inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **3(1)(a)** (with reg. 22)
- F21** Words in reg. 3 inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 regs. 1(2), **4(2)(b)**
- F22** Words in reg. 3(1) omitted (22.12.2018) by virtue of The Driving Licences (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1251), regs. 1(3), **6(2)**
- F23** Words in reg. 3 inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **3(a)** (with reg. 33)
- F24** Words in reg. 3(1) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 2(e)**
- F25** Words in reg. 3 inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **3(b)** (with reg. 33)
- F26** Words in reg. 3(1) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 2(f)**
- F27** 1988 c. 53.
- F28** Words in reg. 3 substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **3(b)**
- F29** Words in reg. 3(1) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 2(g)**
- F30** Words in reg. 3(1) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 2(h)**
- F31** Words in reg. 3 inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **3(1)(c)** (with reg. 22)
- F32** Words in reg. 3 omitted (7.7.2008) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **3(1)(d)** (with reg. 22)
- F33** Words in reg. 3 substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F34** Words in reg. 3 inserted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(2)(c)**
- F35** Word in reg. 3(1) substituted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **3(b)(i)**
- F36** Word in reg. 3(1) inserted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **3(b)(ii)**
- F37** Word in reg. 3(1) inserted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **3(b)(iii)**
- F38** Word in reg. 3(1) substituted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **3(b)(iv)**
- F39** Word in reg. 3(1) inserted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **3(b)(v)**
- F40** Words in reg. 3 inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 regs. 1(2), **4(2)(c)**
- F41** 1949 c. 89.
- F42** 1962 c. 13.
- F43** 1971 c. 10.
- F44** S.I. 1965/1536.

[^{F45}Meaning of “theory test”

3A.—(1) In these Regulations, “theory test” means—

- (a) where a test is to be conducted, by virtue of regulation [^{F46}40(2A)], in two parts, the part, described in regulation [^{F47}40(2A)(a)], which consists of the standard test of driving theory and the standard test of hazard perception; ^{F48} ...
- [where a test is to be conducted, by virtue of regulation 40(1A), in three parts, the part, ^{F49}(aa) described in regulation 40(1A)(a), which consists of the standard test of driving theory and the standard test of hazard perception; ^{F50} ...]
- [the part of a test which consists of the abridged standard test of driving theory and the ^{F51}(ab) standard test of hazard perception where the test is to be conducted in—
- (i) three parts by virtue of regulation 40(2B); or
- (ii) two parts by virtue of regulation 40(2C); and]
- (b) in any other case, each of the large vehicle test of driving theory and the large vehicle test of hazard perception.
- (2) Any reference in these Regulations to a “theory test” includes such a test conducted as part of an extended driving test.]

Textual Amendments

- F45** Reg. 3A inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **3(2)** (with reg. 22)
- F46** Word in reg. 3A(1)(a) substituted (31.12.2015) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2015 \(S.I. 2015/1797\)](#), regs. 1, **3(a)**
- F47** Word in reg. 3A(1)(a) substituted (31.12.2015) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2015 \(S.I. 2015/1797\)](#), regs. 1, **3(b)**
- F48** Word in reg. 3A(1)(a) omitted (30.3.2009) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **4(a)** (with reg. 33)
- F49** Reg. 3A(1)(aa) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **4(b)** (with reg. 33)
- F50** Word in reg. 3A(1)(aa) omitted (1.5.2010) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **4(a)**
- F51** Reg. 3A(1)(ab) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **4(b)**

PART II LICENCES

Categories of entitlement

Classification of vehicles

- [^{F52}4.—(1) Subject to regulations 5 and 78, the Secretary of State shall grant licences authorising the driving of motor vehicles in accordance with—
- (a) the categories and sub-categories specified in column (1) and defined in column (2) of Parts 1 to 3 and 5 and 6 of Schedule 2;
- (b) the former categories and former sub-categories specified in column (1) and defined in column (2) of Part 4 of Schedule 2, other than former category P and former sub-category B1;

- (c) the class defined in column (2) of Part 4 of Schedule 2 opposite former sub-category B1 specified in column (1); and
 - (d) the class defined in column (2) of Part 4 of Schedule 2 opposite former category P specified in column (1).
- (2) The categories and sub-categories referred to in paragraph (1)(a) and (b), other than former category P and former sub-category B1, are designated as groups for the purposes of section 89(1)(b) of the Traffic Act.
- (3) In these Regulations, expressions relating to vehicle categories have the following meanings—
- (a) save for references to a former category or a former sub-category, any reference to a category or sub-category identified by letter, number or word or by any combination of letters, numbers and words 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 in column (2) of Schedule 2,
 - (c) unless the context otherwise requires, a reference to a category includes a reference to sub-categories of that category,
 - (d) save for references to “former sub-category B1”, “former category N” or “former category P”, a reference to a former category or a former sub-category identified by letter, number or word or by any combination of letters, numbers and words is a reference to the former category or former sub-category defined in column (2) of Part 4 of Schedule 2 opposite the letter or combination in column (1),
 - (e) “former sub-category B1” means a class of vehicle having three or four wheels and an unladen weight not exceeding 550 kilograms,
 - (f) “former category N” means vehicles which were exempted from vehicle excise duty under section 7(1) of the Vehicle (Excise) Act 1971, and
 - (g) “former category P” means a class of vehicle having fewer than four wheels, a maximum design speed not exceeding 50 kilometres per hour and, if propelled by an internal combustion engine, a cylinder capacity not exceeding 50 cubic centimetres.]

Textual Amendments

F52 Reg. 4 substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 3](#)

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 shown 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 for a licence 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 shown 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 a person applying for a full licence,—
 - (i) he held a full licence authorising the driving of motor vehicles of that class or a class which by virtue of these Regulations corresponds to a class included in that category or sub-category, or
 - (ii) he passed a test which at the time it was passed authorised the driving of motor vehicles of such a class or a Northern Ireland test corresponding to such a test;
- (b) in the case of a person applying for a provisional licence, he held a provisional licence authorising the driving of vehicles of that class or a class which by virtue of these Regulations corresponds to a class included in that category or sub-category.

(3) A licence authorising the driving of motor vehicles included in sub-category B1 (invalid carriages), which are specified in Part 3 of Schedule 2, may not be granted to a person unless, at a time before 12th November 1999—

- (a) in the case of a person applying for a full licence, he held a full licence authorising the driving of motor vehicles included in sub-category B1 (invalid carriages) or a class of motor vehicles which by virtue of these Regulations corresponds to vehicles included in that sub-category, or
- (b) in the case of a person applying for a provisional licence, he held a provisional licence authorising the driving of motor vehicles included in sub-category B1 (invalid carriages) or a class of motor vehicles which by virtue of these Regulations corresponds to vehicles included in that sub-category.

^{F53}(4) A licence authorising the driving of motor vehicles of a class shown in column (2) of Part 4 of Schedule 2 opposite a former category or former sub-category (as the case may be) shown in column (1) of that part of that Schedule may not be granted to a person unless, before 19th January 2013, that person held a licence authorising the driving of motor vehicles of that class or passed a test for a licence authorising the driving of motor vehicles of that class.

(5) ^{F54}[Subject to paragraph (5A), a licence] authorising the driving of category Q vehicles may not be granted to a person unless that person is entitled—

- (a) in accordance with paragraph (1), to be granted a full licence authorising the driving of motor vehicles of a class included in category AM, A or B; or
- (b) in accordance with paragraph (4), to be granted a full licence authorising the driving of category P vehicles.

^{F55}(5A) A provisional licence may be granted for a class included in category AM, A or B which includes authorisation to drive an electric scooter being used in a trial.]

(6) A licence authorising the driving of motor vehicles of a class included in category B96, which are specified in Part 6 of Schedule 2, may be granted to a person who is entitled thereto by virtue of holding, or having held, a Community licence authorising the driving of that class.]

Textual Amendments

F53 Reg. 5(4)-(6) added (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 4**

F54 Words in reg. 5(5) substituted (4.7.2020) by [The Electric Scooter Trials and Traffic Signs \(Coronavirus\) Regulations and General Directions 2020 \(S.I. 2020/663\)](#), regs. 1(2), **4(3)(a)**

F55 Reg. 5(5A) inserted (4.7.2020) by [The Electric Scooter Trials and Traffic Signs \(Coronavirus\) Regulations and General Directions 2020 \(S.I. 2020/663\)](#), regs. 1(2), **4(3)(b)**

Competence to drive classes of vehicle: general

6.—(1) Where a person holds, or has held, a relevant full licence authorising him to drive vehicles 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, or
- (ii) 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, [^{F56}a three-wheeled moped, a light quadricycle, a motor tricycle or] 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, subject to paragraph (2), be deemed competent to drive only such classes of motor vehicle included in the additional category or sub-category as have automatic transmission, or
- (ii) 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) Where the additional category is F, K or [^{F57}AM], paragraph (1)(b)(i) shall not apply.

[^{F58}(2A) Where a relevant full licence authorises the driving of vehicles included in category B and the additional category is category Q or AM, the holder is not deemed competent to drive category Q vehicles or vehicles in category AM unless the licence authorises the driving of such vehicles in accordance with regulation 43(3) and (5).]

[^{F59}(2B) Where a person holds a relevant provisional licence, the holder is authorised to drive an electric scooter being used in a trial.]

(3) In this regulation and regulations 7 and 8, “relevant full licence” means a full licence granted under Part III of the Traffic Act, a full Northern Ireland licence or a Community licence.

[^{F60}(4) In this regulation, “relevant provisional licence” means a provisional licence granted under Part III of the Traffic Act, a full Northern Ireland licence or a Community licence.]

Textual Amendments

- F56** Words in [reg. 6\(1\)\(a\)\(ii\)](#) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 5(a)**
- F57** Word in [reg. 6\(2\)](#) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 5(b)**

- F58** Reg. 6(2A) inserted (19.1.2013) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012* (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 5(c)**
- F59** Reg. 6(2B) inserted (4.7.2020) by *The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020* (S.I. 2020/663), Pt. 1 regs. 1(2), **4(4)(a)**
- F60** Reg. 6(4) inserted (4.7.2020) by *The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020* (S.I. 2020/663), Pt. 1 regs. 1(2), **4(4)(b)**

Competence to drive classes of vehicle: special cases

7.—^{F61}(1)

(2) A person who holds a relevant full licence authorising the driving of vehicles included in category D, other than vehicles included in sub-category D1 or D1 (not for hire or reward), may drive a passenger-carrying vehicle recovery vehicle 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 passenger-carrying vehicle recovery vehicles having automatic transmission.

(3) A person may drive an incomplete large vehicle—

- (a) having a working weight exceeding 3.5 tonnes but not exceeding 7.5 tonnes if he holds a relevant full licence authorising the driving of vehicles in sub-category C1, or
- (b) having a working weight exceeding 7.5 tonnes if he holds a relevant full licence authorising the driving of vehicles in category C, other than vehicles in sub-category C1,

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 of the appropriate weight specified in paragraph (a) or (b) which have automatic transmission.

(4) A person who holds a relevant full licence authorising the driving of vehicles included in category B, other than vehicles in [^{F62}former sub-category B1 or sub-category] and B1 (invalid carriages), may drive—

- (a) an exempted goods vehicle other than—
 - (i) a passenger-carrying vehicle recovery vehicle, or
 - (ii) a mobile project vehicle,
- (b) an exempted military vehicle, and
- (c) a passenger-carrying vehicle in respect of which the conditions specified in regulation 50(2) or (3) are satisfied,

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 of the vehicles mentioned in subparagraphs (a), (b) and (c) as have automatic transmission.

(5) A person who—

- (a) holds a relevant full licence authorising the driving of vehicles of a class included in category B, other than vehicles in [^{F63}former sub-category B1 or sub-category] 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 ^{F64} 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.

(6) A person who—

- (a) holds a relevant full licence authorising the driving of vehicles of a class included in category B, other than vehicles in [^{F65}former sub-category B1 or sub-category] B1 (invalid carriages),
- (b) has held that licence for an aggregate period of not less than 2 years,
- (c) is aged 21 or over,
- (d) if he is aged 70 or over, is not suffering from a relevant disability in respect of which the Secretary of State would be bound to refuse to grant him a Group 2 licence, and
- (e) receives no 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—

- (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 such a person is by that licence authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only such vehicles in sub-category D1 as conform to the above specification and have automatic transmission.

^{F66}(7)

[^{F67}(8) A person who holds a licence authorising the driving of vehicles included in category B and who has, before 1st February 2001, passed a test (or a Northern Ireland test of competence corresponding to such a test) for such a licence may drive a category P vehicle unless the test or, as the case may be, the practical test was passed on a motor vehicle which was adapted on account of a disability of the person taking the test in which case the person is authorised to drive only such category P vehicles as are so adapted.

(9) Where a person holds a full licence issued before 19th January 2013 authorising the driving of vehicles included in category A, that licence shall not in addition authorise the driving of vehicles in former sub-category B1 unless that person passed the test in respect of that licence (or a Northern Ireland test of competence corresponding to that test) before 1st February 2001.]

[^{F68}(10) A person who holds a relevant full licence authorising the driving of vehicles of a class included in category B, other than vehicles in former sub-category B1, sub-category B1 or sub-category B1 (invalid carriages) and is aged 21 or over may drive an A3 motor tricycle.]

[^{F69}(11) A person who holds a relevant full licence authorising the driving of vehicles included in category B, and who has undertaken a minimum of five hours training by a registered instructor on the driving of an alternatively fuelled vehicle with a maximum authorised mass exceeding 3,500 kilograms, may drive such a vehicle provided its maximum authorised mass does not exceed 4,250 kilograms, when that vehicle—

- (a) is being driven for the purpose of transporting goods;
- (b) is not being driven outside the territory of Great Britain;
- (c) has no trailer attached.

(12) For the purposes of this regulation —

“an alternatively fuelled vehicle” means a motor vehicle powered by—

- (a) electricity, natural gas, biogas or hydrogen; or
- (b) hydrogen and electricity; and

“a registered instructor” means a person who is on the National Register of LGV instructors or the National Vocational Driving Instructors Register.]

Textual Amendments

- F61** Reg. 7(1) omitted (29.12.2014) by virtue of [The Road Traffic Act 1988 and Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/3190\)](#), regs. 1, 4
- F62** Words in reg. 7(4) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 6\(a\)](#)
- F63** Words in reg. 7(5)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 6\(b\)](#)
- F64** 1994 c. 22.
- F65** Words in reg. 7(6)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 6\(b\)](#)
- F66** Reg. 7(7) omitted (16.12.2021) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/1450\)](#), regs. 1(2), 3
- F67** Reg. 7(8)(9) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 6\(c\)](#)
- F68** Reg. 7(10) inserted (10.4.2014) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/613\)](#), regs. 1, 3
- F69** Reg. 7(11)(12) inserted (24.7.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2018 \(S.I. 2018/784\)](#), regs. 1(2), 2(2)

Competence to drive classes of vehicle: dual purpose vehicles

8.—(1) Subject to paragraph (2), a person who is a member of the armed forces of the Crown may drive a dual purpose vehicle when it is being used to carry passengers for naval, military or air force purposes—

- (a) where the vehicle has a maximum authorised mass not exceeding 3.5 tonnes, if he holds a relevant full licence authorising the driving of vehicles included in category B other than vehicles in [^{F70}former sub-category B1 or sub-category] B1 (invalid carriages),
- (b) where the vehicle has a maximum authorised mass exceeding 3.5 tonnes but not exceeding 7.5 tonnes, if he holds a relevant full licence authorising the driving of vehicles included in sub-category C1,
- (c) in any other case, if he holds a relevant full licence authorising the driving of vehicles included in category C other than vehicles in sub-category C1.

(2) Where the person is authorised by his licence to drive only motor vehicles included in the relevant category or sub-category having automatic transmission, he may drive only dual purpose vehicles having automatic transmission.

Textual Amendments

- F70** Words in reg. 8(1)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 7](#)

Minimum ages for holding or obtaining licences

Minimum ages for holding or obtaining licences

9.—(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.

[^{F71}(1A) In item 2 (moped), for the class of moped there is substituted the classes of a vehicle in category AM (moped and light quadricycle) and a category Q vehicle.]

[^{F72}(2) In item 3 (motor bicycle)—

(a) subject to paragraphs (2A) to (2F), for the class of motor bicycle and the age of 17 there is substituted, in respect of full licences, the following—

3(1) A1 motorcycle or A1 motor tricycle	17
3(2) A2 motorcycle	19
3(3) A3 motorcycle	24
3A A3 motor tricycle	24

(b) subject to paragraph (2G), in relation to the class of motor bicycle there is, in respect of provisional licences, substituted for the age of 17 the age of 24.]

[^{F73}(2A) For the age of 17 in relation to item 3(1) in the table in paragraph (2)(a) there is substituted the age of 16 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A1.

(2B) For the age of 19 in relation to item 3(2) in the table in paragraph 2(a) there is substituted the age of 18 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A2.

(2C) For the age of 19 in relation to item 3(2) and the age of 24 in relation to item 3(3) in the table in paragraph 2(a) there is substituted the age of 17 where a person passed a test before 19th January 2013 in respect of a motor bicycle (other than a motor bicycle with an engine the maximum net power output of which is 11 kilowatts or less) and the standard access period has expired.

(2D) For the age of 19 in relation to item 3(2) in the table in paragraph 2(a) there is substituted the age of 17 in a case where the vehicle is—

- (a) owned or operated by the Secretary of State for Defence, or
 - (b) 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.

(2E) For the age of 24 in relation to item 3(3) in the table in paragraph 2(a) there is substituted—

- (a) the age of 21 in a case where a person has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles;
- (b) the age of 20 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A3; and
- (c) the age of 17 in a case where—
 - (i) the vehicle is being used for naval, military or air force purposes and is—
 - (aa) owned or operated by the Secretary of State for Defence; or

- (bb) being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown; or
- (ii) a person—
 - (aa) passes an appropriate driving test after 18th January 2013 on a vehicle of a class in category B or sub-category A2 or A3; and
 - (bb) was entitled, before 19th January 2013, to a licence to drive a motor bicycle with an engine having a maximum net power output exceeding 25 kilowatts or a power to weight ratio exceeding [^{F74}0.16] kilowatts per kilogram.
- (2F) For the age of 24 in relation to item 3A in the table in paragraph 2(a) there is substituted—
 - (a) the age of 21 in a case where a person has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles;
 - (b) the age of 17 in a case where—
 - (i) the vehicle is—
 - (aa) owned or operated by the Secretary of State for Defence, or
 - (bb) 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; or
 - (ii) the person was, before 19th January 2013, entitled to drive vehicles having three or four wheels and an unladen weight not exceeding 550 kilograms.
- (2G) For the age of 24 as substituted by paragraph 2(b) there is substituted—
 - (a) the age of 21 in the case of a provisional licence for the driving of A3 motorcycles where a person has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles;
 - (b) the age of 19 in the case of a provisional licence which is restricted to the driving of A2 motorcycles;
 - (c) the age of 17 where a person has passed a test before 19th January 2013 in respect of a motor bicycle (other than a motor bicycle with an engine the maximum net power output of which is 11 kilowatts or less) and the standard access period has expired;
 - (d) the age of 17 in the case of a provisional licence which is restricted to the driving of A1 motorcycles; and
 - (e) the age of 17 in a case where the vehicle is—
 - (i) owned or operated by the Secretary of State for Defence; or
 - (ii) 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.

[^{F75}(3A) In item 5 (small vehicle) the class of small vehicles except motor tricycles and light quadricycles is substituted for the class of small vehicle.]

[^{F76}(4) In item 5, the age of 16 is substituted for the age of 17 in the case of a small vehicle driven without a trailer attached where the driver of the vehicle is a person —

(a) who fulfils the requirements set out in paragraph (4A); ^{F77}...

[^{F78}(aa) who fulfils the requirements set out in paragraph (4B); or]

(b) who is in receipt of personal independence payment under Part 4 of the Welfare Reform Act 2012 which includes the mobility component at the enhanced rate in pursuance of section 79 of that Act [^{F79}; or]

[^{F80}(c) who is in receipt of disability assistance for working age people which includes the mobility component at the enhanced rate in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018.]

[^{F81}(4A) The requirements referred to in paragraph (4)(a) are—

(a) the person has received an award of the higher rate component of the disability living allowance made in pursuance of section 73 of the Social Security Contributions and Benefits Act 1992; and

(b) the award mentioned in sub-paragraph (a) was in force immediately before the 16th birthday of that person; and

(c) the person has made a claim for personal independence payment under Part 4 of the Welfare Reform Act 2012.]

[^{F82}(4B) The requirements referred to in paragraph (4)(aa) are—

(a) the person has received an award of the mobility component of disability assistance for children and young people, at the higher rate, in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018, and

(b) the award mentioned in sub-paragraph (a) was in force immediately before the 16th birthday of that person.]

^{F83}(5)

^{F84}(6)

[^{F85}(7) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category C or C+E where the person driving the vehicle —

(a) has an initial qualification authorising him to drive motor vehicles of that class,

(b) is using the vehicle as described in regulation 3(2)(e) of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007,

(c) is authorised by such document as is referred to in regulation 4(5)(d) of those Regulations to drive motor vehicles of that class, or

(d) by reason of being a person in relation to whom regulation 4(7) of those Regulations applies, is not required to have an initial qualification as described in sub-paragraph (a).]

[^{F86}(8) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category C or C+E where the vehicle is being used by the fire service or for maintaining public order or is undergoing road tests for repair or maintenance purposes.

(8A) 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 12 tonnes.

(8B) Subject to paragraphs (9) and (9B), in item 7 the age of 24 is substituted for the age of 21 in relation to a motor vehicle of a class included in category D or D+E, other than sub-category D1 or D1+E, save—

- (a) where the vehicle is being used by the fire service or for maintaining public order or is undergoing road tests for repair or maintenance purposes; or
- (b) in respect of a person under the age of 24 who was entitled to a licence to drive a vehicle of that class before 19th January 2013.]

[^{F87}(9) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category D or D+E, other than sub-category D1 or D1+E, where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class and is either —
 - (i) engaged in the carriage of passengers on a regular service over a route which does not exceed 50 kilometres, or
 - (ii) not engaged in the carriage of passengers,
- (b) is using the vehicle as described in regulation 3(2)(e) of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007,
- (c) is authorised by such document as is referred to in regulation 4(5)(d) of those Regulations to drive motor vehicles of that class, or
- (d) by reason of being a person in relation to whom regulation 4(7) of those Regulations applies, is not required to have an initial qualification relating to motor vehicles of that class.

(9A) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in sub-category D1 or D1+E where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class,
- (b) is using the vehicle as described in regulation 3(2)(e) of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007,
- (c) is authorised by such document as is referred to in regulation 4(5)(d) of those Regulations to drive motor vehicles of that class, or
- (d) by reason of being a person to whom regulation 4(7) of those Regulations applies, is not required to have an initial qualification relating to motor vehicles of that class.

(9B) In item 7, the age of 20 is substituted for the age of 21 in relation to a motor vehicle of a class include in category D or D+E, other than sub-category D1 or D1+E, where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class, and
- (b) is engaged in the carriage of passengers otherwise than on such a service as is described in paragraph (9)(a)(i).]

(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 item 7, in the case of an incomplete large vehicle—
 - (a) which has a working weight not exceeding 3.5 tonnes, the age of 17 is substituted for the age of 21;
 - (b) which has a working weight exceeding 3.5 tonnes but not exceeding 7.5 tonnes, the age of 18 is substituted for the age of 21.
- (12) In item 7, the age of 17 is substituted for the age of 21 in the case of a road roller which—
 - (a) is propelled otherwise than by steam,
 - (b) has no wheel fitted with pneumatic, soft or elastic tyres,
 - (c) has an unladen weight not exceeding 11.69 tonnes, and
 - (d) is not constructed or adapted for the conveyance of a load other than the following things, namely water, fuel or accumulators used for the purpose of the supply of power to or propulsion of the vehicle, loose tools and objects specially designed to be attached to the vehicle for the purpose of temporarily increasing its weight.
- (13) 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) “closed-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
 - (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;
 - ^{F88}(b)
 - ^{F88}(c)
 - ^{F89}(d) in paragraphs (7), (9), (9A) and (9B), “initial qualification” means “initial CPC or Swiss initial CPC” within the meaning of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007;]
 - ^{F90}(e) [^{F91}; and
 - (f) in the calculation of the period of time for which a licence has been held there shall be disregarded any deductible period.]

Textual Amendments

- F71** Reg. 9(1A) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 8(a)**
- F72** Reg. 9(2) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 8(b)**
- F73** Reg. 9(2A)-(2G) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 8(c)**
- F74** Word in reg. 9(2E)(c)(ii)(bb) substituted (10.4.2014) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/613\)](#), regs. 1, 4

- F75** Reg. 9(3A) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 8(d)**
- F76** Reg. 9(4) substituted (7.10.2013) by The Motor Vehicles (Driving Licences) (Amendment) (No.3) Regulations 2013 (S.I. 2013/2184), regs. 1(2), **2(2)**
- F77** Word in reg. 9(4)(a) omitted (22.11.2021) by virtue of The Social Security (Scotland) Act 2018 (Information-Sharing and Disability Assistance) (Consequential Provision and Modifications) Order 2021 (S.I. 2021/1188), arts. 1(2), **5(2)(a)**
- F78** Reg. 9(4)(aa) inserted (22.11.2021) by The Social Security (Scotland) Act 2018 (Information-Sharing and Disability Assistance) (Consequential Provision and Modifications) Order 2021 (S.I. 2021/1188), arts. 1(2), **5(2)(b)**
- F79** Word in reg. 9(4)(b) substituted (21.3.2022) by The Social Security (Scotland) Act 2018 (Disability Assistance and Information-Sharing) (Consequential Provision and Modifications) Order 2022 (S.I. 2022/332), arts. 1(2), **8(2)(a)**
- F80** Reg. 9(4)(c) inserted (21.3.2022) by The Social Security (Scotland) Act 2018 (Disability Assistance and Information-Sharing) (Consequential Provision and Modifications) Order 2022 (S.I. 2022/332), arts. 1(2), **8(2)(b)**
- F81** Reg. 9(4A) inserted (7.10.2013) by The Motor Vehicles (Driving Licences) (Amendment) (No.3) Regulations 2013 (S.I. 2013/2184), regs. 1(2), **2(3)**
- F82** Reg. 9(4B) inserted (22.11.2021) by The Social Security (Scotland) Act 2018 (Information-Sharing and Disability Assistance) (Consequential Provision and Modifications) Order 2021 (S.I. 2021/1188), arts. 1(2), **5(2)(c)**
- F83** Reg. 9(5) omitted (10.9.2009) by virtue of The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 (S.I. 2007/605), regs. 1(2)(b), **15(2)**
- F84** Reg. 9(6) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 8(f)**
- F85** Reg. 9(7)(8) substituted for reg. 9(7) (10.9.2009) by The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 (S.I. 2007/605), regs. 1(2)(b), **15(3)**
- F86** Reg. 9(8)(8A)(8B) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 8(g)**
- F87** Reg. 9(9)-(9B) substituted for reg. 9(9) (10.9.2008) by The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 (S.I. 2007/605), regs. 1(2)(b), **15(4)**
- F88** Reg. 9(13)(b)(c) omitted (10.9.2008 for specified purposes, 10.9.2009 in so far as not already in force) by virtue of The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 (S.I. 2007/605), regs. 1(2)(b), **15(5)**
- F89** Reg. 9(13)(d) substituted (31.12.2020) by The Driving Licences (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1251), regs. 1(2), **6(3)(a)** (as amended by S.I. 2020/662, regs. 1, **3(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F90** Reg. 9(13)(e) omitted (31.12.2020) by virtue of The Driving Licences (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1251), regs. 1(2), **6(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F91** Reg. 9(13)(f) and word inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 8(h)**

Applications for licences

Applications for the grant of licences: general

10.—(1) The Secretary of State 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 Secretary of State that he has passed a test shall at the time when he applies for the licence deliver to the Secretary of State—

- (a) a valid test pass certificate, or
- (b) a certificate corresponding to that certificate furnished under the law of Northern Ireland or Gibraltar.

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

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

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 or the law of Gibraltar, to take the test to which the certificate relates.

(5) An applicant for a Group 2 licence shall, if required to do so by the Secretary of State, submit in support of his application a report (in such form as the Secretary of State 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 Secretary of State that he is not suffering from a relevant or prospective disability.

Eligibility to apply for provisional licence

11.—(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 (other than a licence which is to be disregarded for the purposes of section 89(1)(d) of the Traffic Act by virtue of section 89(2)(c) of that Act^{F92}), a full British Forces licence, an exchangeable licence or a Community licence.

TABLE

(1) Category or sub-category of licence applied for	(2) Category/sub-category of full licence required
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F93	F93
...	...
C	B
C1	B
D	B
D1	B
C1+E	[^{F94} B]
C+E	[^{F95} B]
D1+E	[^{F96} B]
D+E	[^{F97} B]
G	B
H	B

Textual Amendments

F92 Subsection (2)(c) was substituted by the 1989 Act, section 4(3). For designations made under that provision see S.I. 1996/3206.

F93 Words in [reg. 11](#) table omitted (16.12.2021) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/1450\)](#), regs. 1(2), **4**

F94 Word in [reg. 11](#) table substituted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **3(a)** (with [reg. 9](#))

F95 Word in [reg. 11](#) table substituted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **3(b)** (with [reg. 9](#))

F96 Word in [reg. 11](#) table substituted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **3(c)** (with [reg. 9](#))

F97 Word in [reg. 11](#) table substituted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **3(d)** (with [reg. 9](#))

Restrictions on the grant of large goods and passenger-carrying vehicle driver’s licences

12.—(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.

^{F98}(3)

- (4) An applicant for a large goods vehicle driver's licence [^{F99}which would be in force for a period during the whole or part of which the applicant would be] under the age of 21 must not be a person who has—
- (a) been convicted (or is, by virtue of section [^{F100}58A] of the Offenders Act ^{F101}, to be treated as if he had been convicted) of an offence as a result of which [^{F102}at least four penalty points fall] to be taken into account under section 29 of the Offenders Act ^{F103}, or
 - (b) 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.

Textual Amendments

- F98** Reg. 12(3) omitted (22.12.2018) by virtue of [The Driving Licences \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1251\)](#), regs. 1(3), **6(4)(a)**
- F99** Words in reg. 12(4) substituted (22.12.2018) by [The Driving Licences \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1251\)](#), regs. 1(3), **6(4)(b)**
- F100** Word in reg. 12(4)(a) substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(a)**
- F101** Section 58(1) was amended by the 1990 Regulations.
- F102** Words in reg. 12(4)(a) substituted (1.4.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2003 \(S.I. 2003/636\)](#), regs. 1(a), **3(2)**
- F103** Section 29 was substituted by section 28 of the 1991 Act.

Restrictions on the grant of provisional licences to drive motor bicycles

^{F104}**13.**

Textual Amendments

- F104** Reg. 13 omitted (1.2.2001) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **4**

Fees for licences

- 14.—(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, only one fee shall be paid and where the fees are different, that fee shall be the higher or the highest of them.

Provisional licences

Duration of provisional licences authorising the driving of motor bicycles

- 15.—(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

[^{F105}(b) the same period as is provided by section 99(1) of the Traffic Act in relation to a licence to which section 99(1) applies.]

(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 has 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.

Textual Amendments

F105 Reg. 15(1)(b) substituted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, 5

[^{F106}Restrictions on provisional licences: two-wheeled vehicles

15A.—(1) A provisional licence granted in respect of a vehicle in category AM or A shall be restricted to such vehicles as have no more than two wheels save where the applicant declares that they are suffering from a relevant disability of such a nature that they are unable to ride a vehicle which has two wheels.

(2) A provisional licence granted in respect of a vehicle with two wheels shall be restricted to vehicles of a class within category AM or A.]

Textual Amendments

F106 [Reg. 15A](#) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 9](#)

Conditions attached to provisional licences

16.—(1) A provisional licence of any class is granted subject to the conditions prescribed in relation to a licence of that class in the following paragraphs.

(2) Subject to the following paragraphs, the holder of a provisional licence shall not drive a vehicle of a class which he is authorised to drive by virtue of that licence—

- (a) otherwise than under the supervision of a qualified driver [^{F107}, or driving instructor,] 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.

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

- [^{F108}(a) is driving a motor vehicle constructed to carry only one person which is not adapted to carry more than one person and is a vehicle in sub-category B1 (invalid carriages), a motor tricycle, a motor vehicle having four wheels and an unladen weight not exceeding 550 kilograms or a motor vehicle of a class included in category F, G, H or K;]
- [^{F109}(aa) is driving a motor vehicle of a class included in [^{F110}former] sub-category B1 which is adapted to carry only one person and has at any time between 1st August 2002 and 1st March 2003, had the use of an NHS invalid carriage that was issued to him by reason of his having a relevant disability.]
- (b) is riding a moped or a motor bicycle with or without a side-car [^{F111}, a category P vehicle or a category Q vehicle]; or
- (c) is driving a motor vehicle, other than a vehicle of a class included in category C, C+E, D or D+E, on a road in an exempted island.
- (4) The condition specified in paragraph (2)(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 (2)(b).
- [^{F112}(4A) When the holder of the provisional licence is driving an electric scooter being used in a trial the condition specified in paragraph 2(b) shall not apply.]
- (5) The condition specified in paragraph (2)(c) shall not apply to the holder of a provisional licence authorising the driving of a vehicle of a class included in category ^{F113}... C+E, D+E or F, in relation to motor vehicles of that class.
- (6) The holder of a provisional licence authorising the driving of—
- (a) a moped, ^{F114}...
- (b) a motor bicycle with or without a side-car,
- [^{F115}(c) a category P vehicle, or
- (d) a category Q vehicle.]
- shall not drive such a vehicle while carrying on it another person.
- (7) The holder of a provisional licence authorising the driving of a motor bicycle other than [^{F116}an A1 motorcycle] shall not drive such a vehicle otherwise than under the supervision of a certified direct access instructor^{F117}... 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,
- (c) supervising only that person or only that person and another person who holds such a provisional licence, and
- (d) carrying a valid certificate issued in respect of him by the Secretary of State under regulation 65(4),
- while he and the instructor are wearing apparel which is fluorescent or (during hours of darkness) is either fluorescent or luminous.
- [^{F118}(7A) The holder of a provisional licence authorising the driving of a moped or [^{F119}an A1 motorcycle] shall not drive such a vehicle on a road when undergoing relevant training, unless the instructor giving the training is at all times—

[^{F120}(a) present with the person holding the licence on the road while riding a two-wheeled vehicle in category AM or A or a category P vehicle or, if the instructor is suffering from a relevant disability of such a nature that they are unable to ride a two-wheeled vehicle, a three-wheeled vehicle in category AM or A, and]

(b) supervising only him or him and not more than 3 other persons each of whom holds such a provisional licence.

(7B) In paragraph (7A)—

(a) “relevant training” means training (otherwise than as part of an approved training course for motor cyclists) in how to drive a moped or learner motor cycle given by a professional instructor; and

(b) “professional instructor” means an instructor paid money or money’s worth for giving such training.]

(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 (2)(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 (2)(a), (7) and (8) shall not apply when the holder of the provisional licence is undergoing a test.

(10) The conditions specified in paragraphs (2), (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 test pass certificate stating that he has passed a test for the grant of a licence authorising him to drive vehicles of that class.

(11) The condition specified in paragraph (7)(b) shall not apply in the case of a provisional licence holder who is unable, by reason of impaired hearing, to receive directions from the supervising instructor by radio where the licence holder and the instructor are employing a satisfactory means of communication which they have agreed before the start of the journey.

[^{F121}(11A) The holder of a disability assessment licence shall not drive a vehicle of a class which he is authorised to drive by virtue of the licence otherwise than during a period which—

(a) commences with the beginning of such period prior to the taking of the disability assessment test required by a relevant notice as is specified in writing by the Secretary of State when serving that notice; and

(b) ends with the completion of the test;

and, for these purposes, a “relevant notice” is a notice under section 94(5)(c) of the Traffic Act requiring the person to submit to a disability assessment test.]

^{F122}(12)

(13) In this regulation—

[^{F123}(za) “driving instructor” means a person whose name is entered in ^{F124}... the register established under section 123 of the Traffic Act.]

(a) “exempted island” means any island outside the mainland of Great Britain from which motor vehicles, unless constructed or adapted 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;

- [^{F125}(aa) “NHS invalid carriage” means a motor vehicle included in sub-category B1 (invalid carriages) that is owned by the Department for Health];
- (b) “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;
- (c) “qualified driver” shall be interpreted in accordance with regulation 17.

Textual Amendments

- F107** Words in reg. 16(2)(a) inserted (9.12.2016) by [The Driving and Motorcycle Riding Instructors \(Recognition of European Professional Qualifications\) Regulations 2016 \(S.I. 2016/1089\)](#), regs. 1, **6(2)(a)**
- F108** Reg. 16(3)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(a)(i)**
- F109** Reg. 16(3)(aa) inserted (1.3.2003) by [Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 2\) Regulations 2003 \(S.I. 2003/222\)](#), regs. 1, **3(1)**
- F110** Word in reg. 16(3)(aa) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(a)(ii)**
- F111** Words in reg. 16(3)(b) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(a)(iii)**
- F112** Reg. 16(4A) inserted (4.7.2020) by [The Electric Scooter Trials and Traffic Signs \(Coronavirus\) Regulations and General Directions 2020 \(S.I. 2020/663\)](#), regs. 1(2), **4(5)**
- F113** Words in reg. 16(5) omitted (16.12.2021) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 5\) Regulations 2021 \(S.I. 2021/1450\)](#), regs. 1(2), **5**
- F114** Word in reg. 16(6)(a) omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(b)(i)**
- F115** Reg. 16(6)(c)(d) added (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(b)(ii)**
- F116** Words in reg. 16(7) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(c)**
- F117** Words in reg. 16(7) omitted (1.2.2001) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **6(2)**
- F118** Reg. 16(7A)(7B) inserted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **6(3)**
- F119** Words in reg. 16(7A) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(d)(i)**
- F120** Reg. 16(7A)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 10(d)(ii)**
- F121** Reg. 16(11A) inserted (1.1.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\)\(No. 2\) Regulations 2000 \(S.I. 2000/3157\)](#), regs. 1, **4**
- F122** Reg. 16(12) omitted (22.12.2018) by virtue of [The Driving Licences \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1251\)](#), regs. 1(3), **6(5)**
- F123** Reg. 16(13)(za) inserted (9.12.2016) by [The Driving and Motorcycle Riding Instructors \(Recognition of European Professional Qualifications\) Regulations 2016 \(S.I. 2016/1089\)](#), regs. 1, **6(2)(b)**
- F124** Words in reg. 16(13)(za) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(2)**

F125 Reg. 16(13)(aa) inserted (1.3.2003) by Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2003 (S.I. 2003/222), regs. 1, 3(2)

Meaning of “qualified driver”

17.—(1) Subject to [F126 paragraphs (2) and (2A)], a person is a qualified driver for the purposes of regulation 16 if he—

- (a) is 21 years of age or over,
- (b) holds a relevant licence,
- (c) has the relevant driving experience, and
- (d) in the case of a disabled driver, he is supervising a provisional licence holder who is driving a vehicle of a class included in [F127 categories B, C, D, C+E, or D+E] and would in an emergency be able to take control of the steering and braking functions of the vehicle in which he is a passenger.

(2) In the case of a person who is a member of the armed forces of the Crown acting in the course of his duties for naval, military or air force purposes sub-paragraphs (a) and (c) of paragraph (1) shall not apply.

[F128(2A) For the purposes of supervising the holder of a provisional licence driving a vehicle of a class included in sub-category C1, C1+E, D1 or D1+E (“the learner vehicle”) which the holder is authorised to drive by that licence, a person is not a qualified driver unless that person has, in addition to meeting the requirements specified in paragraph (1), passed a test in which the vehicle used in the practical test fell within the same sub-category as that of the learner vehicle [F129, or such a person gained their entitlement to drive vehicles included in such sub-categories on or after 15th November 2021].]

(3) For the purposes of this regulation—

- (a) “disabled driver” means a person who holds a relevant licence which is limited by virtue of a declaration made with his application for the licence or a notice served under section 92(5)(b) of the Traffic Act to vehicles of a particular class;
- (b) “full licence” includes a full Northern Ireland licence and a Community licence;
- [F130(c) “relevant licence” means, subject to sub-paragraph (d), a full licence authorising—
 - (i) the driving of vehicles of the same class as the vehicle being driven by the provisional licence holder, and
 - (ii) where sub-paragraph (f) applies—
 - (aa) where that class of vehicle is included within any sub-category specified in column 1 of the table at the end of this regulation, the driving of vehicles in the sub-category specified in column 2 which is opposite that sub-category, or
 - (bb) where sub-paragraph (aa) does not apply, the driving of vehicles in the category specified in column 2 of that table which is opposite the category specified in column 1 that includes the class of vehicle being driven by the provisional licence holder;
- (d) in the case of a disabled driver who holds a licence authorising the driving of vehicles in category B, a relevant licence must authorise the driving of [F131 a quadricycle or vehicles in sub-category B1 (invalid carriages)];
- (e) [F132 ... a person has relevant driving experience if—

- (i) where sub-paragraph (c)(i) only applies, he has held the relevant licence for a period of 3 years, or
 - (ii) where sub-paragraph (c)(ii) applies, he has held the relevant licence authorising the driving of vehicles—
 - (aa) of the same class as the vehicle being driven by the provisional licence holder for a minimum period of 1 year, and
 - (bb) in the category or sub-category specified in column 2 described in sub-paragraph (c)(ii) for a minimum period of 3 years;
- ^{F133}(ea)
- (f) this sub-paragraph applies where—
 - (i) a person holds a full licence authorising the driving of vehicles of the same class as the vehicle being driven by the provisional licence holder;
 - (ii) that class is included in a category or sub-category specified in column 1 of the table at the end of this regulation, and
 - (iii) that person has held that licence for less than a minimum period of 3 years;
 - (g) for the purposes of sub-paragraphs (e) and (f), the minimum period of time for holding a full licence may be met either by holding that licence continuously for that period or for periods amounting in aggregate to not less than that period.

TABLE

<i>Column 1</i> <i>Categories and sub-categories which include the vehicle being driven by the provisional licence holder</i>	<i>Column 2</i> <i>Categories and sub-categories authorised by the relevant licence</i>
C	[^{F134} C + E, D and D + E]
C1	[^{F135} C1 + E, D1 and D1 + E]
C+E	[^{F136} C and D + E]
C1+E	[^{F137} C, C1, and D1 + E]
D	[^{F138} C, C + E and D + E]
D1	[^{F139} C1, C1 + E and D1 + E]
D+E	[^{F140} C + E and D]
D1+E	[^{F141} C1 + E, D and D1]]

Textual Amendments

- F126** Words in reg. 17(1) substituted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **5(a)**
- F127** Words in reg. 17(1)(d) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **3(2)**
- F128** Reg. 17(2A) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **5(b)**
- F129** Words in reg. 17(2A) inserted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **4(a)** (with reg. 9)

- F130** Reg. 17(3)(c)-(g) and Table substituted for reg. 17(3)(c)-(f) and Table (1.4.2006) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2006 (S.I. 2006/524), regs. 1(2), **3(2)**
- F131** Words in reg. 17(3)(d) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 11**
- F132** Words in reg. 17(3)(e) omitted (15.11.2021) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(b)** (with reg. 9)
- F133** Reg. 17(3)(ea) omitted (15.11.2021) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(c)** (with reg. 9)
- F134** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(i)** (with reg. 9)
- F135** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(ii)** (with reg. 9)
- F136** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(iii)** (with reg. 9)
- F137** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(iv)** (with reg. 9)
- F138** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(v)** (with reg. 9)
- F139** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(vi)** (with reg. 9)
- F140** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(vii)** (with reg. 9)
- F141** Words in reg. 17 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **4(d)(viii)** (with reg. 9)

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

18. 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 80, 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^{F142}, to drive motor vehicles of that class,

need not comply with regulation 16 at that time.

Textual Amendments

F142 S.I. 1975/1208. Article 2(1) was substituted by S.I. 1989/993 and amended by S.I. 1991/771.

Full licences [^{F143}and] provisional entitlement

19.—[^{F144}(1) Sections 98(2) and 99A(5) of the Traffic Act shall apply in accordance with the following paragraphs.]

(2) Subject to paragraphs (3), (4), (5), (6), (11) and (12), the holder of a full licence which authorises 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 may drive motor vehicles—

- (a) of other classes included in that category or sub-category, and

(b) of a class included in each category or sub-category specified, in relation to that category or sub-category, in column (2) of the table,

[^{F145}save where he is the holder of a full licence which authorises the driving of motor vehicles of a class included in that category or sub-category,] as if he were authorised by a provisional licence to do so.

(3) Section 98(2) shall not apply to a full licence if it 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.

[^{F146}(4) Section 98(2) shall not authorise a person who has not passed a test of competence to drive a moped or a motor bicycle to drive a category P vehicle or a category Q vehicle [^{F147}other than an electric scooter being used in a trial].]

[^{F148}(4A) In the case of a full licence granted before 19th January 2013 which authorises the driving of a class of standard motor bicycles, other than motor bicycles with an engine the maximum net power output of which is 11 kilowatts or less, section 98(2) shall not apply so as to authorise the driving of an A3 motorcycle before the expiration of the standard access period.

(4B) Section 98(2) shall not apply so as to authorise the driving, as if authorised by a provisional licence, of vehicles of any class included in category B96.]

^{F149}(5)

(6) In the case of a full licence which authorises the driving of a class of vehicles included in category C or C+E, paragraph (2) applies subject to the provisions of regulation 54.

(7) Subject to paragraphs (8), (9), (10), (11) and (12), the holder of a Community licence to whom section 99A(5) of the Traffic Act applies and who is authorised to drive in Great Britain 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 motor vehicles—

(a) of other classes included in that category or sub-category, and

(b) of a class included in each 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.

(8) Section 99A(5) shall not apply to a Community licence if it authorises the driving only of motor vehicles adapted on account of a disability.

(9) In the case of a Community licence [^{F150}granted before 19th January 2013] which authorises the driving of a class of standard motor bicycle other than bicycles included in sub-category A1, section 99A(5) shall not apply so as to authorise the driving of [^{F151}an A3 motorcycle] by a person under the age of 21 before the expiration of the period of two years commencing on the date when that person passed a test for a licence authorising the driving of that class of standard motor bicycle (and in calculating the expiration of that period, any period during which that person has been disqualified for holding or obtaining a licence shall be disregarded).

(10) In the case of a Community licence which authorises the driving only of motor bicycles of a class included in sub-category A1 section 98(2) shall not apply so as to authorise the driving of [^{F152}an A3 motorcycle] by a person under the age of 21.

(11) Except to the extent provided in paragraph (12), section 98(2) shall not apply to a full licence, and section 99A(5) shall not apply to a Community licence, in so far as it authorises its holder to drive motor vehicles of any class included in category ^{F153}... C+E, D+E or K or in sub-category B1 (invalid carriages), C1 or D1 (not for hire or reward).

(12) A person—

- (a) who holds a full licence authorising the driving only of those classes of vehicle included in a category or sub-category specified in paragraph (11) which have automatic transmission (and are not otherwise adapted on account of a disability), or
- (b) who holds a Community licence, to whom section 99A(5) of the Traffic Act applies and who is authorised to drive in Great Britain only those classes of vehicle included in a category or sub-category specified in paragraph (11) which have automatic transmission (and are not otherwise adapted on account of a disability),

may drive motor vehicles of all other classes included in that category or sub-category which have manual transmission as if he were authorised by a provisional licence to do so.

[^{F154}TABLE

<i>(1) Full licence held</i>	<i>(2) Provisional entitlement included</i>
AM	A, B, F and K
A1	A, B, F and K
A2	A, B, F and K
A3	B, F and K
B	A, ^{F155} ... G and H
C1	[^{F156} None]
C	C1+E, C+E
[^{F157} C1 + E	C, C + E
C + E	None]
D1	[^{F158} C1, C1 + E, C, C + E, D1 + E, D and D + E]
D	[^{F159} C1, C1 + E, C, C + E, D1 + E and D + E]
[^{F160} D1 + E	C1, C1 + E, C, C + E, D and D + E
D + E	C1, C1 + E, C, C + E]
F	Q, AM and B
G	H
H	G]

Textual Amendments

- F143** Word in reg. 19 heading substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 12**
- F144** Reg. 19(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 13(a)**
- F145** Words in reg. 19(2) inserted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **5(a)** (with reg. 9)
- F146** Reg. 19(4) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 13(b)**

- F147** Words in reg. 19(4) inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 regs. 1(2), **4(6)**
- F148** Reg. 19(4A)(4B) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 13(c)**
- F149** Reg. 19(5) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 13(d)**
- F150** Words in reg. 19(9) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 13(e)(i)**
- F151** Words in reg. 19(9) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 13(e)(ii)**
- F152** Words in reg. 19(10) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 13(f)**
- F153** Words in reg. 19(11) omitted (16.12.2021) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/1450), regs. 1(2), **6(a)**
- F154** Reg. 19 table substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 13(g)**
- F155** Words in reg. 19(11) table omitted (16.12.2021) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021 (S.I. 2021/1450), regs. 1(2), **6(b)**
- F156** Word in reg. 19 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **5(b)(i)** (with reg. 9)
- F157** Words in reg. 19 table inserted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **5(b)(ii)** (with reg. 9)
- F158** Words in reg. 19 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **5(b)(iii)** (with reg. 9)
- F159** Words in reg. 19 table substituted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **5(b)(iv)** (with reg. 9)
- F160** Words in reg. 19 table inserted (15.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2021 (S.I. 2021/1251), regs. 1(2), **5(b)(v)** (with reg. 9)

Miscellaneous

Signatures on licences

- 20.** In order that a licence may show the usual form of signature of its holder—
- where the Secretary of State so requires, a person applying for a licence shall provide the Secretary of State with a specimen of his signature which can be electronically recorded and reproduced on the licence;
 - where no such requirement is made, a person to whom a licence is granted shall forthwith sign it in ink in the space provided.

Lost or defaced licences

- 21.—**(1) If the holder of a licence—
- satisfies the Secretary of State that—
 - the licence ^{F161}... has been lost or defaced; and
 - the holder is entitled to continue to hold the licence; and
 - pays the fee prescribed by regulation 14,

[^{F162}the Secretary of State shall, on the surrender of any licence that has not been lost, issue to him a duplicate licence and the duplicate so issued shall have the same effect as the original.]

(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 Secretary of State, 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 Secretary of State.

^{F163}(3)

Textual Amendments

- F161** Words in reg. 21(1)(a)(i) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), Sch. 2 para. 11(b)(i)(aa)
- F162** Words in reg. 21(1) substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), Sch. 2 para. 11(b)(i)(bb)
- F163** Reg. 21(3) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(b)(ii)**

[^{F164}Exchangeable licences

21A.—(1) Where an exchangeable licence is exchanged for a licence such an exchange must be recorded on the licence and on any subsequent renewal or replacement.

(2) An exchange as described in paragraph (1) may only occur if the exchangeable licence has been surrendered to the Secretary of State.]

Textual Amendments

- F164** Reg. 21A inserted (29.12.2014) by [The Road Traffic Act 1988 and Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/3190\)](#), regs. 1, 5

[^{F165}Prohibition on holding more than one licence

21B.—(1) A person must not hold more than one licence.

(2) In this regulation, “licence” includes a Northern Ireland licence and a Community licence.

(3) In this regulation, “Community licence” does not include a document authorising the holder to drive a motor vehicle which was issued by a state before the date on which that state became a member State or the date on which that state became a party to the EEA agreement.]

Textual Amendments

- F165** Reg. 21B inserted (26.3.2015) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No.3\) Regulations 2015 \(S.I. 2015/719\)](#), regs. 1(2), 4

PART III

TESTS OF COMPETENCE TO DRIVE

Preliminary

Interpretation of Part III

22. In this Part of these Regulations—

“applicant in person” means a person making an application for an appointment for a test or a part of a test with a view to taking the test or that part thereof himself;

[^{F166}“appointed person” means—

- (a) in the case of a safe road use test, a person appointed by the Secretary of State to conduct such a test under paragraph (1)(a) of regulation 22A; ^{F167} ...
- (b) in the case of a theory test, a person appointed by the Secretary of State to conduct such a test under paragraph (1)(a)(ii) or (2)(a) of regulation 23; [^{F168}and]
- (c) [^{F169}in the case of a large vehicle off road manoeuvres test, a large vehicle off road manoeuvres test examiner;]

[^{F170}“the CPC subjects” means the list of subjects set out in section 1 of Annex I to Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No. 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC in so far as these subjects are not already covered by the matters specified in regulation 40C(5) in respect of a vehicle of the relevant class][^{F171}, reading point 2.1 of section 1 of Annex 1 as if the references to Regulations (EEC) No 3820/85 and (EEC) No 3821/85 were references to Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport and to Regulation (EU) No 165/2014 on tachographs in road transport;]

“[^{F172}DVSA examiner]” means a person appointed by the Secretary of State to conduct [^{F173}manoeuvres tests, [^{F174}large vehicle off road manoeuvres tests,] practical tests] or unitary tests under paragraph (1)(a) or (2)(a) of regulation 24;

[^{F175}“educational qualification” means—

- (a) a qualification awarded by the Scottish Qualifications Authority pursuant to section 2(1) of the Education (Scotland) Act 1996;
- (b) a qualification accredited by the Scottish Qualifications Authority pursuant to section 3(1) of the Education (Scotland) Act 1996;
- (c) ^{F176} ...
- (d) ^{F176} ...
- (e) a qualification which has been awarded or authenticated by an awarding body recognised for either of those purposes by the Office of Qualifications and Examinations Regulation (“Ofqual”) under section 132 of the Apprenticeships, Skills, Children and Learning Act 2009 and, where that qualification is subject to the accreditation requirement under section 138 of that Act, which has been accredited by Ofqual under section 139 of that Act; or

- (f) [^{F177}^{F178} a qualification which has been awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;]

“excepted matters” means the matters falling within Schedule 7, Part 2, section B paragraph 2, section C paragraph 3, section D paragraph 2, section E and section F paragraphs 1 and 3;]

“large vehicle instructor” means a person operating an establishment for providing instruction in the driving of vehicles included in category B+E, C, C+E, D or D+E, including an establishment which provides tuition to prepare persons for the theory test;

“motor bicycle instructor” means a person operating an establishment for providing instruction in the driving of vehicles included in categories [^{F179}AM or A], including an establishment which provides tuition to prepare persons for the theory test;

[^{F180}“motor car instructor” means a person operating an establishment for providing instruction in the driving of vehicles included in category B, including an establishment which provides tuition to prepare persons for the theory test;]

[^{F181}“qualification award certificate” means a certificate which certifies that the person to whom it has been issued has been awarded the Safe Road User Award;

“relevant awarding authority” means a body which awards or authenticates relevant qualifications;

“relevant qualification” means an educational qualification in respect of which a safe road use test must be passed before the qualification can be awarded;

“relevant qualification certificate” means a certificate issued by a relevant awarding authority which certifies that the person to whom it has been issued has been awarded a relevant qualification;

“safe road use test” means an examination the content of which is set out in regulation 40B(ZA1);

“Safe Road User Award” means the qualification of that name which is awarded by the Scottish Qualifications Authority before 1st May 2010;]

^{F182} ...

“working day” means [^{F183}(other than in regulation 35)] a day other than a ^{F184}... Sunday, bank holiday, Christmas Day or Good Friday (and “bank holiday” means a day to be observed as such under section 1 of and Schedule 1 to [^{F185}the Banking and Financial Dealings Act 1971]^{F186}).

Textual Amendments

- F166** Words in reg. 22 substituted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **6(a)**
- F167** Word in reg. 22 omitted (15.11.2021 at 1.00 a.m.) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **4(a)(i)**
- F168** Word in reg. 22 inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **4(a)(ii)**
- F169** Words in reg. 22 inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **4(a)(iii)**
- F170** Words in reg. 22 inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **4(a)** (with reg. 22)
- F171** Words in reg. 22 inserted (22.12.2018) by [The Driving Licences \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1251\)](#), regs. 1(3), **6(6)**

- F172** Words in reg. 22 substituted (1.4.2014) by The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014 (S.I. 2014/480), regs. 1, **6(2)**
- F173** Words in reg. 22 substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **5** (with reg. 33)
- F174** Words in reg. 22 inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **4(b)**
- F175** Words in reg. 22 inserted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), regs. 1(2), **6(b)**
- F176** Words in reg. 22 omitted (1.4.2017) by virtue of The Qualifications Wales Act 2015 (Consequential Provision) Order 2017 (S.I. 2017/121), arts. 1, **2(2)**
- F177** Words in reg. 22 omitted (1.4.2017 for specified purposes) by virtue of The Qualifications Wales Act 2015 (Consequential Provision) Order 2017 (S.I. 2017/121), arts. 1, **2(3)**
- F178** Words in reg. 22 substituted (1.5.2016) by The Qualifications Wales Act 2015 (Consequential Amendments) Regulations 2016 (S.I. 2016/236), regs. 1, **7**
- F179** Words in reg. 22 substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 14(a)**
- F180** Words in reg. 22 inserted (1.4.2006) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2006 (S.I. 2006/524), regs. 1(2), **4**
- F181** Words in reg. 22 inserted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), regs. 1(2), **6(c)**
- F182** Words in reg. 22 omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 14(b)**
- F183** Words in reg. 22 inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **4(b)** (with reg. 22)
- F184** Word in reg. 22 omitted (1.11.2005) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No 2) Regulations 2005 (S.I. 2005/2717), regs. 1, **4**
- F185** Words in reg. 22 substituted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **4(b)** (with reg. 22)
- F186** 1971 c. 80.

[^{F187} Persons by whom safe road use test may be conducted

22A.—(1) Subject to the provisions of this regulation, a safe road use test may only be conducted by—

- (a) a person (including a relevant awarding authority) appointed in writing for that purpose by the Secretary of State; or
- (b) a person or class of persons appointed by a relevant awarding authority for the purpose of testing persons taking a safe road use test as part of a relevant qualification.

(2) No relevant awarding authority shall be eligible to appoint any person or class of persons under paragraph (1)(b) unless, following an application made to the Secretary of State for the purpose of that paragraph, the Secretary of State is satisfied in relation to such an appointment that—

- (a) proper arrangements will be made by the authority for the conduct of the test in accordance with these Regulations; and
- (b) proper records of the tests and the results of the tests will be kept by the authority, and has granted approval in writing to the authority making the appointments, the approval to be subject to such conditions as the Secretary of State thinks fit to impose.

(3) An appointment made under paragraph (1)(a) 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.

(4) The Secretary of State may vary any conditions imposed under paragraphs (2) or (3) by notice in writing given to the appointed person or to the relevant awarding authority in the case of an approval granted under paragraph (2).

(5) No person, or member of a class of persons appointed by virtue of paragraph (1)(b), may conduct tests unless the Secretary of State has approved the appointments in writing and such approval shall be granted only if the Secretary of State is satisfied that that person is, or the members of that class of persons are, capable of making a proper assessment of a candidate’s knowledge of the matters in Schedule 7 Part 2 other than the excepted matters.

22B.—(1) The Secretary of State shall, on request, supply (by electronic or other means) a test set to any relevant awarding authority.

(2) In this regulation, a “test set” means a set of the information and materials necessary for the conduct of the safe road use test, for each person taking the test.]

Textual Amendments

F187 Regs. 22A-22B inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), 7

Appointment of persons to conduct tests

Persons by whom theory tests may be conducted

23.—(1) [^{F188}Subject to paragraph (8A).] A theory test other than a test conducted in the circumstances specified in paragraph (2) may be conducted by—

- (a) a person appointed in writing by the Secretary of State—
 - (i) for the purpose of testing a class of persons specified in the instrument of appointment, or
 - (ii) where no class of persons is specified, for the purpose of testing persons generally;
- (b) a person who, or a member of a class of persons which, has been appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department;

- [^{F189}(c) a person appointed by a chief officer of police, for the purpose of testing—
 - (i) members of a police force, and
 - (ii) persons employed by a police authority, local policing body or chief officer of police for the purpose of assisting a police force;]

[^{F190}(d)

[^{F191}(da) in England, a person appointed by any fire and rescue authority for the purpose of testing employees of any fire and rescue authority;]

[^{F192}(da) in England or Wales, a person appointed by any fire and rescue authority for the purpose of testing employees of any fire and rescue authority;]

[^{F193}(db) in Scotland, a person appointed by [^{F194}any relevant authority (as defined in section 6 of the Fire (Scotland) Act 2005 (asp 5))][^{F194}the Scottish Fire and Rescue Service] for the purpose of testing employees of [^{F195}any relevant authority][^{F195}that Service].]

- [^{F196}(dc) in England or Wales, a person appointed by any ambulance service NHS trust, or ambulance service NHS foundation trust, for the purpose of testing employees of any of those trusts;
- (dd) in Scotland, a person appointed by the Scottish Ambulance Service Board, for the purpose of testing employees of that Board;
- (de) a person who, or a member of a class of persons which—
 - (i) has been appointed to conduct theory tests under sub-paragraph (b) of paragraph (1), and
 - (ii) has the prior written approval of the Secretary of State for the purpose of testing employees of one or more emergency services;
- (df) a person who—
 - (i) is appointed to conduct theory tests under any one of sub-paragraphs (c) to (dd) of paragraph (1), and
 - (ii) has the prior written approval of the Secretary of State for the purpose of testing either or both—
 - (aa) defence personnel;
 - (bb) employees of one or more other emergency services;]
- (e) an eligible person appointed by a company which—
 - (i) has been approved by the Secretary of State, and
 - (ii) is the holder of a PSV operator’s licence,for the purpose of conducting, in respect of eligible candidates, theory tests in respect of any class of passenger-carrying vehicles^[F197], or
- (f) an eligible person appointed by a company which—
 - (i) has been approved by the Secretary of State, and
 - (ii) is the holder of a goods vehicle operator’s licence,for the purpose of conducting, in respect of eligible candidates, theory tests in respect of any class of goods vehicles.]

[^{F198}(1A) The Secretary of State may grant approval under paragraph (1)(de)(ii) or (df)(ii) subject to such conditions as the Secretary of State thinks fit and may vary any such conditions by notice in writing given to the person to whom the approval was granted.]

(2) Where the person submitting himself for a test is disqualified until he passes the appropriate driving test, a theory test shall be conducted by—

- (a) a person appointed by the Secretary of State for the purpose;
- (b) a person who, or a member of a class of persons which, has been appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department.

(3) No person shall be eligible to appoint any person or class of persons to conduct theory tests under the provisions of [^{F199}sub-paragraphs (b), (c), (da), (db), [^{F200}(dc), (dd),] (e) or (f) of paragraph (1)] or under paragraph (2)(b) unless, following an application made to him for the purpose of any of those sub-paragraphs, the Secretary of State is satisfied that—

- (a) proper arrangements will be made by the applicant, for the conduct of tests in accordance with these Regulations; and
 - (b) proper records of such tests and the results thereof will be kept by him or them,
- and has granted his approval in writing, subject to such conditions as he thinks fit to impose.

[^{F201}(3A) The Secretary of State may vary any conditions imposed under paragraph (3) by notice in writing given to the person to whom the approval was granted.]

(4) In the case of an application made by a chief officer of police for the purposes of sub-paragraph (c) of paragraph (1), the Secretary of State may grant his approval under paragraph (3) in respect of the testing of all the persons mentioned in that sub-paragraph or only in respect of the testing of the persons mentioned in paragraph (i) thereof.

(5) No person or class of persons may be appointed under the provisions of [^{F202}sub-paragraphs (b), (c), (da), (db), [^{F203}(dc), (dd),] (e) or (f) of paragraph (1)] or under paragraph (2)(b) unless the person making the appointment has appointed a person or class of persons to conduct [^{F204}manoeuvres tests or] practical tests under the provisions of regulation 24(1) and the Secretary of State has approved that appointment.

(6) An appointment made under paragraph (1)(a)(ii) 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 where an appointed person breaks such a condition the Secretary of State may appoint another person to carry out theory tests in substitution for that person notwithstanding that the first appointment has not been revoked.

(7) A person may not conduct a test prescribed in respect of any category or sub-category of motor vehicle unless he is expressly appointed for the purpose of conducting such a test.

(8) No person or member of a class of persons appointed by virtue of [^{F205}sub-paragraphs (b), (c), (da), (db), [^{F206}(dc), (dd),] (e) or (f) of paragraph (1)] or under paragraph (2)(b) may conduct tests unless the Secretary of State has given his approval in writing to the appointment and such approval shall be granted only if the Secretary of State is satisfied that the person (or, in the case of the appointment of a class of persons, each member of that class) is capable of making a proper assessment of a candidate's knowledge and understanding of driving theory relating to the category or sub-category of vehicles in respect of which he is appointed to conduct tests.

[^{F207}(8A) The following persons may not conduct a theory test within the meaning of regulation 3A(1)(ab)—

- (a) a person appointed under paragraph (1)(da), (db), (dc), (dd), (e) or (f);
- (b) a person to whom paragraph 1(df) applies on grounds that included prior appointment under paragraph 1(da) to (dd).]

(9) In this regulation and regulation 24—

[^{F208}“ambulance service NHS trust” or “ambulance service NHS foundation trust” means—

- (i) in England, a National Health Service trust or NHS foundation trust established under the National Health Service Act 2006 which has a function of providing ambulance services;
- (ii) in Wales, a National Health Service trust established under the National Health Service (Wales) Act 2006 which has a function of providing ambulance services;]

^{F209}“chief officer of police”, “police area” and “police authority” have [^{F210}in relation to England and Wales] the meanings given in section 101(1) of the Police Act 1996 ;

“company” includes a body corporate;

[^{F211}“defence personnel” means members of the armed forces of the Crown and persons in the public service of the Crown under the department of the Secretary of State for Defence;]

“eligible candidate” means—

- (i) [^{F212}a person who is employed as a driver by the company which holds the PSV licence where paragraph (1)(e) applies, or the goods vehicle operator's licence where paragraph (1)(f) applies, or by a sister company of that company which holds a licence of the same description, or;]

- (ii) a person whom any such company as is mentioned in sub-paragraph (i) proposes to employ as a driver;

[^{F213}“eligible person” means a person employed by the company which holds the PSV licence where paragraph (1)(e) applies, or the goods vehicle operator’s licence where paragraph (1)(f) applies, or by a sister company of that company which holds a licence of the same description, or;]

[^{F214}“emergency services” means—

- (i) a police force, and a reference to employees of a police force includes a reference to members of the force and persons employed by a police authority, local policing body or chief officer of police for the purpose of assisting a police force;
- (ii) a fire and rescue authority;
- (iii) the Scottish Fire and Rescue Service;
- (iv) an ambulance service NHS Trust or ambulance service NHS Foundation Trust;
- (v) the Scottish Ambulance Service Board;]

and a company is a sister company of another if either is the holding company of the other or both are wholly-owned subsidiaries of a third within the meaning of section 736 of the ^{M1}Companies Act 1985 .

[^{F215}“goods vehicle operator’s licence” means the holder of an operator’s licence within the meaning of section 58(1) of the Goods Vehicles (Licensing of Operators) Act 1995.]

Textual Amendments

- F188** Words in reg. 23(1) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **8(a)**
- F189** Reg. 23(1)(c) substituted (16.1.2012) by [The Local Policing Bodies \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/3058\)](#), regs. 1(2), **16(2)**
- F190** Reg. 23(1)(d) omitted (1.4.2008) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2008 \(S.I. 2008/508\)](#), regs. 1, **3(a)**
- F191** Reg. 23(1)(da) inserted (E.) (30.12.2004) by [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(England\) Order 2004 \(S.I. 2004/3168\)](#), arts. 1(1), **51(2)(b)**
- F192** Reg. 23(1)(da) inserted (W.) (25.10.2005) by [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(Wales\) Order 2005 \(S.I. 2005/2929\)](#), arts. 1(1), **51(2)(b)**
- F193** Reg. 23(1)(db) inserted (S.) (2.8.2005) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Amendments\) \(No. 2\) Order 2005 \(S.S.I. 2005/344\)](#), art. 1, **Sch. 1 para. 24(2)(b)**; S.S.I. 2005/392, arts. 1, 2
- F194** Words in reg. 23(1)(db) substituted (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\)](#), art. 1, **sch. 2 para. 18(2)(a)**
- F195** Words in reg. 23(1)(db) substituted (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\)](#), art. 1, **sch. 2 para. 18(2)(b)**
- F196** Regs. 23(1)(dc)-(df) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **4(a)**
- F197** Reg. 23(1)(f) and word inserted (2.4.2007) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2007 \(S.I. 2007/698\)](#), regs. 1(1), **3(a)**
- F198** Reg. 23(1A) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **4(b)**
- F199** Words in reg. 23(3) substituted (1.4.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2008 \(S.I. 2008/508\)](#), regs. 1, **3(b)**
- F200** Words in reg. 23(3) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **4(c)**

- F201** Reg. 23(3A) inserted (7.7.2008) by *The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008* (S.I. 2008/1435), regs. 1(1), **5** (with reg. 22)
- F202** Words in reg. 23(5) substituted (1.4.2008) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008* (S.I. 2008/508), regs. 1, **3(c)**
- F203** Words in reg. 23(5) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021* (S.I. 2021/1128), regs. 1(2), **4(c)**
- F204** Words in reg. 23(5) inserted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009* (S.I. 2009/788), regs. 1(2), **6** (with reg. 33)
- F205** Words in reg. 23(8) substituted (1.4.2008) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008* (S.I. 2008/508), regs. 1, **3(b)**
- F206** Words in reg. 23(8) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021* (S.I. 2021/1128), regs. 1(2), **4(c)**
- F207** Reg. 23(8A) substituted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021* (S.I. 2021/1128), regs. 1(2), **4(d)**
- F208** Words in reg. 23(9) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021* (S.I. 2021/1128), regs. 1(2), **4(e)(i)**
- F209** 1996 c. 16.
- F210** Words in reg. 23(9) inserted (1.4.2013) by *The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013* (S.I. 2013/602), art. 1(2), **Sch. 2 para. 79**
- F211** Words in reg. 23(9) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021* (S.I. 2021/1128), regs. 1(2), **4(e)(ii)**
- F212** Words in reg. 23(9) substituted (2.4.2007) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007* (S.I. 2007/698), regs. 1(1), **3(b)(i)**
- F213** Words in reg. 23(9) substituted (2.4.2007) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007* (S.I. 2007/698), regs. 1(1), **3(b)(ii)**
- F214** Words in reg. 23(9) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021* (S.I. 2021/1128), regs. 1(2), **4(e)(iii)**
- F215** Words in reg. 23(9) inserted (2.4.2007) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007* (S.I. 2007/698), regs. 1(1), **3(b)(iii)**

Modifications etc. (not altering text)

- C1** Reg. 23 applied (with modifications) (8.5.2017) by *The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017* (S.I. 2017/470), art. 1(2), **Sch. 1 para. 43(2)**
- C2** Reg. 23(1)(c)(ii) modified (20.12.2023) by *The York and North Yorkshire Combined Authority Order 2023* (S.I. 2023/1432), arts. 1(2), 33(2), **Sch. 5 para. 43(2)**

Marginal Citations

- M1** 1985 c. 6. Section 736 was substituted by the *Companies Act 1989*, section 144(1).

[^{F216}**23A**].—(1) The Secretary of State shall, on request, supply (by electronic or other means) a test set to any person who has appointed another person or class of persons to conduct theory tests under sub-paragraph (b), (c), (da), (db), [^{F217}(dc), (dd),] (e) or (f) of regulation 23(1) or under regulation 23(2)(b).

[^{F218}(2) For each test set supplied under paragraph (1) in respect of a test which—

- (a) is of the type specified in column (2) of an item in the table;
- (b) relates to a vehicle falling within a category specified in column (3); and
- (c) is to be conducted at a time specified in column (4),

the Secretary of State may make a charge of the amount specified in column (5).

Table

(1) Item	(2) Type of test	(3) Vehicle category	(4) Time	(5) Charge £
1.	Any test	AM, A or B	Before 1st October 2014	18.50
2.	Any test	AM, A or B	On or after 1st October 2014	15
3.	Large vehicle test of driving theory	C or D	Before 1st October 2014	20
4.	Large vehicle test of driving theory	C or D	On or after 1st October 2014	12
5.	Large vehicle test of hazard perception	C or D	Any time	9]

(3) The charge referred to in paragraph (2) is payable by the person who has appointed a person or class of persons to conduct the theory test for which a test set has been supplied.

(4) In this regulation, a “test set” means—

- (a) in respect of [^{F219}a test falling within item 1 or 2 of the table in paragraph (2)], a set of [^{F220}the information and materials necessary for the conduct of that test, including the film clips] as described in regulation 40B, for each person taking the test; and
- (b) in respect of [^{F221}a test falling within item 3, 4 or 5 of the table in paragraph (2)], a set of theory test questions, in the case of the large vehicle test of driving theory or a set of film clips, in the case of the large vehicle test of hazard perception, the set of questions or clips each being as described in regulation 40B, for each person taking the test.]

Textual Amendments

- F216** Reg. 23A inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **6** (with reg. 22)
- F217** Words in reg. 23A(1) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **5**
- F218** Reg. 23A(2) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(2)(a)**
- F219** Words in reg. 23A(4)(a) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(2)(b)(i)**
- F220** Words in reg. 23A(4)(a) substituted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **9**
- F221** Words in reg. 23A(4)(b) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(2)(b)(ii)**

[^{F222}Persons by whom manoeuvres tests, large vehicle off road manoeuvres tests, practical tests and unitary tests may be conducted]

24.—(1) A [^{F223}manoeuvres test, large vehicle off road manoeuvres test, practical test] or unitary test other than a test conducted in the circumstances specified in paragraph (2) [^{F224}or (2A)] may, subject to the following provisions of this regulation, be conducted by—

- (a) a person in the public service of the Crown appointed by the Secretary of State;

- (b) a person who, or a member of a class of persons which, has been appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department;
- (c) ^{F225} ... ^{F226} ... ^{F225} ... ^{F227} ...
- ^{F228}(ca) in England, a person appointed by any fire and rescue authority for the purpose of testing employees of any fire and rescue authority;]
- ^{F229}(ca) in England or Wales, a person appointed by any fire and rescue authority for the purpose of testing employees of any fire and rescue authority;]
- ^{F230}(cb) in Scotland, a person appointed by [^{F231}any relevant authority (as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#))] [^{F231}the Scottish Fire and Rescue Service] for the purpose of testing employees of [^{F232}any relevant authority][^{F232}that Service];]
- ^{F233}(cc) in England or Wales, a person appointed by any ambulance service NHS trust, or ambulance service NHS foundation trust, for the purpose of testing employees of any of those trusts;
- (cd) in Scotland, a person appointed by the Scottish Ambulance Service Board for the purpose of testing employees of that Board;
- (ce) a person who, or a member of a class of persons which, —
 - (i) has been appointed to conduct manoeuvres, practical or unitary tests under sub paragraph (b) of paragraph (1), and
 - (ii) has the prior written approval of the Secretary of State for the purpose of testing employees of one or more emergency services;
- (cf) a person who—
 - (i) is appointed to conduct manoeuvres, practical or unitary tests under any one of sub paragraphs (ca) to (cd) or (d) of paragraph (1), and
 - (ii) has the prior written approval of the Secretary of State for the purpose of testing either or both—
 - (aa) defence personnel;
 - (bb) employees of one or more other emergency services;]
- ^{F234}(d) a person appointed by a chief officer of police, for the purpose of testing—
 - (i) members of a police force, and,
 - (ii) persons employed by a police authority, local policing body or chief officer of police for the purpose of assisting a police force;]
- ^{F235}(e)
- (f) an eligible person appointed by a company which—
 - (i) has been approved by the Secretary of State, and
 - (ii) is the holder of a PSV operator’s licence,
 for the purpose of conducting, in respect of eligible candidates, practical tests in respect of any class of passenger-carrying vehicles [^{F236}, or
- (g) an eligible person appointed by a company which—
 - (i) has been approved by the Secretary of State, and
 - (ii) is the holder of a goods vehicle operator’s licence,
 for the purpose of conducting, in respect of eligible candidates, practical tests in respect of any class of goods vehicles.]

[^{F237}(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.]

[^{F238}(1) The Secretary of State must ensure that persons appointed as examiners for the purposes of paragraph (1)—

- (a) who were appointed on or after 19th January 2013 meet and maintain the minimum standards set out in paragraphs 1, 2.1 and 2.2 of Annex IV, and
- (b) who were appointed before 19th January 2013 meet the quality assurance and regular periodic training arrangements in place in accordance with paragraph 4 of Annex IV.

(1B) The Secretary of State must establish arrangements for authorising an examiner to conduct driving tests and ensure that such arrangements are in compliance with paragraphs 2.3, 3 and 5.1 of Annex IV.

(1C) The Secretary of State must ensure that there are in place quality assurance and regular periodic training arrangements of driving examiners in accordance with paragraph 4 of Annex IV.

(1D) In this regulation, “Annex IV” means Annex IV of [Directive 2006/126/EC](#) of the European Parliament and of the Council on driving licences [^{F239}reading that Annex as if—

- (a) in the fifth indent of point 1.3, “EU and” was omitted, and
- (b) references to “Member States” or “Member State” were references to the Secretary of State.]]

[^{F240}(1E) The Secretary of State may grant approval under paragraph (1)(ce)(ii) or (cf)(ii) subject to such conditions as the Secretary of State thinks fit, and may vary any such conditions by notice in writing given to the person to whom the approval was granted.]

(2) Where the person submitting himself for a test is disqualified until he passes the appropriate driving test, a [^{F241}manoeuvres test, large vehicle off road manoeuvres test, practical test] or unitary test shall be conducted by—

- (a) a person in the public service of the Crown appointed by the Secretary of State, or
- (b) a person who, or a member of a class of persons which, has been appointed by the Secretary of State for Defence, for the purpose of testing members of the armed forces of the Crown and persons in the public service of the Crown under his department.

[^{F242}(2A) [^{F243}A [^{F244}manoeuvres test, a large vehicle off road manoeuvres test or a practical test]] which is conducted as a disability assessment test shall be conducted by—

- (a) a person in the public service of the Crown appointed by the Secretary of State for the purposes of paragraph (1)(a), or
- (b) a person appointed by the Secretary of State for the purpose of conducting the test.]

(3) No person shall be eligible to appoint any person or class of persons to conduct [^{F245}manoeuvres tests, large vehicle off road manoeuvres tests, practical tests] or unitary tests under the provisions of [^{F246}sub-paragraphs (b), (ca), (cb) [^{F247}(cc), (cd)], (d), (f) or (g) of paragraph (1)] [^{F248}, paragraph (1ZA)] or under paragraph (2)(b) unless, following an application made to him for the purpose of any of those sub-paragraphs, the Secretary of State is satisfied that—

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

and has granted his approval in writing, subject to such conditions as he thinks fit to impose.

[^{F249}(3A) The Secretary of State may vary any conditions imposed under paragraph (3) by notice in writing given to the person to whom the approval was granted.]

(4) In the case of an application made by a chief officer of police for the purposes of sub-paragraph (d) of paragraph (1), the Secretary of State may grant his approval under paragraph (3) in respect of the testing of all the persons mentioned in that sub-paragraph or only in respect of the testing of the persons mentioned in paragraph (i) thereof.

(5) No person or member of a class of persons appointed under the provisions of [^{F250}sub-paragraphs (b), (ca), (cb) [^{F251}(cc), (cd)], (d), (f) or (g) of paragraph (1)] [^{F252}, under paragraph (1ZA)] or under paragraph (2)(b) may conduct tests unless the Secretary of State has given his approval in writing to his appointment and such approval shall be granted only if the Secretary of State is satisfied that the person (or, in the case of the appointment of a class of persons, each member of that class) is capable of making a proper assessment of a candidate's ability to drive vehicles of the class in respect of which he is appointed to conduct tests.

(6) A person may not conduct a test prescribed in respect of any category or sub-category of motor vehicle unless he is expressly appointed for the purpose of conducting such a test.

[^{F253}(7) Each person who has appointed a person to conduct tests under sub-paragraph (ca), (cb) [^{F254}(cc), (cd)], (d), (f) or (g) of paragraph (1) shall pay an annual charge of £950 during the currency of the appointment to the Secretary of State in accordance with paragraph (8) in respect of each person so appointed.

(8) In the case of an appointment made—

- (a) on or after 4 August 2008, the annual charge is payable on the making of the appointment and on each anniversary of the appointment; and
- (b) before 4 August 2008, the annual charge is payable on 4 August 2008 and on each anniversary of that date.]

Textual Amendments

- F222** Reg. 24 heading substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **5(a)**
- F223** Words in reg. 24(1) substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **5(b)**
- F224** Words in reg. 24(1) inserted (1.1.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 2\) Regulations 2000 \(S.I. 2000/3157\)](#), regs. 1, **6(1)(a)**
- F225** Words in reg. 24(1)(c) omitted (W.) (25.10.2005) by virtue of [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(Wales\) Order 2005 \(S.I. 2005/2929\)](#), arts. 1(1), **51(3)(a)**
- F226** Words in reg. 24(1)(c) omitted (E.) (30.12.2004) by virtue of [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(England\) Order 2004 \(S.I. 2004/3168\)](#), arts. 1(1), **51(3)(a)**

- F227** Words in reg. 24(1)(c) omitted (S.) (2.8.2005) by virtue of The Fire (Scotland) Act 2005 (Consequential Modifications and Amendments) (No. 2) Order 2005 (S.S.I. 2005/344), art. 1, **Sch. 1 para. 24(3)(a)**; S.S.I. 2005/392, **arts. 1, 2**
- F228** Reg. 24(1)(ca) inserted (E.) (30.12.2004) by The Fire and Rescue Services Act 2004 (Consequential Amendments) (England) Order 2004 (S.I. 2004/3168), arts. 1(1), **51(3)(b)**
- F229** Reg. 24(1)(ca) inserted (W.) (25.10.2005) by The Fire and Rescue Services Act 2004 (Consequential Amendments) (Wales) Order 2005 (S.I. 2005/2929), arts. 1(1), **51(3)(b)**
- F230** Reg. 24(1)(cb) inserted (S.) (2.8.2005) by The Fire (Scotland) Act 2005 (Consequential Modifications and Amendments) (No. 2) Order 2005 (S.S.I. 2005/344), art. 1, **Sch. 1 para. 24(3)(b)**; S.S.I. 2005/392, **arts. 1, 2**
- F231** Words in reg. 24(1)(cb) substituted (S.) (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013 (S.S.I. 2013/119), art. 1, **sch. 2 para. 18(3)(a)**
- F232** Words in reg. 24(1)(cb) substituted (S.) (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013 (S.S.I. 2013/119), art. 1, **sch. 2 para. 18(3)(b)**
- F233** Regs. 24(1)(cc)-(cf) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **6(a)**
- F234** Reg. 24(1)(d) substituted (16.1.2012) by The Local Policing Bodies (Consequential Amendments) Regulations 2011 (S.I. 2011/3058), regs. 1(2), **16(3)**
- F235** Reg. 24(1)(e) omitted (1.9.2003) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2003 (S.I. 2003/2003), regs. 1(1)(a), **3(3)**
- F236** Reg. 24(1)(g) and preceding word inserted (2.4.2007) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007 (S.I. 2007/698), regs. 1(1), **4**
- F237** Reg. 24(1ZA) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **5(c)**
- F238** Reg. 24(1)-(1D) inserted (29.12.2014) by virtue of The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **6**
- F239** Words in reg. 24(1D) inserted (31.12.2020) by The Driving Licences (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1251), regs. 1(2), **6(7)**; 2020 c. 1, Sch. 5 para. 1(1)
- F240** Reg. 24(1E) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **6(b)**
- F241** Words in reg. 24(2) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **5(d)**
- F242** Reg. 24(2A) inserted (1.1.2001) by The Motor Vehicles (Driving Licences) (Amendment)(No. 2) Regulations 2000 (S.I. 2000/3157), regs. 1, **6(2)**
- F243** Words in reg. 24(2A) added (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **7(d)** (with reg. 33)
- F244** Words in reg. 24(2A) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **5(e)**
- F245** Words in reg. 24(3) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **5(f)(i)**
- F246** Words in reg. 24(3) substituted (1.4.2008) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008 (S.I. 2008/508), regs. 1, **4(a)**
- F247** Words in reg. 24(3) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **6(c)**
- F248** Words in reg. 24(3) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **5(f)(ii)**
- F249** Reg. 24(3A) inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **7(a)** (with reg. 22)
- F250** Words in reg. 24(5) substituted (1.4.2008) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008 (S.I. 2008/508), regs. 1, **4(b)**
- F251** Words in reg. 24(5) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **6(e)**

- F252** Words in reg. 24(5) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **5(g)**
- F253** Reg. 24(7)(8) inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **7(b)** (with reg. 22)
- F254** Words in reg. 24(7) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **6(c)**

Modifications etc. (not altering text)

- C3** Reg. 24 applied (with modifications) (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 1 para. 43(3)**
- C4** Reg. 24(1)(d)(ii) modified (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), 33(2), **Sch. 5 para. 43(3)**

Revocation of authority to conduct tests

25.—(1) The Secretary of State may revoke—

- (a) an appointment made under regulation 23(1)(a) or (2)(a) or under regulation 24(1)(a) [^{F255}, (1ZA)] or (2)(a), or
- (b) an approval given under regulation 23 [^{F256}(1)(de)(ii), (1)(df)(ii),] (3) or (8) or under regulation 24 [^{F257}(1)(ce)(ii), (1)(cf)(ii)] [^{F258}, (1ZA)(a), (3)] (3) or (5),

by notice in writing and the authority of the person whose appointment is revoked or whose approval is withdrawn to conduct theory tests [^{F259} or large vehicle off road manoeuvres tests] or, as the case may be, to appoint other persons to conduct [^{F260} unitary tests, manoeuvres tests, [^{F261} large vehicle off road manoeuvres tests,] practical tests] or theory tests, shall cease upon the date specified in the notice.

(2) Where a person has his appointment revoked or if an approval given in respect of him under regulation [^{F262} 23(1)(de)(ii), (1)(df)(ii), (3), 24(1)(ce)(ii), (1)(cf)(ii) [^{F263}, 24(1ZA)] or (3)] is withdrawn, that person shall immediately return to the Secretary of State all forms of pass certificates supplied to him under regulations 47(8) and 48(3) which he still holds.

Textual Amendments

- F255** Word in reg. 25(1)(a) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **6(a)(i)**
- F256** Words in reg. 25(1)(b) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **7(a)(i)**
- F257** Words in reg. 25(1)(b) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **7(a)(ii)**
- F258** Words in reg. 25(1)(b) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **6(a)(ii)**
- F259** Words in reg. 25(1) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **6(a)(iii)**
- F260** Words in reg. 25(1) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **8** (with reg. 33)
- F261** Words in reg. 25(1) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **6(a)(iv)**
- F262** Words in reg. 25(2) substituted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **7(b)**

F263 Words in reg. 25(2) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **6(b)**

[^{F264}**25A.**—(1) The Secretary of State may revoke—

- (a) an appointment made under regulation 22A(1)(a), or
- (b) an approval given under regulation 22A(2),

by notice in writing and the authority of the person whose appointment or approval is revoked to conduct safe road use tests or, as the case may be, to appoint others to do so shall cease upon the date specified in the notice.]

Textual Amendments

F264 Reg. 25A inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **10**

[^{F265}**Applications for safe road use tests**

25B.—(1) Subject to paragraph (4), a relevant awarding authority which is approved under regulation 22A(2) but which is not an appointed person may apply to an appointed person for an appointment for a safe road use test in respect of a person seeking to attain a relevant qualification (“the candidate”).

(2) An application made under paragraph (1) shall specify the date, time and location of the appointment sought and provide the name and such further details relating to—

- (i) the candidate who is to attend the appointment to take the test, and
- (ii) whether the candidate has special needs,
as the appointed person may reasonably require.

(3) Subject to paragraph (4), upon receipt of such details the appointed person shall confirm to the relevant awarding authority the date and time of the appointment.

(4) The appointed person may refuse to accept an application from a relevant awarding authority (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where any appointment specified in the application is unavailable or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for safe road use tests.

(5) Subject to paragraph (6), no application may be made for an appointment on behalf of a person who has failed to pass a safe road use test if less than three working days, commencing with the day after the first test, would expire before the day on which the subsequent test would take place.

(6) Paragraph (5) shall not apply in a case where the appointed person has given notice, prior to the first test, that an appointment for a subsequent test would be accepted without the interval referred to in that paragraph having expired.]

Textual Amendments

F265 Reg. 25B inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **11**

Applications for tests

Applications for theory tests: applicants in person

26.—(1) An applicant in person wishing to take a theory test to be conducted by an appointed person shall—

- (a) apply for an appointment to that person,
- (b) provide that person with such details relating to himself, the licence which he holds, the preferred location of the test, and the nature of the test to be taken as he may reasonably require, and
- (c) ^{F266}... pay [^{F267}the appropriate fee as specified in] regulation 30.

(2) Upon receipt of such details and such fee the appointed person shall make the arrangements necessary for taking the theory test.

(3) An applicant in person for whom an appointment is made as aforesaid in respect of any category of motor vehicle may neither apply as an applicant in person nor be nominated by virtue of [^{F268}regulation 27, 28 or 28A] for a further appointment for a theory test in respect of the same category unless—

- (a) the first appointment has been cancelled, or
- (b) the test due on the first appointment does not take place for any reason other than cancellation; or
- (c) he has kept the first appointment (whether or not the test is completed).

Textual Amendments

F266 Words in reg. 26(1)(c) omitted (1.4.2006) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2006 \(S.I. 2006/524\)](#), regs. 1(2), **5(2)**

F267 Words in reg. 26(1)(c) substituted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **12**

F268 Words in reg. 26(3) substituted (1.4.2006) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2006 \(S.I. 2006/524\)](#), regs. 1(2), **5(3)**

Applications for theory tests: motor bicycle instructors

27.—(1) A motor bicycle instructor who wishes to make an appointment for a theory test prescribed in respect of motor vehicles in category [^{F269}AM or A] to be conducted by an appointed person and to be taken by a person who has, or will have, received from that instructor tuition to prepare him for the theory test shall—

- (a) apply for such an appointment to the appointed person, specifying the date and time of 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 himself, the establishment and the nature of the test as the appointed person may reasonably require, [^{F270}and]

^{F271}(c)

- (d) pay the fee (recoverable from the person nominated under paragraph (4)) specified in [^{F272}regulation 30(3)].

(2) The appointed person may refuse to accept an application from a motor bicycle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of

those applications) where any appointment specified in the application is unavailable or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for theory tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the appointed person shall confirm to the motor bicycle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the appointed person receives from the motor bicycle instructor the name and such further details relating to—

- (a) the person receiving tuition from that instructor who will at the appointment submit himself for that test, and
- (b) the nature of the test,

as the appointed person may reasonably require, the appointed person shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a motor bicycle instructor pursuant to paragraph (4) for a theory test in respect of motor vehicles in category [^{F273}AM or A] may neither be so nominated nor apply under regulation 26 for a further appointment for such a test 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) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring [^{F274}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.

Textual Amendments

- F269** Words in reg. 27(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 16**
- F270** Word in reg. 27(1)(b) added (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **8(a)** (with reg. 22)
- F271** Reg. 27(1)(c) omitted (7.7.2008) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **8(b)** (with reg. 22)
- F272** Words in reg. 27(1)(d) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(3)**
- F273** Words in reg. 27(5) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 16**
- F274** Words in reg. 27(6) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **5**

Applications for theory tests: large vehicle instructors

28.—(1) A large vehicle instructor who wishes to make an appointment for a theory test prescribed in respect of motor vehicles in category C or D to be conducted by an appointed person and to be taken by a person who has, or will have, received from that instructor tuition to prepare him for the theory test shall—

- (a) apply for such an appointment to the appointed person, specifying the date and time of 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 himself, the establishment and the nature of the test as the appointed person may reasonably require, [^{F275}and]

^{F276}(c)

(d) pay the fee (recoverable from the person nominated under paragraph (4)) specified in [^{F277}regulation 30(1) or (2)].

(2) The appointed person 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 any appointment specified in the application is unavailable, or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for theory tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the appointed person shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the appointed person receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving tuition from that instructor who will at the appointment submit himself for that test, and
- (b) the nature of the test,

as the appointed person may reasonably require, the appointed person 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 theory test prescribed in respect of any category may neither be so nominated nor apply under regulation 26 for a further appointment for such a test 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) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period ending [^{F278}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.

Textual Amendments

F275 Word in reg. 28(1)(b) added (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **9(a)** (with reg. 22)

F276 Reg. 28(1)(c) omitted (7.7.2008) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **9(b)** (with reg. 22)

F277 Words in reg. 28(1)(d) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(4)**

F278 Words in reg. 28(6) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **5**

[^{F279}Applications for theory tests: motor car instructors

28A.—(1) A motor car instructor who wishes to make an appointment for a theory test prescribed in respect of motor vehicles in category B to be conducted by an appointed person and to be taken by a person who has, or will have, received from that instructor tuition to prepare him for the theory test shall—

- (a) apply for such an appointment to the appointed person, specifying the date and time of 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 himself, the establishment and nature of the test as the appointed person may reasonably require,
- (c) pay the fee (recoverable from the person nominated under paragraph (4)) specified in [^{F280}regulation 30(3)].

(2) The appointed person may refuse to accept an application from a motor car instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where any appointment specified in the application is unavailable, or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for theory tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the appointed person shall confirm to the motor car instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the appointed person receives from the motor car instructor the name and such further details relating to—

- (a) the person receiving tuition from that instructor who will at the appointment submit himself for that test, and
- (b) the nature of the test,

as the appointed person may reasonably require, the appointed person shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a motor car instructor pursuant to paragraph (4) for a theory test prescribed in respect of any category may neither be so nominated nor apply under regulation 26 for a further appointment for such a test 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) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period ending 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.]

Textual Amendments

F279 Reg. 28A inserted (1.4.2006) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2006 \(S.I. 2006/524\)](#), regs. 1(2), **6**

F280 Words in [reg. 28A\(1\)\(c\)](#) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(5)**

Eligibility to reapply for theory test

29.—(1) Subject to paragraph (2), a person who has failed to pass a theory test prescribed in respect of any category may not make an application for another test of that nature to be conducted before the expiry of a period of three clear working days commencing with the day after the date of the first test.

(2) Paragraph (1) shall not apply—

- (a) in a case where the person is either a member of the armed forces of the Crown or a person in the civil service of the Crown under the Secretary of State for Defence and the application is made with the consent of a person authorised by the Secretary of State for Defence; or
- (b) in a case where the first test is conducted by an appointed person in accordance with paragraph (1)(a) or (2)(a) of regulation 23 and the Secretary of State has, prior to that test, given notice to the person that he will accept an application for a further test to be conducted before the expiry of the period mentioned in paragraph (1).

[^{F281} Fees for theory tests

30.—(1) The fee payable for a large vehicle test of driving theory to be conducted by an appointed person is—

- (a) £35 if the test is to be conducted before 1st October 2014;
- (b) £28 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
- (c) £26 if the test is to be conducted on or after 1st October 2015.

(2) The fee payable for a large vehicle test of hazard perception to be conducted by an appointed person is—

- (a) £15 if the test is to be conducted before 1st October 2014;
- (b) £12 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
- (c) £11 if the test is to be conducted on or after 1st October 2015.

(3) Subject to paragraph (4), the fee payable for a theory test to be conducted by an appointed person in respect of a motor vehicle in category AM, A or B is—

- (a) £31 if the test is to be conducted before 1st October 2014;
- (b) £25 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
- (c) £23 if the test is to be conducted on or after 1st October 2015.

(4) The fee payable for a theory test within the meaning of regulation 3A(1)(ab) is—

- (a) £24 if the test is to be conducted before 1st October 2014;
- (b) £19 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
- (c) £18 if the test is to be conducted on or after 1st October 2015.]

Textual Amendments

F281 Reg. 30 substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(6)**

[^{F282} Applications for manoeuvres tests, large vehicle off road manoeuvres tests, practical tests and unitary tests: applicants in person]

31.—(1) An applicant in person wishing to take a [^{F283}manoeuvres test, [^{F284}large vehicle off road manoeuvres test,] practical test] or unitary test to be conducted by a [^{F285}DVSA examiner] shall—

- (a) apply for an appointment for such a test to the Secretary of State,

- (b) provide the Secretary of State with such details relating to himself, the licence which he holds, the preferred location of the test, the nature of the test and the vehicle on which the test is to be taken as the Secretary of State may reasonably require, and
- (c) pay such fee as is specified in regulation 35.

^{F286}(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.]

(2) Upon receipt of such details and such fee the Secretary of State ^{F287}or a large vehicle off road manoeuvres test provider, as the case may be,] shall make the arrangements necessary for the taking of the appropriate test.

(3) An applicant in person for whom an appointment is made as aforesaid in respect of a class of motor vehicle in any category may neither apply as an applicant in person nor be nominated by virtue of regulation 32 or 33 for a further appointment for a ^{F288}manoeuvres test, ^{F289}large vehicle off road manoeuvres test,] practical test or unitary test, as the case may be,] on a vehicle of the same class unless—

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

^{F290}(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.]

Textual Amendments

- F282** Reg. 31 heading substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **7(a)**
- F283** Words in reg. 31(1) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **10(b)** (with reg. 33)
- F284** Words in reg. 31(1) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **7(b)**
- F285** Words in reg. 31(1) substituted (1.4.2014) by The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014 (S.I. 2014/480), regs. 1, **6(3)**
- F286** Reg. 31(1A) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **7(c)**
- F287** Words in reg. 31(2) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **7(d)**
- F288** Words in reg. 31(3) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **10(c)** (with reg. 33)
- F289** Words in reg. 31(3) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **7(e)**

F290 Reg. 31(4) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), 7(f)

Applications for [^{F291}manoeuvres or] practical tests: motor bicycle instructors

32.—(1) A motor bicycle instructor who wishes to make an appointment for [^{F292}a manoeuvres test or] a practical test prescribed in respect of category [^{F293}AM or A] which is to be conducted by a [^{F294}DVSA examiner] and taken by a person who has, or will have, received from that instructor instruction in the driving of vehicles of a class included in either category shall—

- (a) apply for such an appointment to the Secretary of State, 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) himself,
 - (ii) his establishment,
 - (iii) the vehicle on which the test is to be taken, and
 - (iv) the nature of the test,
 as the Secretary of State may reasonably require, and
- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as is specified in regulation 35.

(2) The Secretary of State may refuse to accept an application from a motor bicycle 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 or where, in the opinion of the Secretary of State, it is reasonably necessary to do so in the general interests of applicants for [^{F295}manoeuvres tests, practical tests] or unitary tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the Secretary of State shall confirm to the motor bicycle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the Secretary of State receives from the motor bicycle instructor the name and such further details relating to—

- (a) the person receiving instruction from that instructor who will at the appointment submit himself 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 Secretary of State may reasonably require, the Secretary of State shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a motor bicycle instructor pursuant to paragraph (4) for [^{F296}a manoeuvres test or] a practical test in respect of any class of motor vehicle included in category [^{F297}AM or A] may neither be so nominated nor apply under regulation 31 for a further appointment for a test [^{F298}of the same sort] in respect of a motor vehicle of the same class 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) he has 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 ^[F299]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.

Textual Amendments

- F291** Words in reg. 32 heading inserted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009* (S.I. 2009/788), regs. 1(2), **11(a)** (with reg. 33)
- F292** Words in reg. 32(1) inserted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009* (S.I. 2009/788), regs. 1(2), **11(b)** (with reg. 33)
- F293** Words in reg. 32(1) substituted (19.1.2013) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012* (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 18**
- F294** Words in reg. 32(1) substituted (1.4.2014) by *The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014* (S.I. 2014/480), regs. 1, **6(4)**
- F295** Words in reg. 32(2) substituted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009* (S.I. 2009/788), regs. 1(2), **11(c)** (with reg. 33)
- F296** Words in reg. 32(5) inserted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009* (S.I. 2009/788), regs. 1(2), **11(d)(i)** (with reg. 33)
- F297** Words in reg. 32(5) substituted (19.1.2013) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012* (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 18**
- F298** Words in reg. 32(5) inserted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009* (S.I. 2009/788), regs. 1(2), **11(d)(ii)** (with reg. 33)
- F299** Words in reg. 32(6) substituted (1.11.2005) by *The Motor Vehicles (Driving Licences) (Amendment) (No 2) Regulations 2005* (S.I. 2005/2717), regs. 1, **6**

^[F300]**Applications for large vehicle off road manoeuvres tests or practical tests: large vehicle instructors]**

33.—(1) A large vehicle instructor who wishes to make an appointment for a ^[F301]large vehicle off road manoeuvres test or a] practical test prescribed in respect of category B+E, C, C+E, D or D+E which is to be conducted by a ^[F302]DVSA 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 the Secretary of State, 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) himself,
 - (ii) his establishment,
 - (iii) the vehicle on which the test is to be taken, and
 - (iv) the nature of the test,as the Secretary of State may reasonably require, and
- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as is specified in regulation 35.

(2) The Secretary of State 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 or where, in

the opinion of the Secretary of State, it is reasonably necessary to do so in the general interests of applicants for [^{F303}large vehicle off road manoeuvres tests, practical tests or unitary tests].

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the Secretary of State shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the Secretary of State 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 himself 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 Secretary of State may reasonably require, the Secretary of State 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 practical test [^{F304}or 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) he has 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 [^{F305}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.

Textual Amendments

- F300** Reg. 33 heading substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(a)**
- F301** Words in reg. 33(1) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(b)**
- F302** Words in reg. 33(1) substituted (1.4.2014) by [The Driving Standards Agency and the Vehicle and Operator Services Agency \(Merger\) \(Consequential Amendments\) Regulations 2014 \(S.I. 2014/480\)](#), regs. 1, **6(5)**
- F303** Words in reg. 33(2) substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(c)**
- F304** Words in reg. 33(5) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(d)**
- F305** Words in reg. 33(6) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **6**

^{F306}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 himself 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.]

Textual Amendments

F306 Reg. 33A inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **9**

[^{F307} Eligibility to reapply for manoeuvres tests, large vehicle off road manoeuvres tests, practical tests or unitary tests]

34.—(1) Subject to the following provisions of this regulation, a person who has failed to pass a [^{F308}manoeuvres test, [^{F309}large vehicle off road manoeuvres test,] practical test] or unitary test (“the first test”) for a licence authorising the driving of vehicles of a class included in any category may not make an application for another test for a licence authorising the driving of vehicles of any class included in the same category to be conducted before the expiry of the relevant period.

(2) Paragraph (1) shall not apply—

- (a) in a case where the person is either a member of the armed forces of the Crown or a person in the civil service of the Crown under the Secretary of State for Defence and the application is made with the consent of a person authorised by the Secretary of State for Defence; or
- (b) in a case where the first test is conducted by a [^{F310}DVSA examiner] and the Secretary of State has, prior to that test, given notice to the person that he will accept an application for a further test to be conducted before the expiry of the relevant period.

(3) In this regulation, “the relevant period” means—

- [^{F311}(za) in the case of a manoeuvres test, 3 clear working days,]
- [^{F312}(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,]
- (a) [^{F313}subject to sub-paragraph (zb),] in the case of a test for a licence authorising the driving of a vehicle of a class included in category [^{F314}B+E,] C, C+E, D or D+E, 3 clear working days, and
- (b) in any other case, 10 clear working days.

commencing with the first day after the date of the first test.

Textual Amendments

- F307** Reg. 34 heading substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **10(a)**
- F308** Words in reg. 34(1) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **12(b)** (with reg. 33)
- F309** Words in reg. 34(1) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **10(b)**
- F310** Words in reg. 34(2)(b) substituted (1.4.2014) by [The Driving Standards Agency and the Vehicle and Operator Services Agency \(Merger\) \(Consequential Amendments\) Regulations 2014 \(S.I. 2014/480\)](#), regs. 1, **6(6)**
- F311** Reg. 34(3)(za) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **12(c)** (with reg. 33)
- F312** Reg. 34(3)(zb) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **10(c)(i)**
- F313** Words in reg. 34(3)(a) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **10(c)(ii)**

F314 Word in reg. 34(3)(a) inserted (2.4.2007) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2007 \(S.I. 2007/698\)](#), regs. 1(1), 6

[^{F315}Fees in respect of manoeuvres tests, large vehicle off road manoeuvres tests, practical tests or unitary tests]

35.—(1) No fee shall be payable in respect of a [^{F316}manoeuvres test, [^{F317}large vehicle off road manoeuvres test,] practical test] or unitary test conducted by a person appointed under [^{F318}regulation 24(1)(b), (ca), (cb), [^{F319}(cc), (cd)] (d), (f) or (g)] [^{F320}or (2)(b)] [^{F321}or approved under regulation 24(1)(ce)(ii) or (cf)(ii)].

(2) Subject to [^{F322}paragraphs (3ZA), [^{F323}(3ZB), ^{F324}...] (4) and (5)], in the case of a [^{F325}large vehicle off road manoeuvres test, practical test or unitary test] which—

- (a) is to be conducted by a [^{F326}DVSA examiner],
- (b) is not, or does not form part of, an extended driving test,
- (c) is for a licence authorising the driving of a motor vehicle of a class included in a category or sub-category specified in column (1) of the Table in Schedule 5,

the fee payable is that specified in relation to that category or sub-category in column (2) of that Table.

(3) Subject to [^{F327}paragraphs (3ZA) [^{F328}(3ZB), ^{F329}...] and (4)], in the case of a [^{F330}large vehicle off road manoeuvres test, practical test or unitary test] which—

- (a) is to be conducted by a [^{F331}DVSA examiner],
- (b) is, or forms part of, an extended driving test,
- (c) is for a licence authorising the driving of a motor vehicle of a class included in a category or sub-category specified in column (1) of the Table in Schedule 5,

the fee payable is that specified in relation to that category or sub-category in column (3) of that Table.

[^{F332}(3ZA) Subject to paragraphs (3C) and (4), in the case of a manoeuvres test or practical test which—

- (a) is to be conducted by a [^{F333}DVSA examiner],
- (b) is not, or does not form part of, an extended driving test,
- (c) is for a licence authorising the driving of a motor vehicle of a class included in category [^{F334}AM or A],

the fee payable is that specified in relation to that test in column (2) of the Table in Schedule 5A.]

^{F335}(3A)

[^{F336}(3ZB) Subject to [^{F337}paragraph (4)], in the case of a manoeuvres test or practical test which—

- (a) is to be conducted by a [^{F338}DVSA examiner],
- (b) is, or forms part of, an extended driving test,
- (c) is for a licence authorising the driving of a motor vehicle of a class included in category [^{F339}AM or A],

the fee payable is that specified in relation to that test in column (3) of the Table in Schedule 5A.

^{F340}(3ZC)

(4) Where an appointment for a [^{F341}large vehicle off road manoeuvres test or practical test] to commence during normal hours is cancelled by or on behalf of the Secretary of State and the appointment cannot reasonably be rearranged so that the test commences during normal hours, the applicant shall pay the fee prescribed for a test commencing during normal hours notwithstanding that it commences out of hours.

(5) In a case where the test is for a licence authorising the driving of vehicles included in category B and the applicant holds a full licence authorising the driving of vehicles included in sub-category B1 (invalid carriages), no fee shall be payable.

[^{F342}(6) For the purposes of this regulation and Schedule 5, a test—

- (a) for a licence authorising the driving of a motor vehicle in category [^{F343}AM,] A, B, F, G, H [^{F344}or K] or subcategory A1 [^{F345}... commences during normal hours if the time for which the test appointment is made is any time between 0730 hours and 1630 hours on a working day,
- (b) for a licence authorising the driving of a motor vehicle in any other category commences during normal hours if the time for which the test appointment is made is any time between 0830 hours and 1630 hours on a working day; and
- (c) commences out of hours, if the time for which the test appointment is made is at a time not specified above for the type of licence in question.]

[^{F346}(7) In this regulation “working day” means a day other than a Saturday, Sunday, bank holiday, Christmas Day or Good Friday (and “bank holiday” means a day to be observed as such under section 1 of and Schedule 1 to the Banking and Financial Dealings Act 1971).]

Textual Amendments

- F315** Reg. 35 heading substituted (15.11.2021 at 1.00 a.m.) by *The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154)*, regs. 1(2), **11(a)**
- F316** Words in reg. 35(1) substituted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788)*, regs. 1(2), **13(b)** (with reg. 33)
- F317** Words in reg. 35(1) inserted (15.11.2021 at 1.00 a.m.) by *The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154)*, regs. 1(2), **11(b)**
- F318** Words in reg. 35(1) substituted (1.4.2008) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008 (S.I. 2008/508)*, regs. 1, **6(a)**
- F319** Words in reg. 35(1) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128)*, regs. 1(2), **8(a)**
- F320** Words in reg. 35(1) substituted (1.9.2003) by *The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2003 (S.I. 2003/2003)*, regs. 1(1)(a), **3(5)**
- F321** Words in reg. 35(1) inserted (1.11.2021) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128)*, regs. 1(2), **8(b)**
- F322** Words in reg. 35(2) substituted (1.4.2008) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008 (S.I. 2008/508)*, regs. 1, **6(b)**
- F323** Words in reg. 35(2) inserted (30.3.2009) by *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788)*, regs. 1(2), **13(c)** (with reg. 33)
- F324** Words in reg. 35(2) omitted (19.1.2013) by virtue of *The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977)*, reg. 1(2), **Sch. 3 para. 19(a)**
- F325** Words in reg. 35(2) substituted (15.11.2021 at 1.00 a.m.) by *The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154)*, regs. 1(2), **11(c)**
- F326** Words in reg. 35(2)(a) substituted (1.4.2014) by *The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014 (S.I. 2014/480)*, regs. 1, **6(7)**

- F327** Words in reg. 35(3) substituted (1.4.2008) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008 (S.I. 2008/508), regs. 1, **6(c)**
- F328** Words in reg. 35(3) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **13(d)** (with reg. 33)
- F329** Words in reg. 35(3) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(b)**
- F330** Words in reg. 35(3) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **11(d)**
- F331** Words in reg. 35(3)(a) substituted (1.4.2014) by The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014 (S.I. 2014/480), regs. 1, **6(7)**
- F332** Reg. 35(3ZA) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **13(e)** (with reg. 33)
- F333** Words in reg. 35(3ZA)(a) substituted (1.4.2014) by The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014 (S.I. 2014/480), regs. 1, **6(7)**
- F334** Words in reg. 35(3ZA)(c) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(c)**
- F335** Reg. 35(3A) omitted (2.4.2007) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007 (S.I. 2007/698), regs. 1(1), **7(c)**
- F336** Reg. 35(3ZB)(3ZC) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **13(f)** (with reg. 33)
- F337** Words in reg. 35(3ZB) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(d)(i)**
- F338** Words in reg. 35(3ZB)(a) substituted (1.4.2014) by The Driving Standards Agency and the Vehicle and Operator Services Agency (Merger) (Consequential Amendments) Regulations 2014 (S.I. 2014/480), regs. 1, **6(7)**
- F339** Words in reg. 35(3ZB)(c) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(d)(ii)**
- F340** Reg. 35(3ZC) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(e)**
- F341** Words in reg. 35(4) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **11(e)**
- F342** Reg. 35(6) substituted (8.12.2004) by The Motor Vehicles (Driving Licences) (Amendment) (No.3) Regulations 2004 (S.I. 2004/3028), regs. 1, **3**
- F343** Word in reg. 35(6)(a) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(f)(i)**
- F344** Words in reg. 35(6)(a) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(f)(ii)**
- F345** Words in reg. 35(6)(a) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 19(f)(iii)**
- F346** Reg. 35(7) added (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **11** (with reg. 22)

Cancellation of tests

36. For the purposes of paragraph (b) of section 91 of the Traffic Act (which section specifies the cases in which a fee paid on an application for an appointment for a test may be repaid) notice cancelling an appointment—

- (a) for a [^{F347}manoeuvres test, [^{F348}large vehicle off road manoeuvres test,] practical test] or unitary test to be conducted by a [^{F349}DVSA examiner] must be given to the Secretary of

State not less than [^{F350}three] clear working days before the day for which the appointment is made;

[^{F351}(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;]

(b) for a theory test to be conducted by an appointed person must be given not less than three clear working days before the day for which the appointment is made.

Textual Amendments

F347 Words in reg. 36 substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **14** (with reg. 33)

F348 Words in reg. 36(a) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **12(a)**

F349 Words in reg. 36(a) substituted (1.4.2014) by [The Driving Standards Agency and the Vehicle and Operator Services Agency \(Merger\) \(Consequential Amendments\) Regulations 2014 \(S.I. 2014/480\)](#), regs. 1, **6(8)**

F350 Word in reg. 36(a) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **7**

F351 Reg. 36(ab) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **12(b)**

Requirements at tests

Test vehicles

37.—[^{F352}(1) Subject to [^{F353}paragraphs (3) and (3A)], the prescribed [^{F354}manoeuvres test, [^{F355}large vehicle off road manoeuvres test,] practical test] or unitary test for a licence authorising the driving of vehicles included in a category shown in column (1) of [^{F356}Table 1] at the end of this regulation must be conducted in a vehicle having a power, mass, size or other specification, equivalent to or (except in the case of a test prescribed in respect of category [^{F357}AM, F, G, H or K]) greater than that shown, and conforming to such description as may be set out, in relation to that category in column (2) of [^{F356}Table 1].]

[^{F358}(2) Subject to [^{F359}paragraphs (3) and (3A)], the prescribed [^{F360}manoeuvres test, large vehicle off road manoeuvres test or] practical test for a licence authorising the driving of vehicles included in a sub-category shown in column (1) of [^{F356}Table 1] at the end of this regulation must be conducted in a vehicle having a power, mass, size or other specification, equivalent to or greater than that shown, and conforming to such description as may be set out, in relation to that sub-category in column (2) of [^{F356}Table 1].]

[^{F361}(2A) Where in an application for a manoeuvres test or a practical test prescribed in respect of category AM it is declared that the applicant is suffering from a relevant disability of such a nature that the applicant is unable to ride a moped with two wheels, that test shall be conducted on a specially adapted two-wheeled moped, a three-wheeled moped or a light quadricycle.]

[^{F362}[^{F363}(3) Subject to paragraph (3A), where the test referred to in paragraph (1) is for a licence authorising the driving of vehicles in sub-category A1, A2 or A3 shown in column (1) of Table 1, the test must be conducted in a vehicle conforming to the description set out in relation to that sub-category in column (2) of Table 1.]

^{F364}(3A) Where in an application for a manoeuvres test or a practical test prescribed in respect of category A it is declared that the applicant is suffering from a relevant disability of such a nature that the applicant is unable to ride a motorcycle without side-car, the test must be conducted—

- (a) in the case of the test for a licence authorising the driving of a vehicle in sub-category A1, on an A1 motor tricycle or an A1 motorcycle with sidecar where the capacity and unassisted speed on the level of the motor tricycle or the motorcycle, (as the case may be), conforms to the specification in the description set out in relation to sub-category A1 in column (2) of Table 1;
- (b) in the case of the test for a licence authorising the driving of a vehicle in sub-category A2, on an A2 motorcycle with sidecar where the capacity and power output of the motorcycle conforms to the specification in the description set out in relation to sub-category A2 in column (2) of Table 1; and
- (c) in the case of the test for a licence authorising the driving of a vehicle in sub-category A3, on an A3 motor tricycle or an A3 motorcycle with sidecar where the capacity and unassisted speed on the level of the motor tricycle or the motorcycle, (as the case may be) conforms to the specification in the description set out in relation to sub-category A3 in column (2) of Table 1 which-
 - (i) applies until 30th December 2018 where the test is conducted on or before that date; and
 - (ii) applies on and from 31st December 2018 where the test is conducted on or after that date]

(4) A person submitting himself for a ^{F365}manoeuvres test, ^{F366}large vehicle off road manoeuvres test,] practical test] or unitary test shall provide a vehicle which—

- (a) corresponds to the specification referred to in paragraph (1), (2) ^{F367}, (2A)] or (3), as the case may be,
- (b) is not fitted with a device designed to permit a person other than the driver to operate the accelerator, unless any pedal or lever by which the device is operated and any other parts which it may be necessary to remove to make the device inoperable by such a person during the test have been removed, and
- (c) is reasonably representative of the class to which it belongs and is otherwise suitable for the purposes of the test.

(5) A person submitting himself for a practical test prescribed in respect of category B or B+E shall provide a motor vehicle which—

- (a) is fitted with a front passenger seat unless it—
 - ^{F368}(i)
 - (ii) has been adapted on account of a disability of the person who has submitted himself for the test and as part of that adaptation has had the front passenger seat removed,
- (b) has fitted for use with the front passenger seat (or, if there is no such seat, with another seat in which the person conducting the test may conveniently sit for the purpose of the test) a properly anchored and functioning three-point seat belt, and
- (c) in the case of a vehicle fitted with a front passenger seat, has fitted as an integral part of that seat a head restraint which satisfies the requirements of ^{F369}Regulation (EC) No 661/2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor].

^{F370}(6)

^{F371}(7) A person submitting himself for a ^{F372}large vehicle off road manoeuvres test or] practical test prescribed in respect of category B+E, C, C+E, D, or D+E shall provide a vehicle which is not carrying goods or burden other than either or both of the following—

- (a) fixed items which are characteristic of the class to which it belongs;
- (b) any load carried in accordance with paragraph (7A).]

^{F373}(7A) A person submitting himself for a ^{F374}large vehicle off road manoeuvres test or] practical test prescribed in respect of any of the categories or sub-categories shown in column 1 of Table 2 at the end of this regulation—

- (a) may, during the period beginning with 15th August 2013 and ending with 14th November 2013, provide a vehicle which—
 - (i) is carrying a load of the nature and weight shown in column 2 of Table 2, in relation to that category or sub-category and description of vehicle; and
 - (ii) is loaded in such a way that the person authorised to conduct the test can visually assess the weight of the load without the load being disturbed;
- (b) shall, on or after 15th November 2013, provide a vehicle which—
 - (i) is carrying a load of the nature and weight shown in column 2 of Table 2, in relation to that category or sub-category and description of vehicle; and
 - (ii) is loaded in such a way that the person authorised to conduct the test can visually assess the weight of the load without the load being disturbed.]

(8) A person submitting himself for a ^{F375}large vehicle off road manoeuvres test or] practical test prescribed in respect of category C, C+E, D or D+E shall provide a motor vehicle which is fitted with a seat which is firmly secured to the vehicle and in such a position that the person conducting the test may properly do so and is protected from bad weather during the test.

(9) A person submitting himself for a practical test prescribed in respect of category D or D+E shall provide a motor vehicle which is fitted with a seat which is so placed that the person conducting the test can, from the deck of the vehicle on which the driver is seated, clearly observe the road to the rear of the vehicle without the use of any optical device, unless—

- (a) the construction of the vehicle makes it impossible to fulfil that requirement, or
- (b) the examiner consents to the requirement not being complied with in consequence of an arrangement to conduct part of the test elsewhere than on a road.

(10) A person submitting himself for a ^{F376}large vehicle off road manoeuvres test or] practical test prescribed in respect of category B+E, C+E or D+E shall provide a motor vehicle which is fitted with linkage and braking mechanisms which are designed for use when the trailer is fully laden.

^{F377}(10A) A person submitting himself for a ^{F378}large vehicle off road manoeuvres test or] practical test prescribed in respect of category C, C+E, D, or D+E shall provide a motor vehicle which is fitted with an anti-lock braking system and a tachograph.

(10B) A person submitting himself for a ^{F379}large vehicle off road manoeuvres test or] practical test prescribed in respect of category C or C+E shall provide a motor vehicle which ^{F380}is capable of manual transmission].]

^{F381}(10C) A person submitting himself for a ^{F382}large vehicle off road manoeuvres test or] practical test prescribed in respect of category ^{F383}C, C+E, D or D+E] shall provide a motor vehicle in which any seat which is used by the person conducting the test and any seat used by any person authorised by the Secretary of State to attend the test for the purpose of supervising it or otherwise, are each fitted with a properly anchored and functioning two or three-point seat belt.

(10D) A person submitting himself for a [^{F384}large vehicle off road manoeuvres test or] practical test prescribed in respect of category B+E, C, C+E, D or D+E shall provide a motor vehicle which is fitted with an exterior nearside mirror and an exterior offside mirror providing adequate rearward vision from the seat occupied by the person conducting the test.]

(11) In the case of a test being conducted by a person appointed in accordance with paragraph (1) (b) or (2)(b) of regulation 24, paragraphs (5)(c) and (6) shall not apply.

(12) In [^{F385}Table 1] at the end of this regulation, "minimum test vehicle" means, in relation to any category or sub-category, a vehicle of a specification shown in relation to the category or sub-category in column (2) of [^{F385}Table 1].

[^{F386}Table 1]

<i>[^{F387}(1) Category or sub-category</i>	<i>(2) Specification or description</i>
[^{F388} AM	Any two-wheeled moped]
[^{F389} A1	[^{F390} An A1 motorcycle without side-car, with a power rating not exceeding 11kW and a power to weight ratio not exceeding 0.1 kW/kg that is capable of an unassisted speed of at least 90 kilometres per hour on the level. If powered by an internal combustion engine, the cylinder capacity shall be at least 115 cubic centimetres. If powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0.08 kW/kg.]
A2	[^{F391} An A2 motorcycle without side-car, with a power rating of at least 20kW but not exceeding 35kW and a power to weight ratio not exceeding 0.2 kW/kg. If powered by an internal combustion engine, the cylinder capacity of the engine shall be at least [^{F392} 245 cubic centimetres]. If powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0.15 kW/kg.]
A3	[^{F393} Until 30th December 2018, an A3 motorcycle without side-car and a power of at least 40kW. If powered by an internal combustion engine, the cylinder capacity of the engine shall be at least 595 cubic centimetres. If powered by an electric motor, the power to weight ratio of the vehicle shall be at least 0.25 kW/kg. From 31st December 2018, an A3 motorcycle without side-car with a power of at least 50kW whose unladen mass is more than 175kg. If powered by an internal combustion engine, the cylinder capacity of the engine shall be at least 595 cubic centimetres. If powered by an

	electric motor, the power to weight ratio of the vehicle shall be at least 0.25 kW/kg.]]
B	Any four-wheeled vehicle in category B capable of an unassisted speed of 100 kilometres per hour on the level.
B1	Any vehicle in sub-category B1 capable of an unassisted speed of 60 kilometres per hour on the level.
B+E	A combination of a minimum test vehicle for category B and a trailer having a maximum authorised mass of 1,000 kilograms, which combination is capable of an unassisted speed of 100 kilometres per hour on the level. The cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the corresponding dimensions of the tractor vehicle. The closed box body may be narrower than the tractor vehicle provided that the driver's view to the rear of the trailer is only made possible by the use of the external rear-view mirrors of the tractor vehicle.
C1	Any vehicle in sub-category C1 having a maximum authorised mass of 4,000 kilograms, a length of at least 5 metres, and capable of an unassisted speed of 80 kilometres per hour on the level. The cargo compartment of the vehicle shall consist of a closed box body which is at least as wide and as high as the corresponding dimensions of the cab.
C1+E	A combination of a minimum test vehicle for sub-category C1 and a trailer with a maximum authorised mass of 2,000 kilograms, which combination is at least 8 metres long and capable of an unassisted speed of 80 kilometres per hour on the level. The combination must have a maximum authorised mass of 4,000 kilograms. The cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the corresponding dimensions of the tractor vehicle. The closed box body may be narrower than the tractor vehicle provided that the driver's view to the rear of the trailer is only made possible by the use of the external rear-view mirrors of the tractor vehicle.
D1	Any vehicle in sub-category D1 having a maximum authorised mass of 4,000 kilograms, a length of at least 5 metres, which is capable of an unassisted speed of 80 kilometres per hour on the level.

D1+E	A combination of a minimum test vehicle for sub-category D1 and a trailer having a maximum authorised mass of 1,250 kilograms which is capable of an unassisted speed of 80 kilometres per hour on the level. The cargo compartment of the trailer shall consist of a closed box body which is at least 2 metres wide and at least 2 metres high.
C	Any vehicle in category C, other than an articulated goods vehicle, having a maximum authorised mass of 12,000 kilograms, a length of at least 8 metres and a width of at least 2.4 metres, which is capable of an unassisted speed of 80 kilometres per hour on the level. The cargo compartment of the vehicle shall consist of a closed box body which is at least as wide and as high as the corresponding dimensions of the cab.
C+E	Either— <ul style="list-style-type: none">(a) (a) an articulated goods vehicle combination having a maximum authorised mass of 20,000 kilograms, a length of at least 14 metres and a width of at least 2.4 metres, and which is capable of an unassisted speed of 80 kilometres per hour on the level, or(b) (b) a combination of a minimum test vehicle for category C and a trailer having a length of at least 7.5 metres (each having a width of at least 2.4 metres), a maximum authorised mass of 4,000 kilograms, and which has, in aggregate, a maximum authorised mass of 20,000 kilograms and an overall length of 14 metres and which is capable of an unassisted speed of 80 kilometres per hour on the level. <p>The cargo compartment of the articulated goods vehicle combination or the trailer (as the case may be) shall consist of a closed box body which is at least as wide and as high as the corresponding dimensions of the cab or tractor vehicle.</p>
D	Any vehicle in category D having a length of at least 10 metres, a width of at least 2.4 metres, and capable of an unassisted speed of 80 kilometres per hour on the level.
D+E	A combination of a minimum test vehicle for category D and a trailer of a width of at least

	2.4 metres having a maximum authorised mass of 1,250 kilograms, which combination is capable of an unassisted speed of 80 kilometres per hour on the level. The cargo compartment of the trailer shall consist of a closed box body which is at least 2 metres wide and at least 2 metres high.
F	Any vehicle in category F.
G	Any vehicle in category G.
H	Any vehicle in category H.
K	Any vehicle in category K.
F394	F394
.]

[^{F395}Table 2

Load requirements for test vehicles

<i>(1) Category or sub-category and description of vehicle</i>	<i>(2) Nature and weight of load required to be carried on the vehicle or trailer or both.</i>
B+E	A training load weighing a minimum of 600kg and a maximum of 1,000kg loaded on the trailer.
C	Water or foam carried on the fire engine so that the total laden weight of the fire engine is at least 10,000kg.
(a) fire engine	
C	Five IBCs loaded on the motor vehicle.
(b) other motor vehicles	
C+E	Eight IBCs loaded on the combination.
(a) articulated goods vehicle combination	
C+E	Five IBCs loaded on the motor vehicle and three IBCs loaded on the trailer.
(b) combination of a minimum test vehicle for category C and a trailer	
C1+E	A training load weighing a minimum of 600kg and a maximum of 1,000kg loaded on the trailer.
D+E	A training load weighing a minimum of 600kg and a maximum of 1,000kg loaded on the trailer.
D1+E	A training load weighing a minimum of 600kg and a maximum of 1,000kg loaded on the trailer.]]

Textual Amendments

- F352** Reg. 37(1) substituted (1.10.2003) by The Motor Vehicles (Driving Licences) (Amendment)(No. 4) Regulations 2003 (S.I. 2003/2003), regs. 1(1)(b), **5(2)** (with reg. 5(6))
- F353** Words in reg. 37(1) Table 1 substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(a)**
- F354** Words in reg. 37(1) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **15(a)** (with reg. 33)
- F355** Words in reg. 37(1) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(a)**
- F356** Words in reg. 37(1)(2) substituted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(3)(a)**
- F357** Words in reg. 37(1) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(a)**
- F358** Reg. 37(2) substituted (1.10.2003) by The Motor Vehicles (Driving Licences) (Amendment)(No. 4) Regulations 2003 (S.I. 2003/2003), regs. 1(1)(b), **5(3)** (with reg. 5(6))
- F359** Words in reg. 37(2) substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(a)**
- F360** Words in reg. 37(2) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(b)**
- F361** Reg. 37(2A) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(b)**
- F362** Reg. 37(3) substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(b)**
- F363** Reg. 37(3) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(c)**
- F364** Reg. 37(3A) inserted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(c)**
- F365** Words in reg. 37(4) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **15(d)** (with reg. 33)
- F366** Words in reg. 37(4) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(c)**
- F367** Word in reg. 37(4)(a) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(d)**
- F368** Reg. 37(5)(a)(i) and word omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(e)**
- F369** Words in reg. 37(5)(c) substituted (22.12.2018) by The Driving Licences (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1251), regs. 1(3), **6(8)**
- F370** Reg. 37(6)(a) and word omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(f)**
- F371** Reg. 37(7) substituted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(3)(c)**
- F372** Words in reg. 37(7) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(d)**
- F373** Reg. 37(7A) inserted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(3)(d)**
- F374** Words in reg. 37(7A) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(e)**
- F375** Words in reg. 37(8) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(f)**
- F376** Words in reg. 37(10) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(g)**

- F377** Reg. 37(10A)(10B) inserted (1.10.2003) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2003 (S.I. 2003/2003), regs. 1(1)(b), **5(d)** (with reg. 5(6))
- F378** Words in reg. 37(10A) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(h)**
- F379** Words in reg. 37(10B) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(i)**
- F380** Words in reg. 37(10B) substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(d)**
- F381** Reg. 37(10C)(10D) inserted (1.4.2006) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2006 (S.I. 2006/524), regs. 1(2), **9(2)**
- F382** Words in reg. 37(10C) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(j)**
- F383** Words in reg. 37(10C) substituted (1.7.2007) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2006 (S.I. 2006/524), regs. 1(2), **9(3)**
- F384** Words in reg. 37(10D) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **13(k)**
- F385** Words in reg. 37(12) substituted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(3)(e)**
- F386** Words in reg. 37(12) substituted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(3)(f)**
- F387** Reg. 37 Table substituted (1.10.2003) by The Motor Vehicles (Driving Licences) (Amendment)(No. 4) Regulations 2003 (S.I. 2003/2003), regs. 1(1)(b), **5(5)** (with reg. 5(6))
- F388** Words in reg. 37 Table inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(g)(i)**
- F389** Words in reg. 37 Table substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(g)(ii)**
- F390** Words in reg. 37 Table 1 substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(e)(i)**
- F391** Words in reg. 37 Table 1 substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(e)(ii)**
- F392** Words in reg. 37 Table 1 substituted (1.3.2022) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2022 (S.I. 2022/110), regs. 1(1), **3**
- F393** Words in reg. 37 Table 1 substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **5(e)(iii)**
- F394** Words in reg. 37 Table omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 20(g)(iii)**
- F395** Reg. 37(12) Table 2 inserted (15.8.2013) by The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013 (S.I. 2013/1753), regs. 1(1), **2(3)(g)**

Further requirements at tests

38.—^{F396}(ZA1) A person submitting to a safe road use test (“the candidate”) to be conducted by an appointed person shall be accompanied by a person who is employed by a school, college or other body which has responsibility for the candidate or that candidate’s undertaking of that test.]

^{F397}(1) Subject to paragraph (2), a person submitting to a theory test, manoeuvres test, ^{F398}large vehicle off road manoeuvres test,] practical test or unitary test must satisfy the residence requirement in section 97A(1)(d) of the Traffic Act as if that person were making an application under section 97, except that the requirement shall be met at the time of attending the test.]

(2) Paragraph (1) shall not apply in the case of a person who submits himself for an appropriate driving test pursuant to section 36 of the Offenders Act or for any part of such a test.

(3) A person submitting himself for a theory test shall—

- (a) before the test commences—
- (i) except in a case to which paragraph (7) applies, produce to the person conducting the test an appropriate licence authorising him to drive a motor vehicle of a class included in the category or sub-category in respect of which the test is to be taken^{F399} ...,
 - (ii) except where he has produced an appropriate licence containing his photograph, satisfy the person conducting the test as to his identity in accordance with paragraph (6),^{F400} ...
 - (iii) sign a record of his attendance at the test;
- [^{F401}(ii) where the test is a theory test within the meaning of regulation 3A(1)(ab), produce a valid qualification award certificate or a valid relevant qualification certificate, as appropriate; and]
- (b) during the test comply with all reasonable instructions given by the invigilator for the purpose of ensuring the proper and orderly conduct of the test.
- [^{F402}(4) Subject to paragraph (4A), a person submitting to a manoeuvres test [^{F403}, large vehicle off road manoeuvres test] or a practical test must, before the test commences, produce to the person conducting the test—
- (a) in the case of a test on a motor vehicle of a class included in any category other than category A, a valid standard theory test pass or a valid large vehicle theory test pass certificate showing that the person submitting to the test has passed the theory test prescribed in respect of the same category or a valid certificate corresponding to such a certificate furnished under the law of Northern Ireland; or
 - (b) in the case of a test on a motor vehicle of a class included in category A, a valid standard theory test pass certificate showing that the person submitting to the test has passed the theory test prescribed in respect of category A or category AM or a valid certificate corresponding to either such certificate furnished under the law of Northern Ireland.]
- [^{F404}(4A) Paragraph (4) does not apply in a case where—
- (a) a person submitting to a manoeuvres test [^{F405}, large vehicle off road manoeuvres test] or a practical test is exempt from the requirement to pass a theory test by virtue of regulation 42; or
 - (b) by virtue of regulation 40(4) no theory test is prescribed for the class of vehicle on which a manoeuvres test [^{F406}, large vehicle off road manoeuvres test] or a practical test (as the case may be) is to be taken]
- (5) A person submitting himself for a [^{F407} manoeuvres test, [^{F408} large vehicle off road manoeuvres test,] practical test] or unitary test shall, before the test commences—
- (a) produce to the person conducting the test an appropriate licence authorising him to drive a motor vehicle of the class on which the test is to be taken^{F409} ...,
 - (b) except where he has produced an appropriate licence containing his photograph, satisfy the person conducting the test as to his identity in accordance with paragraph (6), and
- [^{F410}(c) sign, on the Driving Test Report Form produced to him by the person conducting the test, a declaration to the effect that—
- (i) there is in force, in relation to the use of the vehicle provided for the test, a policy of insurance which complies with the requirements of Part VI of the Traffic Act, and
 - (ii) he satisfies the residence requirement as described in paragraph (1).]
- [^{F411}(5A) A person submitting himself for a theory test [^{F412} manoeuvres test], [^{F413} large vehicle off road manoeuvres test,] practical test or unitary test who produces a licence which fails to satisfy

the person conducting the test, after an examination or otherwise, that it is an appropriate licence as required under paragraph (3)(a)(i) or (5)(a) must surrender the licence forthwith to the person conducting the test.]

[^{F414}(6) For the purposes of this regulation, a person conducting a test may be satisfied as to a person's identity –

- (a) from a valid passport [^{F415}or a valid identity card issued under the Identity Cards Act 2006], or
- (b) where the person conducting the test is a person to whom regulation 23(1)(b) or regulation 24(1)(b) applies, from such evidence as that person considers appropriate.]

(7) In the case of an applicant who is a full-time member of the armed forces of the Crown (to whom the provisions of regulation 11(1) do not apply), he shall before the commencement of a theory test or, as the case may be, a [^{F416}manoeuvres test, [^{F417}large vehicle off road manoeuvres test,] practical test] or unitary test prescribed in respect of a category specified in column (1) of the table at the end of regulation 11 satisfy the examiner that he has passed the test prescribed in respect of the category specified in column (2) of the table in relation to the first category.

(8) A person submitting himself for a [^{F418}manoeuvres test or] practical test for a licence authorising the driving of a motor vehicle of a class included in category [^{F419}AM or A] shall before the test commences, unless he is exempt from the requirement imposed by section 89(2A) of the Traffic Act, produce to the examiner a valid certificate furnished under regulation 68(1) [^{F420}, or a valid certificate corresponding to such a certificate furnished under the law of Northern Ireland.]

[^{F421}[^{F422}(8A) Subject to paragraph (8B), before commencement of a practical test in relation to a vehicle of a class included in category AM or A the person submitting to the test shall produce to the person conducting the test—

- (a) a module 1 pass certificate which—
 - (i) is valid;
 - (ii) is in respect of the same category or sub-category of vehicle as that in which the practical test is to be taken; and
 - (iii) save in a case where sub-paragraph (a) of paragraph (4A) applies, records as the date of the theory test the same date as is recorded for that test in the valid standard theory test pass certificate which is produced in accordance with paragraph (4); or
- (b) a certificate, furnished under the law of Northern Ireland, indicating that the person submitting to the practical test has passed that part of a Northern Ireland test corresponding to the manoeuvres test, which—
 - (i) is valid; and
 - (ii) is in respect of the same category or sub-category of vehicle as that in which the practical test is to be taken.]

(8B) In the case of a person who is exempt from the requirement to pass a theory test by virtue of regulation 42(1), the certificate produced in accordance with paragraph (8A) shall be dated no earlier than six months before the date on which it is produced.]

(9) A person submitting himself for a [^{F423}manoeuvres test, [^{F424}large vehicle off road manoeuvres test,] practical test] or a unitary test shall, during the test—

- (a) except where the test is for a licence authorising him to drive a motor vehicle of a class included in [^{F425}category AM, A, G, H or K], allow to travel in the vehicle—
 - (i) the person authorised to conduct the test; and
 - (ii) any person authorised by the Secretary of State to attend the test for the purpose of supervising it or otherwise;

- (b) where the test is for a licence authorising him to drive a motor vehicle of a class included in ^{F425}category AM, A, G, H or K], allow the attendance of—
- (i) the person authorised to conduct the test; and
 - (ii) any person authorised by the Secretary of State for the purpose of supervising the test or otherwise.
- (10) In this regulation and regulation 39—
- “appropriate licence” means a licence, other than an excepted provisional licence, which—
- (a) is valid at the date of the test,
 - (b) bears the signature of the person who has submitted himself for the test, and
 - (c) is either—
 - (i) a provisional licence authorising the person submitting himself for the test to drive motor vehicles of the same class as the vehicle which he has provided for the test, or
 - (ii) a full licence which by virtue of section 98 of the Traffic Act and regulation 19, authorises that person to drive motor vehicles of that class subject to the same conditions as if he were so authorised by a provisional licence, or
 - (iii) a Northern Ireland licence corresponding to either of those licences, or
 - (iv) a Community licence which, by virtue of section 99A of the Traffic Act and regulation 19, authorises that person to drive motor vehicles of that class subject to the same conditions as if he were so authorised by a provisional licence ^{F426}, or
 - (v) a Community licence, which by virtue of section 37(4) of the Offenders Act, authorises that person to drive motor vehicles of that class subject to the same conditions as if the person were so authorised by a provisional licence;]
- “excepted provisional licence” means a licence which—
- (a) was in force at a time before 1st January 1997, and
 - (b) is issued as a provisional licence in respect of motor vehicles of a class included (by virtue of these Regulations) in category C+E or D+E or sub-categories C1 and D1 (not for hire or reward),
- but does not include a licence which was granted to a full-time member of the armed forces of the Crown to whom the provisions of regulation 11(1) do not apply by virtue of paragraph (2) of that regulation.

Textual Amendments

- F396** Reg. 38(ZA1) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **16(a)**
- F397** Reg. 38(1) substituted (29.12.2014) by [The Road Traffic Act 1988 and Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/3190\)](#), regs. 1, **7**
- F398** Words in reg. 38(1) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **14(a)**
- F399** Words in reg. 38(3)(a)(i) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(c)(i)**
- F400** Word in reg. 38(3)(a)(ii) omitted (1.5.2010) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **16(b)(i)**
- F401** Reg. 38(3)(a)(iia) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **16(b)(ii)**
- F402** Reg. 38(4) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 21(a)**

- F403** Words in reg. 38(4) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(b)**
- F404** Reg. 38(4A) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 21(b)**
- F405** Words in reg. 38(4A)(a) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(c)(i)**
- F406** Words in reg. 38(4A)(b) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(c)(ii)**
- F407** Words in reg. 38(5) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **16(c)** (with reg. 33)
- F408** Words in reg. 38(5) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(d)**
- F409** Words in reg. 38(5)(a) omitted (8.6.2015) by virtue of The Road Safety Act 2006 (Consequential Amendments) Order 2015 (S.I. 2015/583), art. 1(1), **Sch. 2 para. 11(c)(ii)**
- F410** Reg. 38(5)(c) substituted (1.11.2005) by The Motor Vehicles (Driving Licences) (Amendment) (No 2) Regulations 2005 (S.I. 2005/2717), regs. 1, **8**
- F411** Reg. 38(5A) inserted (2.4.2007) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007 (S.I. 2007/698), regs. 1(1), **8**
- F412** Words in reg. 38(5A) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **16(d)** (with reg. 33)
- F413** Words in reg. 38(5A) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(e)**
- F414** Reg. 38(6) substituted (1.11.2005) by The Motor Vehicles (Driving Licences) (Amendment) (No 2) Regulations 2005 (S.I. 2005/2717), regs. 1, **9**
- F415** Words in reg. 38(6)(a) inserted (27.4.2010) by The Vehicles Regulations (Amendment) Order 2010 (S.I. 2010/1111), arts. 1(1), **2**
- F416** Words in reg. 38(7) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **16(e)** (with reg. 33)
- F417** Words in reg. 38(7) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(f)**
- F418** Words in reg. 38(8) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **16(f)** (with reg. 33)
- F419** Words in reg. 38(8)(8A) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 21(c)**
- F420** Words in reg. 38(8) inserted (31.12.2015) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2015 (S.I. 2015/1797), regs. 1, **4(a)**
- F421** Reg. 38(8A) substituted (31.12.2015) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2015 (S.I. 2015/1797), regs. 1, **4(b)**
- F422** Reg. 38(8A)(8B) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **16(g)** (with reg. 33)
- F423** Words in reg. 38(9) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **16(h)** (with reg. 33)
- F424** Words in reg. 38(9) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **14(g)**
- F425** Words in reg. 38(9)(a)(b) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 21(d)**
- F426** Words in reg. 38(10) added (4.1.2016) by The Road Traffic Offenders Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2015 (S.I. 2015/2004), regs. 1, **3(2)**

Examiner’s right to refuse to conduct test

39.—^{F427}(ZA1) An appointed person shall refuse to conduct a safe road use test where the requirement in regulation 38(ZA1) is not met.]

- (1) Subject to paragraphs (2) and (3), where a person submitting himself for—
 - (a) a theory test fails to satisfy the person authorised to conduct it that he has complied with any requirement imposed by regulation 38(3), or
 - (b) a practical ^{F428}test (other than in relation to ^{F429}a two-wheeled vehicle] of a class included in category ^{F429}AM or A]] or unitary test fails to satisfy the person authorised to conduct it that he has complied with any requirement imposed by paragraphs (4) to (10) of regulation 37 or by paragraph (4), (5) ^{F430}or (7)] of regulation 38,

the person authorised to conduct the test must refuse to do so.

^{F431}(1A) Subject to paragraphs (2) and (3), the person authorised to conduct a test in relation to ^{F432}a two-wheeled vehicle] of a class included in category ^{F432}AM or A] must refuse to do so where—

- (a) a person submitting to a manoeuvres test fails to satisfy the person conducting the test that any requirement imposed by paragraph (4) of regulation 37, by paragraph (4), (5), (7) or (8) of regulation 38 or by paragraph (1A)(a) of regulation 40A has been complied with; or
- (b) a person submitting to a practical test fails to satisfy the person conducting the test that any requirement imposed by paragraph (4) of regulation 37, by paragraph (4), (5), (7), (8), (8A) or (8B) of regulation 38 or by paragraph (1A)(c) of regulation 40A has been complied with.]

(2) Where a person—

- (a) fails to produce an appropriate licence as required under paragraph (3)(a)(i) or (5)(a) of regulation 38, or
- (b) where he has submitted himself for a ^{F433}manoeuvres test, ^{F434}large vehicle off road manoeuvres test,] practical test] or unitary test, fails to produce a document required to be produced ^{F435}in accordance with paragraph (4), (8), (8A) or (8B)] of that regulation,

if the person authorised to conduct the test—

- (i) is satisfied from other evidence that the document in question exists, and
- (ii) in the case of a person who has failed to produce a licence, is satisfied that the requirements of regulation 38(3)(a)(ii) or (5)(b) have been complied with,

he may conduct the test.

(3) Where a person with special needs has failed to give to the person conducting a theory test such notice of those needs (being not less than 15 working days) as he may reasonably require the person authorised to conduct the test may refuse to do so.

^{F436}(4)

(5) In this regulation, “special needs” means a reasonable requirement for special treatment during the test arising by virtue of—

^{F437}(a)

- (b) the test candidate having reading difficulties, or
- (c) the test candidate being physically disabled.

Textual Amendments

- F427** Reg. 39(ZA1) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **17**
- F428** Words in reg. 39(1)(b) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **17(a)(i)** (with reg. 33)
- F429** Words in reg. 39(1)(b) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 22**
- F430** Words in reg. 39(1)(b) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **17(a)(ii)** (with reg. 33)
- F431** Reg. 39(1A) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **17(b)** (with reg. 33)
- F432** Words in reg. 39(1A) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 22**
- F433** Words in reg. 39(2)(b) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **17(c)(i)** (with reg. 33)
- F434** Words in reg. 39(2)(b) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **15**
- F435** Words in reg. 39(2)(b) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **17(c)(ii)** (with reg. 33)
- F436** Reg. 39(4) omitted (31.12.2015) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2015 \(S.I. 2015/1797\)](#), regs. 1, **5(a)**
- F437** Reg. 39(5)(a) omitted (31.12.2015) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2015 \(S.I. 2015/1797\)](#), regs. 1, **5(b)**

Nature and conduct of tests

Nature of tests other than extended tests

[^{F438}40.—(1) This regulation and regulations 40A to 40C apply to tests other than extended driving tests and are subject to regulation 42.

[^{F439}(1A) The test for a licence authorising the driving of a motor vehicle in category [^{F440}AM or A] shall be conducted in three parts, namely—

- (a) the standard test of driving theory and the standard test of hazard perception;
- (b) the manoeuvres test; and
- (c) the practical test.

(1B) A person taking the test referred to in paragraph (1A) must—

- (a) pass all three parts; and
- (b) take all three parts in the same category or sub-category of vehicle.]

[^{F441}(2) Subject to paragraph (2C), the test for a licence authorising the driving of a motor vehicle of a class included in category B shall be conducted in accordance with either paragraph (2A) or paragraph (2B).

(2A) A test conducted in accordance with this paragraph shall consist of two parts, namely—

- (a) the standard test of driving theory and the standard test of hazard perception, and
- (b) the practical test,

and a person taking such a test must pass both parts.

(2B) A test conducted in accordance with this paragraph shall consist of three parts, namely—

- (a) the safe road use test,
 - (b) the abridged standard test of driving theory and the standard test of hazard perception, and
 - (c) the practical test,
- and a person taking such a test must pass all three parts.

(2C) Where a person has been issued with a valid qualification award certificate, the test for a licence authorising the driving of a motor vehicle included in category B shall be conducted in two parts, namely—

- (a) the abridged standard test of driving theory and the standard test of hazard perception, and
 - (b) the practical test,
- and a person taking such a test must pass both parts.]

[^{F442}(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.]

[^{F443}(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.]

(4) The test for a licence authorising the driving of a motor vehicle of a class included in category B+E, C+E and D+E—

- (a) in a case where the test is for a licence authorising the driving of vehicles in sub-category C1+E and the applicant is the holder of a full licence which was in force at a time before 1st January 1997 and authorises the driving of motor vehicles included in sub-category C1+E (8.25 tonnes) but not the driving of any other vehicles included in category C+E, shall consist of the matters prescribed in respect of the large vehicle test of driving theory for category C, the large vehicle hazard perception test and the specified requirements prescribed in respect of the [^{F444}large vehicle off road manoeuvres test and] practical test for category C+E, ^{F445} ...

[^{F446}(aa) in a case where the test is for a licence authorising the driving of vehicles in category C + E and the applicant is not the holder of a full licence which authorises the driving of motor vehicles included in category C, shall consist of the matters prescribed in respect of the large vehicle test of driving theory for category C, the large vehicle hazard perception test and the specified requirements prescribed in respect of the [^{F447}large vehicle off road manoeuvres test and] practical test for category C + E;

- (ab) in a case where the test is for a licence authorising the driving of vehicles in sub-category D1 + E and the applicant is the holder of a full licence which was in force at a time before 1st January 1997 and authorises the driving of motor vehicles included in sub-category D1 + E (not for hire or reward) but not the driving of any other vehicles included in category D + E, shall consist of the matters prescribed in respect of the large vehicle test of driving theory for category D, the large vehicle hazard perception test and the specified requirements prescribed in respect of the [^{F448}large vehicle off road manoeuvres test and] test for category D + E;

- (ac) in a case where the test is for a licence authorising the driving of vehicles in category D + E and the applicant is not the holder of a full licence which authorises the driving of motor vehicles included in category D, shall consist of the matters prescribed in respect of the large vehicle test of driving theory for category D, the large vehicle hazard perception test and the specified requirements prescribed in respect of the [^{F449}large vehicle off road manoeuvres test and] practical test for category D + E; and]
- (b) in any other case, shall consist of [^{F450}a large vehicle off road manoeuvres test and] a practical test only.
- (5) The test for a licence authorising the driving of a motor vehicle of a class included in category F, G, H or K shall be a unitary test and a person taking such a test shall be treated as having passed it if he satisfies the person conducting the test that he is—
- (a) generally competent to drive a vehicle of that class without danger to, and with due consideration for, other road users,
- (b) fully conversant with the Highway Code, and
- (c) able to comply with the requirements specified in regulation 40C(6) in respect of a vehicle of that class.]

Textual Amendments

- F438** Reg. 40 substituted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **13** (with reg. 22)
- F439** Reg. 40(1A)(1B) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **18(a)** (with reg. 33)
- F440** Words in reg. 40(1A) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 23**
- F441** Reg. 40(2)-(2C) substituted for reg. 40(2) (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **18**
- F442** Reg. 40(3) substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(a)**
- F443** Reg. 40(3A) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(b)**
- F444** Words in reg. 40(4)(a) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(c)(i)**
- F445** Word in reg. 40(4) omitted (15.11.2021) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **6(a)** (with reg. 9)
- F446** Reg. 40(4)(aa)-(ac) inserted (15.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2021 \(S.I. 2021/1251\)](#), regs. 1(2), **6(b)** (with reg. 9)
- F447** Words in reg. 40(4)(aa) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(c)(ii)**
- F448** Words in reg. 40(4)(ab) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(c)(iii)**
- F449** Words in reg. 40(4)(ac) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(c)(iv)**
- F450** Words in reg. 40(4)(b) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **16(c)(v)**

[^{F451}**40A.**—(1) Where a test is required to be conducted in two parts [^{F452}pursuant to regulation 40(2A) or (2C) or consists of three parts pursuant to regulation 40(2B)], a person taking the test—

- (a) must pass the theory test [^{F453}or have passed, within the last 2 years, that part of a Northern Ireland test concerning the theory of driving vehicles in category B and corresponding to the theory test] before he takes the practical test, and
 - (b) shall not be entitled to apply for an appointment ^{F454}... for a practical test in respect of a motor vehicle of a class included in [^{F455}category B] until he has been furnished with—
 - (i) a valid standard theory test pass certificate stating that he has passed the theory test prescribed in respect of that category, or
 - [^{F456}(ii) a certificate relating to the passing of the part of the Northern Ireland test referred to in sub-paragraph (a).]
- [^{F457}(1A) Where a test is required to be conducted in three parts pursuant to regulation 40(1A) a person—
- (a) must, pass the theory test in respect of a vehicle in category [^{F458}AM or A] or have passed, within the last 2 years, that part of a Northern Ireland test concerning the theory of driving vehicles in category [^{F458}AM or A] before taking the manoeuvres test;
 - (b) shall not be entitled to apply for an appointment (or, as the case may be, be nominated pursuant to regulation 32(4)) for the manoeuvres test in respect of a vehicle in category [^{F458}AM or A] until that person has been furnished with—
 - (i) a valid standard theory test pass certificate stating that the person has passed the theory test in respect a vehicle in category A or P; or
 - (ii) a certificate relating to the passing of the part of the Northern Ireland test referred to in sub-paragraph (a); and
 - (c) must, before taking a practical test in relation to a vehicle in category A or P, or in sub-category A1, pass the manoeuvres test in respect of a vehicle in the same category or sub-category as that in respect of which the practical test is to be taken [^{F459}, or have passed that part of a Northern Ireland test corresponding to the manoeuvres test in respect of a vehicle in the same category or sub-category as that in respect of which the practical test is to be taken.]]
- [^{F460}(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.]

Textual Amendments

- F451** Regs. 40A-40C inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **14** (with reg. 22)
- F452** Words in reg. 40A(1) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **19**
- F453** Words in reg. 40A(1)(a) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), 19(a)(i) (with reg. 33)
- F454** Words in reg. 40A(1)(b) omitted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), 19(a)(ii)(aa) (with reg. 33)
- F455** Words in reg. 40A(1)(b) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), 19(a)(ii)(bb) (with reg. 33)
- F456** Reg. 40A(1)(b)(ii) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), 19(a)(ii)(cc) (with reg. 33)
- F457** Reg. 40A(1A) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), 19(b) (with reg. 33)
- F458** Words in reg. 40A(1A) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 24**
- F459** Words in reg. 40A(1A)(c) inserted (31.12.2015) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2015 \(S.I. 2015/1797\)](#), regs. 1, **6**
- F460** Reg. 40A(2) substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **17**

Content of the tests

40B.—[

^{F461}(ZA1) The safe road use test shall—

- (a) be conducted as an approved form of examination and test a candidate's knowledge of the matters in Schedule 7 Part 2, other than the excepted matters;
- (b) have a duration of 30 minutes or, in the circumstances specified in paragraph (6), 60 minutes.]

(1) The standard test of driving theory shall—

- (a) be conducted as an approved form of examination ^{F462}... testing a [^{F463}candidate's knowledge and understanding of] the matters specified in regulation 40C(4) in respect of a vehicle of the relevant class; and
- (b) have a duration of 57 minutes or, in the circumstances specified in paragraph (6), 114 minutes.

[
^{F464}(1A) The abridged standard test of driving theory shall—

- (a) be conducted as an approved form of examination with the questions testing a candidate's knowledge and understanding of the matters specified in Part 2 of Schedule 7; and
- (b) have a duration of 40 minutes or, in the circumstances specified in paragraph (6), 80 minutes.]
- (2) The large vehicle test of driving theory shall—
 - (a) be conducted as an approved form of examination consisting of 100 questions, the questions being in either multiple choice or multiple response form and testing the candidate on the matters specified in regulation 40C(5) in respect of a vehicle of the relevant class and the CPC subjects applicable to that class; and
 - (b) have a duration of 115 minutes or, in the circumstances specified in paragraph (6), 230 minutes.
- (3) The standard test of hazard perception shall—
 - (a) be conducted by means of the exhibition of film clips that take the perspective of the driver of a motor vehicle and show, at some point during each film clip, one or more hazards to traffic occurring on or near the road; and
 - (b) require the candidate (using electronic equipment provided for the purpose and capable of recording the exact moment of each response) to indicate during each film clip the moment he observes a hazard to traffic on the road.
- (4) The large vehicle test of hazard perception shall comply with the requirements set out in paragraph (3) for the standard test of hazard perception and shall be in a form considered appropriate by the Secretary of State for testing the candidate's competence in hazard perception in relation to vehicles in categories C and D.
- (5) The practical test and the unitary test shall each be conducted so that—
 - (a) ^{F465}... the person taking the test drives, wherever possible, both on roads outside built-up areas and on urban roads,
 - ^{F466}(b)
 - (c) the time during which that person is required to drive on roads is—
 - (i) in the case of a test taken before 1st September 2008 for a licence authorising the driving of a class of vehicle included in category C, C1, D or D1, not less than 50 minutes;
 - (ii) in the case of a test taken on or after 1st September 2008 for a licence authorising the driving of a class of vehicle included in category C, C1, D or D1, not less than 60 minutes;
 - (iii) in the case of a test for a licence authorising the driving of a class of vehicle included in category B+E, C1+E, C+E, D1+E or D+E, not less than 50 minutes; and
 - (iv) in the case of any other test, not less than 30 minutes.

[
^{F467}(5A) The manoeuvres test may be conducted on a special testing ground or on roads.]

[
^{F468}(5B) The large vehicle off road manoeuvres test may be conducted on a special testing ground or on roads.]

(6) The circumstances referred to in [^{F469}paragraphs (ZA1), (1), (1A) and (2)] are that the candidate requires the assistance of a suitably qualified person at the test by virtue of having reading difficulties.

(7) For the purposes of this regulation—

“an approved form of examination” means a form of examination which is conducted in writing or by means of data recorded on equipment operating in response to instructions given by the candidate; and

“film clip” means a sequence of visual images displayed electronically.

Textual Amendments

- F451** Regs. 40A-40C inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **14** (with reg. 22)
- F461** Reg. 40B(ZA1) inserted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), regs. 1(2), **20(a)**
- F462** Words in reg. 40B(1)(a) omitted (28.9.2009) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2009 (S.I. 2009/2362), regs. 1, **2**
- F463** Words in reg. 40B(1)(a) substituted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), regs. 1(2), **20(b)**
- F464** Reg. 40B(1A) inserted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), **regs. 1(2), 20(c)**
- F465** Words in reg. 40B(5)(a) omitted (30.3.2009) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **20(a)(i)** (with reg. 33)
- F466** Reg. 40B(5)(b) omitted (30.3.2009) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **20(a)(ii)** (with reg. 33)
- F467** Reg. 40B(5A) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **20(b)** (with reg. 33)
- F468** Reg. 40B(5B) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **18**
- F469** Words in reg. 40B(6) substituted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), **regs. 1(2), 20(d)**

Passing the test

40C.—[

^{F470}(ZA1) A person (“the candidate”) shall be treated as having passed the safe road use test if the candidate satisfies the person conducting the test of the candidate’s knowledge of the matters in Schedule 7 Part 2 other than the excepted matters.]

(1) A person shall be treated as having passed the theory test described in regulation [^{F471}40(1A) (a) or][^{F472}40(2A)(a)] if he satisfies the person conducting the test—

- (a) in respect of the standard test of driving theory, of his knowledge and understanding of the specified matters; and
- (b) in respect of the standard test of hazard perception, that his performance in the test demonstrates an ability to perceive hazards on the road.

[^{F473}(1A) A candidate shall be treated as having passed the theory test described in regulation 3A(1) (ab) if the candidate satisfies the person conducting the test—

- (a) in respect of the abridged standard test of driving theory, of the candidate’s knowledge and understanding of the matters specified in Part 2 of Schedule 7; and
- (b) in respect of the standard test of hazard perception, that the candidate’s performance in the test demonstrates an ability to perceive hazards on the road.]

(2) A person shall be treated as having passed—

- (a) the large vehicle test of driving theory if he satisfies the person conducting the test of his knowledge and understanding of the specified matters and the CPC subjects; and
- (b) the large vehicle test of hazard perception if he satisfies the person conducting the test that his performance in the test demonstrates an ability to perceive hazards on the road.
- (3) A person shall be treated as having passed the [^{F474}manoeuvres test, large vehicle off road manoeuvres test or] practical test if he satisfies the person conducting it of his ability to drive safely and to comply with the specified requirements.
- (4) The specified matters for a standard test of driving theory in respect of a licence authorising the driving of a motor vehicle of a class included in a category shown in column (1) of the table at the end of this regulation are the matters specified in relation to that category in column (2) of the table.
- (5) The specified matters for a large vehicle test of driving theory in respect of a licence authorising the driving of a motor vehicle of a class included in a category shown in column (1) of the table at the end of this regulation are the matters specified in relation to that category in column (2) of the table.
- (6) ^{F475}... The specified requirements for a practical or unitary test in respect of a licence authorising the driving of a motor vehicle of a class included in a category shown in column (1) of the table are the requirements specified in relation to that category in column (3) of the table.

Table

<i>(1) Category</i>	<i>(2) Specified matters</i>	<i>(3) Specified requirements</i>
[^{F476} AM	Matters specified in Part 1 of Schedule 7.	Requirements specified in Part 1 of Schedule 8.]
A	Matters specified in Part 1 of Schedule 7.	Requirements specified in Part 1 of Schedule 8.
B	Matters specified in Part 2 of Schedule 7.	Requirements specified in Part 2 of Schedule 8.
B + E	—	Requirements specified in Part 2 of Schedule 8.
C	Matters specified in Part 3 of Schedule 7.	Requirements specified in Part 3 of Schedule 8.
D	Matters specified in Part 4 of Schedule 7.	Requirements specified in Part 4 of Schedule 8.
C + E	—	Requirements specified in Part 3 of Schedule 8.
D + E	—	Requirements specified in Part 4 of Schedule 8.
F	—	Requirements specified in Parts 5 and 6 of Schedule 8.
G	—	Requirements specified in Parts 5 and 6 of Schedule 8.
H	—	Requirements specified in Parts 5 and 7 of Schedule 8.

(1) Category	(2) Specified matters	(3) Specified requirements
K	—	Requirements specified in Part 5 of Schedule 8.
F477	F477	F477
...

[^{F478}(7) The specified requirements for the manoeuvres test are those specified in Schedule 8A.]

[^{F479}(8) The specified requirements for the large vehicle off road manoeuvres test are those specified in Schedule 8B.]

Textual Amendments

- F451** Regs. 40A-40C inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **14** (with reg. 22)
- F470** Reg. 40C(ZA1) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **21(a)**
- F471** Words in reg. 40C(1) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 25(a)**
- F472** Word in reg. 40C(1) substituted (31.12.2015) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2015 \(S.I. 2015/1797\)](#), regs. 1, 7
- F473** Reg. 40C(1A) inserted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **21(b)**
- F474** Words in reg. 40C(3) substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **19(a)**
- F475** Words in reg. 40C(6) omitted (30.3.2009) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **21(b)** (with reg. 33)
- F476** Words in reg. 40C Table inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 25(b)(i)**
- F477** Words in reg. 40C Table omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 25(b)(ii)**
- F478** Reg. 40C(7) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **21(c)** (with reg. 33)
- F479** Reg. 40C(8) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **19(b)**

Nature of extended driving tests

41.—(1) Where a person is disqualified by order of a court under section 36 of the Offenders Act until he passes an extended driving test, the test which he must pass is a test conducted in accordance with [^{F480}regulations 40 to 40C] as modified by virtue of paragraph (2) of this regulation.

[^{F481}(2) For the purposes of an extended driving test, the provisions of regulations 40 to 40C shall apply as if regulation 40(1) were omitted and as if for sub-paragraph (c) of regulation 40B(5) there were substituted—

“(c) the time during which that person is required to drive on roads is not less than 60 minutes.”.]

Textual Amendments

- F451** Regs. 40A-40C inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **14** (with reg. 22)
- F480** Words in reg. 41(1) substituted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **15(a)** (with reg. 22)
- F481** Reg. 41(2) substituted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **15(b)** (with reg. 22)

Exemption from theory test

42.—^{F482}(1) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising that person to drive a motor vehicle of a class included in sub-category A1 if that person—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A; or
- (b) has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).]

[
^{F483}(1A) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in sub-category A2 if that person—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A;
- (b) has, for a period of not less than two years, held a full licence which authorises the driving of A1 motorcycles; or
- (c) has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1B) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in sub-category A3 if that person—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A;
- (b) has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles; or
- (c) has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1C) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category AM or A if that person has held, for a period of not more than two years, a standard theory test pass certificate issued before 19th January 2013 in respect of a motor vehicle which—

- (a) is of a class included in former category P; or
- (b) is a motor bicycle.

(1D) A person who has held, for a period of not more than two years, a Northern Ireland theory test pass certificate corresponding to a certificate mentioned in paragraph (1C) is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category AM or A.

(1E) A person who is a full time member of the armed forces is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category A if that person has passed a test for a licence authorising the driving of motor vehicles of another class included in category A.]

(2) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category B if—

- ^{F484}(a)
- (b) he holds a full licence authorising the driving of motor vehicles ^{F485}...of another class included in category B ^{F485} ...; or
- (c) he has passed a Northern Ireland test of competence corresponding to the test mentioned in sub-paragraph (a) or is the holder of a Northern Ireland licence corresponding to the licence mentioned in sub-paragraph (b); or
- (d) he has passed a test for a licence authorising the driving of motor vehicles ^{F486}... of another class included in category B ^{F486} ... and is ^{F486} ... a full-time member of the armed forces of the Crown.

(3) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category C if—

- (a) he holds a full licence authorising the driving of motor vehicles of another class included in category C, other than a licence authorising the driving only of vehicles of a class included in sub-category C1 which was in force at a time before 1st January 1997, or a Northern Ireland licence corresponding to such a licence; or
- (b) on or after 1st January 1997, he has passed a test for a licence authorising the driving of motor vehicles of another class included in category C and is a full-time member of the armed forces of the Crown.

(4) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in category D if—

- (a) he holds a full licence authorising the driving of motor vehicles of another class included in category D other than—
 - (i) vehicles of a class included in sub-category D1 (not for hire or reward), and
 - (ii) vehicles in category D which are driven otherwise than for hire or reward;or a Northern Ireland licence corresponding to such a licence; or
- (b) on or after 1st January 1997, he has passed a test prescribed in respect of motor vehicles of another class included in category D and is a full-time member of the armed forces of the Crown.

(5) Where a person is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test, he shall not be exempt from the requirement to pass a theory test in respect of any class of motor vehicle by virtue of the foregoing provisions of this regulation until the disqualification is deemed to have expired in relation to that class.

(6) Where the Secretary of State has revoked a person's licence or test pass certificate under section 3(2) of, or Schedule 1 to, the Road Traffic (New Drivers) Act 1995 he shall not be exempt from the requirement to pass a theory test in respect of any class of motor vehicle by virtue of the foregoing provisions of this regulation until the day following the date on which he passes a relevant driving test within the meaning of section 4(2) of, or paragraph 6 or 9 of Schedule 1 to, that Act.]

Textual Amendments

- F451** Regs. 40A-40C inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **14** (with reg. 22)
- F482** Reg. 42(1) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 26(a)**
- F483** Reg. 42(1A)-(1E) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 26(b)**
- F484** Reg. 42(2)(a) omitted (1.2.2001) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2001 (S.I. 2001/53), regs. 1, **7(3)(a)**
- F485** Words in reg. 42(2)(b) omitted (1.2.2001) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2001 (S.I. 2001/53), regs. 1, **7(3)(b)**
- F486** Words in reg. 42(2)(d) omitted (21.2.2003) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2003 (S.I. 2003/166), regs. 1(1), **3(b)**

Entitlements upon passing test

Entitlement upon passing a test other than an appropriate driving test

43.—(1) Where a person passes a test other than an appropriate driving test prescribed in respect of any category for a licence which (by virtue of regulation 37) authorises the driving of motor vehicles included in that category or in a sub-category thereof, or has passed a Northern Ireland test of competence corresponding to that test, the Secretary of State shall grant to him a licence in accordance with ^{F487}the following provisions of this regulation].

(2) Subject to ^{F488}^{F489}regulation] 44A], the licence shall authorise the driving of all classes of motor vehicle included in that category or sub-category unless—

- (a) the test ^{F490}, ^{F491}large vehicle off road manoeuvres test,] practical test (other than in relation to a vehicle of a class included in category ^{F492}AM or A]) or two-part practical test, as the case may be,] is passed on a motor vehicle with automatic transmission, in which case it shall authorise the driving only of such classes of vehicle included in that category or sub-category as have automatic transmission;
- (b) the test ^{F490}, ^{F493}large vehicle off road manoeuvres test,] practical test (other than in relation to a vehicle of a class included in category ^{F492}AM or A]) or two-part practical test, as the case may be,] is passed on a motor vehicle which is adapted on account of a disability of the person taking the test, in which case it shall authorise the driving only of 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).

(3) ^{F494}Subject to ^{F495}paragraph (5)], the licence shall] in addition authorise the driving of all classes of motor vehicle included in a category or sub-category which is specified in column (3) of Schedule 2 as an additional category or sub-category in relation to a category or sub-category specified in column (1) of that Schedule unless—

- (a) the test ^{F496}, ^{F497}large vehicle off road manoeuvres test,] practical test (other than in relation to a vehicle of a class included in category A or P) or two-part practical test, as the case may be,] is passed on a motor vehicle with automatic transmission, in which case it shall (subject to paragraph (4)) authorise the driving only of such classes of vehicle included in the additional category or sub-category as have automatic transmission;

- (b) the test [^{F496}, ^{F498}large vehicle off road manoeuvres test,] practical test (other than in relation to a vehicle of a class included in category A or P) or two-part practical test, as the case may be,] is passed on a motor vehicle which is adapted on account of a disability of the person taking the test in which case it shall authorise the driving only of such classes of vehicle included in the additional category or sub-category as are so adapted.

(4) Where the additional category is [^{F499}Q, AM, F or K], paragraph (3)(a) shall not apply.

[^{F500}(5) Where a person has passed a test (or Northern Ireland test of competence corresponding to such a test) for a licence authorising the driving of vehicles included in category B, the effect of paragraph (3) in relation to the driving of vehicles in [^{F501}category Q or AM] shall be as follows—

- (a) the licence granted by the Secretary of State shall authorise the driving of vehicles within [^{F502}category Q or AM] if and only if—

(i) the test was passed before 1st February 2001;

[^{F503}(ii) the person concerned held at the date on which he passed the test either—

(aa) the prescribed certificate of successful completion by him of an approved training course for motor cyclists and that certificate was at that time valid in accordance with regulation 68(2), or

(bb) a valid certificate corresponding to such a certificate which was furnished to him under the law of Northern Ireland;]^{F504} ...

[^{F505}(iii) the person concerned holds either—

(aa) the prescribed certificate of successful completion by him of an approved training course for motor cyclists and that certificate was furnished to him after the date on which he passed the test, and was valid in accordance with regulation 68(2) when furnished, or

(bb) a certificate corresponding to such a certificate which was furnished to him under the law of Northern Ireland after the date on which he passed the test and was valid when so furnished,]^{F506}; or

(iv) the vehicles in category Q are electric scooters being used in a trial] and

- (b) where a certificate referred to in sub-paragraph (a)(ii) or (iii) shows that the person concerned has successfully completed an approved training course for riders of three-wheeled [^{F507}vehicles], the only vehicles in [^{F501}category Q or AM] authorised by the licence to be driven shall be three-wheeled [^{F507}vehicles].]

^{F508}(6)

[^{F509}(7) In this regulation “two-part practical test” means—

- (a) in relation to a vehicle of a class included in category [^{F510}AM or A], the manoeuvres test and the practical test in respect of a vehicle of a class included in category [^{F510}AM or A], as appropriate;

- (b) in relation to a vehicle of a class included in sub-category A1, the manoeuvres test and the practical test in respect of a vehicle of a class included in sub-category A1.]

Textual Amendments

F487 Words in reg. 43(1) substituted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **8(2)**

F488 Words in reg. 43(2) substituted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **8(3)**

- F489** Word in reg. 43(2) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(a)(i)**
- F490** Words in reg. 43(2) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **22(a)** (with reg. 33)
- F491** Words in reg. 43(2)(a) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **20(a)(i)**
- F492** Words in reg. 43(2)(a)(b) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(a)(ii)**
- F493** Words in reg. 43(2)(b) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **20(a)(ii)**
- F494** Words in reg. 43(3) substituted (1.2.2001) by The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2001 (S.I. 2001/236), regs. 1, **3(2)**
- F495** Words in reg. 43(3) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(b)**
- F496** Words in reg. 43(3) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **22(a)** (with reg. 33)
- F497** Words in reg. 43(3)(a) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **20(b)(i)**
- F498** Words in reg. 43(3)(b) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **20(b)(ii)**
- F499** Words in reg. 43(4) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(c)**
- F500** Reg. 43(5) inserted (1.2.2001) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2001 (S.I. 2001/53), regs. 1, **8(5)**
- F501** Words in reg. 43(5) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(d)(i)**
- F502** Words in reg. 43(5)(a) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(d)(ii)**
- F503** Reg. 43(5)(a)(ii) substituted (31.12.2015) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2015 (S.I. 2015/1797), regs. 1, **8(a)**
- F504** Word in reg. 43(5)(a) omitted (4.7.2020) by virtue of The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 regs. 1(2), **4(7)(a)**
- F505** Reg. 43(5)(a)(iii) substituted (31.12.2015) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2015 (S.I. 2015/1797), regs. 1, **8(b)**
- F506** Reg. 43(5)(a)(iv) and word inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 regs. 1(2), **4(7)(b)**
- F507** Words in reg. 43(5)(b) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(d)(iii)**
- F508** Reg. 43(6) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(e)**
- F509** Reg. 43(7) added (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **22(b)** (with reg. 33)
- F510** Words in reg. 43(7)(a) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 27(f)**

Entitlement upon passing a test other than an appropriate driving test: category A

^{F511} **44.**

Textual Amendments

- F511** Reg. 44 omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 28](#)

[^{F512}Entitlement upon passing a test other than an appropriate driving test: category [^{F513}AM]

44A.—(1) This regulation applies where a person has passed a test (or Northern Ireland test of competence corresponding to such a test) for a licence authorising the driving of vehicles included in category [^{F514}AM].

(2) Where this regulation applies the Secretary of State shall grant to the person who passed the test—

- [^{F515}(a) in a case where the test was passed on a three-wheeled moped or a light quadricycle, a licence authorising the driving of all vehicles having three or four wheels included in category AM;]
- (b) in any other case, a licence authorising the driving of all vehicles included in category [^{F516}AM].]

Textual Amendments

- F512** Reg. 44A inserted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, [9](#)
- F513** Word in reg. 44A heading substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 29](#)
- F514** Word in reg. 44A(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 30\(a\)](#)
- F515** Reg. 44A(2)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 30\(b\)\(i\)](#)
- F516** Word in reg. 44A(2)(b) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), [Sch. 3 para. 30\(b\)\(ii\)](#)

Upgrading of entitlements by virtue of passing second test

45.—[^{F517}(1) A person who has passed tests for a licence authorising the driving of motor vehicles included in category D and category C + E is deemed, subject to the following paragraphs of this regulation, competent to drive (in addition to the classes of motor vehicle in respect of which the tests were passed) vehicles included in the category D + E.]

(2) Where, in a case to which paragraph (1) applies, each practical test is passed on a vehicle having automatic transmission the person passing the tests is deemed competent to drive only such classes of vehicle in the upgrade category as have automatic transmission.

(3) A person who has passed a test for a licence authorising the driving of—

- (a) motor vehicles included in a category or sub-category specified in column (A) of Table B in Schedule 9 which have automatic transmission, and
- (b) motor vehicles included in a category or sub-category specified at the head of one of the columns in that table numbered (1) to [^{F518}(10)] which have manual transmission,

is, subject to the following paragraphs of this regulation, deemed competent to drive in addition to the classes of vehicle in respect of which the tests were passed all vehicles included in the category

or sub-category shown in the relevant numbered column of Table B in relation to the relevant test pass mentioned in column (A).

- (4) Where a person has passed tests for a licence authorising the driving of—
 - (a) motor vehicles in category D not more than 5.5 metres in length having automatic transmission, and
 - (b) motor vehicles in category C, other than vehicles in sub-category C1, having manual transmission,

he is deemed competent to drive vehicles in category D not more than 5.5 metres in length which have manual transmission.

(5) In the case of a person who holds a licence which, by virtue of regulation 76 (notwithstanding that he may not have passed a test authorising the driving of such vehicles), authorises the driving of a class of vehicles in category D when used under a section 19 permit or (if not so used) are driven otherwise than for hire or reward, [^{F519}Table B] shall be read as if—

- (a) for “D” there were substituted “vehicles in category D, driven otherwise than for hire or reward”, and
- (b) for “D+E” there were substituted “vehicles in category D+E driven otherwise than for hire or reward”.

(6) In the case of a person who has passed a test for a licence authorising the driving only of those classes of vehicle in category C+E which are drawbar trailer combinations, paragraphs (1), (2) and (3) and [^{F520}Table B] in Schedule 9 shall apply as if he had passed a test for a licence authorising only the driving of the corresponding classes of vehicle in category C.

^{F521}(7)

(8) Where a person has passed a test prescribed in respect of category B+E which authorises the driving only of classes of vehicle having automatic transmission and a test prescribed in respect of any class of vehicle in category C or D which authorises the driving of vehicles with manual transmission, he is deemed competent to drive vehicles in category B+E with manual transmission.

(9) Where a person, who is the holder of a licence which authorises the driving of motor vehicles included in categories B and B+E and sub-categories C1, C1+E (8.25 tonnes), D1 (not for hire or reward) and D1+E (not for hire or reward) which have automatic transmission, passes a test prescribed in respect of category B, B+E, C or D which authorises the driving of vehicles with manual transmission, he is deemed competent to drive vehicles in category B+E and in sub-categories C1, C1+E (8.25 tonnes), D1 (not for hire or reward) and D1+E (not for hire or reward) which have manual transmission.

- (10) Where a person has passed tests for a licence authorising the driving of—
 - (a) motor vehicles included in category B, other than vehicles included in [^{F522}former sub-category B1 or category”] B1 (invalid carriages), having automatic transmission, and
 - (b) motor vehicles included in category B+E, C or D having manual transmission,

he is deemed competent to drive vehicles in category B which have manual transmission.

- (11) In this regulation—
 - (a) “upgrade category” means the additional category or sub-category which the person passing the tests (or holding the licence and passing the test) is deemed competent to drive by virtue of the relevant provision of this regulation, ^{F523}...
 - (b) a reference to a test or a practical test includes, as the case may be, a reference to a Northern Ireland test of competence or a Northern Ireland practical test corresponding thereto.

[^{F524}(c) where, before 19th January 2013, a test was passed, or a licence was held, authorising the driving of motor vehicles in former sub-category D1, references to “sub-category D1”

shall include vehicles which would fall within sub-category D1, save that the maximum length of the vehicle exceeds 8 metres,

- (d) where, before 19th January 2013, a test was passed, or a licence was held, authorising the driving of motor vehicles in former sub-category D1+E, references to “sub-category D1+E” shall include vehicles which would fall within sub-category D1+E save that the maximum length of the tractor vehicle exceeds 8 metres, and
- (e) where, before 19th January 2013, a test was passed, or a licence was held, authorising the driving of vehicles in former category B+E, references to “category B+E” shall include vehicles which would fall within category B+E save that the maximum authorised mass of the trailer or semi-trailer (as the case may be) exceeds 3500 kilograms.]

[^{F525}(12) Paragraph (11)(c) and (d) shall apply to references in Schedule 9 to “sub-category D1” and “sub-category D1+E” as that paragraph applies to such references in this regulation.]

Textual Amendments

- F517** Reg. 45(1) substituted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **8(a)**
- F518** Word in reg. 45(3)(b) substituted (10.4.2014) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/613), regs. 1, **6**
- F519** Words in reg. 45(5) substituted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **8(b)**
- F520** Words in reg. 45(6) substituted (29.12.2014) by The Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190), regs. 1, **8(c)**
- F521** Reg. 45(7) omitted (1.3.2022) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2022 (S.I. 2022/110), regs. 1(1), **4**
- F522** Words in reg. 45(10) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 31(a)**
- F523** Word in reg. 45(11)(a) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 31(b)(i)**
- F524** Reg. 45(11)(c)-(e) added (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 31(b)(ii)**
- F525** Reg. 45(12) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 31(c)**

Entitlement upon passing an appropriate driving test

46.—(1) Where a person—

- (a) is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test, and
- (b) passes the appropriate driving test for a licence authorising the driving of a class of motor vehicles included in any category or sub-category,

the disqualification shall, subject to paragraph (8), be deemed to have expired in relation to that class and such other classes of motor vehicle as are specified in paragraphs (2), (3), (4), (5) [^{F526}, (6) and (6A)].

(2) Subject to [^{F527}paragraphs (4) and (4A)], the disqualification shall be deemed to have expired in relation to all classes of vehicle included in the category or sub-category referred to in paragraph (1)(b) unless—

- (a) the test [^{F528}practical test (other than in relation to a vehicle of a class included in category [^{F529}AM or A]) or two-part practical test, as the case may be,] is passed on a motor vehicle

with automatic transmission, in which case the disqualification shall be deemed to have expired only in relation to such classes of vehicle included in that category or sub-category as have automatic transmission;

- (b) the test [^{F528}practical test (other than in relation to a vehicle of a class included in category [^{F529}AM or A]) or two-part practical test, as the case may be,] is passed on a motor vehicle which is adapted on account of a disability of the person taking the test, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor 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).

(3) The disqualification shall be deemed to have expired in relation to all classes of vehicle included in any other category which is specified in column (3) of Schedule 2 as being an additional category or sub-category in relation to that category or sub-category unless—

- (a) subject to paragraph (5), the test [^{F530}practical test (other than in relation to a vehicle of a class included in category [^{F531}AM or A]) or two-part practical test, as the case may be,] is passed on a vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in the additional category or sub-category as have automatic transmission;
- (b) the test [^{F530}practical test (other than in relation to a vehicle of a class included in category [^{F531}AM or A]) or two-part practical test, as the case may be,] is passed on a vehicle which is adapted on account of a disability of the person taking the test, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in the additional category or sub-category as are so adapted.

[^{F532}(4) In the case of a non-side car licence holder who—

- (a) was disqualified before 19th January 2013 where the standard access period had not expired at the date of disqualification and has not expired, or
- (b) is disqualified on or after 19th January 2013 and upon the date of disqualification the standard access period has not expired,

the disqualification shall not, by virtue of paragraph (2) or (7), be deemed to have expired in relation to A3 motorcycles until the standard access period has expired.]

[^{F533}(4A) In the case of a side-car licence holder who—

- (a) was disqualified before 19th January 2013 where the standard access period had not expired at the date of disqualification and has not expired, or
- (b) is disqualified on or after 19th January 2013 and upon the date of disqualification the standard access period has not expired,

the disqualification shall not, by virtue of paragraph (2) or (7), be deemed to have expired in relation to A3 motorcycle and side-car combinations until the standard access period has expired.]

(5) Paragraph (3)(a) shall not apply where the additional category is [^{F534}AM, F, G, H, K or L].

(6) [^{F535}Subject to paragraph (6A),] where the person who is disqualified passes the [^{F536}two-part practical test] on a vehicle of a class included in category A, other than sub-category A1, the disqualification shall be deemed to have expired additionally in relation to all classes of vehicle included in—

- (a) categories B, B+E, C, C+E, D and D+E, unless that test is passed on a vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired

only in relation to such classes of motor vehicle included in those categories as have automatic transmission;

(b) categories F, G, H and L.

[^{F537}(6A) Where a person passes the two-part practical test on a vehicle of a class included in sub-category A2 the disqualification is deemed to have expired additionally in relation to all classes of vehicle included in sub-category A3 unless that test is passed on a vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in sub-category A3 as have automatic transmission.]

(7) Where the person who is disqualified passes the practical test on a vehicle of a class included in category B^{F538}..., the disqualification shall be deemed to have expired additionally in relation to all classes of vehicle included in—

(a) categories A, B+E, C, C+E, D and D+E, unless that test is passed on a vehicle with automatic transmission, in which case the disqualification shall be deemed to have expired only in relation to such classes of motor vehicle included in those categories as have automatic transmission;

(b) categories G, H and L.

(8) Where a person is, pursuant to regulation 56, disqualified by the Secretary of State until he passes a driving test prescribed in respect of a class of large goods or passenger-carrying vehicle, the disqualification shall not be deemed to have expired in relation to any class of large goods or passenger-carrying vehicle until he passes that test.

[^{F539}(9) In this regulation—

“non side-car licence holder” means a person who held a licence, granted before 19th January 2013, authorising the driving of standard motor cycles without a side-car;

“side-car licence holder” means a person who held a licence, granted before 19th January 2013, authorising the driving of standard motor bicycle and side-car combinations;” and

“two-part practical test means—

(a) in relation to a vehicle of a class included in category AM or A, the manoeuvres test and the practical test in respect of a vehicle of a class included in category AM or A, as appropriate;

(b) in relation to a vehicle of a class included in sub-category A1, the manoeuvres test and the practical test in respect of a vehicle of a class included in sub-category A1.]

Textual Amendments

F526 Words in reg. 46(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 32(a)**

F527 Words in reg. 46(2) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 32(b)(i)**

F528 Words in reg. 46(2) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **24(a)** (with reg. 33)

F529 Words in reg. 46(2)(a)(b) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 32(b)(ii)**

F530 Words in reg. 46(3) substituted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **24(a)** (with reg. 33)

F531 Words in reg. 46(3)(a)(b) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 32(c)**

F532 Reg. 46(4) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 32(d)**

- F533** Reg. 46(4A) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 32(e)**
- F534** Words in reg. 46(5) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 32(f)**
- F535** Words in reg. 46(6) added (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 32(g)**
- F536** Words in reg. 46(6) substituted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **24(b)** (with reg. 33)
- F537** Reg. 46(6A) inserted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 32(h)**
- F538** Words in reg. 46(7) omitted (19.1.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 32(i)**
- F539** Reg. 46(9) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 32(j)**

[^{F540}Results of safe road use test and validity of certificates

46A.—(1) The person conducting a safe road use test shall arrange for the test to be marked on the day it was undertaken and shall upon completion of the marking of the test furnish the person who undertook it with notification of the result of that test.

(2) A qualification award certificate or a relevant qualification certificate shall be valid for the purposes of regulation 38(3)(a)(iia) for a period commencing on the date of the certificate and ending—

- (a) three years later,
 - (b) on the date on which the person to whom the certificate is issued is disqualified by order of a court under section 34 or 35 of the Offenders Act,
 - (c) on the date on which that person is disqualified by order of a court under section 36 of the Offenders Act until that person passes an appropriate driving test, or
 - (d) on the date on which that person's driving licence is revoked under section 3 of the New Drivers Act 1995,
- whichever is the earliest.]

Textual Amendments

- F540** Reg. 46A inserted (1.5.2010) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2010 (S.I. 2010/1203), regs. 1(2), **22**

Test results

Evidence of result of theory test [^{F541}: vehicles other than category C or D]

47.—[^{F542}(1) The person conducting a theory test described in regulation [^{F543}40(2A)(a), (2B)(b) or (2C)(a)] shall arrange for the test to be marked on the day of the test.]

(2) A person conducting the theory test shall, upon completion of the marking of the test, furnish—

- (a) a person who passes the test with a [^{F544}standard theory test pass certificate] in the form set out in Part 1 of Schedule 10;

(b) a person who fails to pass the test with a failure statement in the form set out in Part 2 of Schedule 10.

(3) Where a person who has conducted a theory test is satisfied that a [^{F544}standard theory test pass certificate] or a failure statement has been furnished in error to a person who took a theory test, he shall, upon receipt of that document from the person who took the test and subject to paragraph (4), furnish that person with a correct certificate or statement, as the case may be.

(4) Where the person who took the test alleges that a failure statement has been furnished in error returns the statement not later than 14 days after it is furnished to him to the person who conducted the test with a request in writing that the test be remarked, the person who conducted the test shall comply with that request for the purpose of ascertaining whether an error has been made but subject thereto he shall not be obliged to remark any test.

(5) A [^{F544}standard theory test pass certificate] furnished in error, or with an error in the particulars required to be specified in it, may not be presented, in support of an application for a licence, as evidence that a person has passed the test mentioned in such certificate.

(6) A [^{F544}standard theory test pass certificate] shall be valid for the purposes of [^{F545}regulation 38(4), 40A(1)(b)(i) or (1A)(b)(i) or 42(1)(a), (1A)(a), (1B)(a) or (1C)] for a period commencing on the date on which the test was taken and ending—

(a) two years later, or

(b) on the date on which the person to whom the certificate was given is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test, whichever is the earlier.

(7) A [^{F544}standard theory test pass certificate] is not valid for the purposes of [^{F545}regulation 38(4), 40A(1)(b)(i) or (1A)(b)(i) or 42(1)(a), (1A)(a), (1B)(a) or (1C)] if—

(a) it is furnished in error or with an error in the particulars required to be specified in it; or

(b) 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 the test to which the certificate relates.

[^{F546}(8) A person authorised to conduct theory tests by virtue of sub-paragraphs (b), (c), (da), (db), [^{F547}(dc), (dd), (de), (df),] (e) or (f) of regulation 23(1) or regulation 23(2)(b) shall issue [^{F544}standard theory test pass certificates] using forms supplied by the Secretary of State^{F548} ...]

Textual Amendments

F541 Words in reg. 47 heading added (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **16(a)** (with reg. 22)

F542 Reg. 47(1) substituted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **16(c)** (with reg. 22)

F543 Words in reg. 47(1) substituted (1.5.2010) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2010 \(S.I. 2010/1203\)](#), regs. 1(2), **23**

F544 Words in reg. 47 substituted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **16(b)** (with reg. 22)

F545 Words in reg. 47(6)(7) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 33**

F546 Reg. 47(8) substituted (1.4.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2008 \(S.I. 2008/508\)](#), regs. 1, **8**

F547 Words in reg. 47(8) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **9**

F548 Words in reg. 47(8) omitted (7.7.2008) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **16(d)** (with reg. 22)

[^{F549}Evidence of result of theory test: category C and D

47A.—(1) The person conducting—

- (a) a large vehicle test of driving theory; or
- (b) a large vehicle test of hazard perception,

shall arrange for the test to be marked on the day of the test.

(2) The person conducting a large vehicle test of driving theory shall, upon completion of the marking of the test, furnish—

- (a) a person who passes the test with a statement of performance in the form set out in Part 1 of Schedule 10A;
- (b) a person who fails to pass the test with a statement of performance in the form set out in Part 2 of Schedule 10A.

(3) The person conducting a large vehicle test of hazard perception shall, upon completion of the test, furnish—

- (a) a person who passes the test with a statement of performance in the form set out in Part 1 of Schedule 10B;
- (b) a person who fails to pass the test with a statement of performance in the form set out in Part 2 of Schedule 10B.

(4) Where a person who has conducted a large vehicle test of driving theory or a large vehicle test of hazard perception is satisfied that a statement of performance has been furnished in error to a person who took the test, he shall, upon receipt of that document from that person, and subject to paragraph (5), furnish that person with a correct statement.

(5) Where the person who took the test alleges that a statement of performance has been furnished under paragraph (2)(b) or (3)(b) in error he may return the statement not later than 14 days after it is furnished to him to the person who conducted the test with a request in writing that the test be remarked.

(6) The person who conducted the test shall comply with a request under paragraph (5) for the purpose of ascertaining whether an error has been made but otherwise shall not be obliged to remark any test.

(7) A statement of performance is not valid for the purposes of regulation 47B(1)—

- (a) if 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 the test to which the statement relates; or
- (b) if the statement is furnished in error or with an error in the particulars required to be specified in it.]

Textual Amendments

F549 Regs. 47A, 47B inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **17** (with reg. 22)

[^{F549}Large vehicle theory test pass certificates

47B.—(1) Where a person has obtained statements of performance under regulation 47A(2)(a) and (3)(a) he shall be entitled to be furnished with a large vehicle theory test pass certificate in the form set out in Schedule 10C.

(2) The large vehicle theory test pass certificate shall be furnished as soon as practicable to a person entitled to it under paragraph (1) by the person who conducted the test to which the later of the two statements relates.

(3) A large vehicle theory test pass certificate furnished in error, or with an error in the particulars required to be specified in it, may not be presented in support of an application for a licence as evidence that the person has passed the tests mentioned in such a certificate.

(4) A large vehicle theory test pass certificate shall be valid for the purposes of regulation 38(4) [^{F550}or 40A(2)(b)(i)] for a period commencing on the earlier of the dates on which a person passes the large vehicle test of driving theory or the large vehicle hazard perception test and ending—

- (a) two years later, or
- (b) on the date on which that person is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test,

whichever is the earlier.

(5) A large vehicle theory test pass certificate is not valid for the purposes of regulation 38(4) [^{F551}or 40A(2)(b)(i)] if—

- (a) it is furnished in error or with an error in the particulars required to be specified in it; or
- (b) 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.

(6) Where a person who has furnished a large vehicle theory test pass certificate is satisfied that it has been furnished with an error in the particulars specified in it, he shall upon receipt of that document from the person to whom it was furnished, furnish that person with a correct certificate.

(7) A large vehicle theory test pass certificate shall cease to be valid if the person to whom it is furnished is disqualified by order of a court under section 36 of the Offenders Act until he passes the appropriate driving test.

(8) A person authorised to conduct theory tests by virtue of paragraphs (b), (c), (da), (db), [^{F552}(dc), (dd), (de), (df),] (e) or (f) of regulation 23(1) or regulation 23(2)(b) shall issue large vehicle theory test pass certificates using forms supplied by the Secretary of State.]

Textual Amendments

F549 Regs. 47A, 47B inserted (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **17** (with reg. 22)

F550 Words in reg. 47B(4) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **26** (with reg. 33)

F551 Words in reg. 47B(5) inserted (30.3.2009) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2009 \(S.I. 2009/788\)](#), regs. 1(2), **26** (with reg. 33)

F552 Words in reg. 47B(8) inserted (1.11.2021) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2021 \(S.I. 2021/1128\)](#), regs. 1(2), **9**

[^{F553}Evidence of the result of manoeuvres test, large vehicle off road manoeuvres test, practical test or unitary test]

48.—[^{F554}(ZA1) A person conducting a manoeuvres test shall upon completion of the test furnish—

- (a) a person who passes the test with a module 1 pass certificate which, save where the person is exempt from the requirement to pass a theory test by virtue of regulation 42, shall record the date of the standard theory test as recorded in the standard theory test pass certificate which was produced in accordance with regulation 38(4) when that person submitted to the manoeuvres test;
- (b) a person who fails to pass the test with a module 1 failure statement;]

[^{F555}(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.]

(1) A person conducting a practical or unitary test shall upon completion of the test furnish—

- (a) a person who passes the test with a test pass certificate in the form set out in Part 1 of Schedule 11;
- (b) a person who fails to pass the test with a statement in the form set out in Part 2 of Schedule 11.

[^{F556}(1A) A module 1 pass certificate is invalid if—

- (a) the person to whom it is issued is at that time ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations, to take the manoeuvres test to which the certificate relates; or
- (b) at the time when it was issued, the standard theory test pass certificate produced to the person conducting the test in accordance with regulation 38(4) is invalid by virtue of regulation 47(7).

(1B) A module 1 pass certificate is not valid for the purpose of regulation 38(8A)(a) 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 (1A)]

(2) A test pass certificate is invalid if—

[^{F557}(za) it is furnished in error or with an error in the particulars required to be specified in it;]

- (a) the person to whom it is issued is at that time ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations, to take the practical test to which the certificate relates;
- (b) at the time when it is issued, the [^{F558}standard theory test pass certificate] produced to the person conducting the test in accordance with regulation 38(4) is invalid by virtue of regulation 47(7) [^{F559}, ^{F560} ...
- (ba) at the time when it is 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)] [^{F561}; or
- (bb) it was issued in relation to a vehicle of a class included in category A or P and at the time when it was issued the module 1 pass certificate produced to the person conducting the test in accordance with regulation 38(8A) is invalid by virtue of paragraph (1B).]

- ^{F562}(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).]
- (3) A person authorised to conduct [^{F563}large vehicle off road manoeuvres tests, practical tests or] unitary tests by virtue of [^{F564}sub-paragraphs (b), (ca), (cb), [^{F565}(cc), (cd), (ce), (cf),] (d), (f) or (g) of regulation 24(1)]^{F566} or regulation 24(1ZA)] or regulation 24(2)(b) shall issue test pass certificates using the forms supplied by the Secretary of State ^{F567}...

Textual Amendments

- F553** Reg. 48 heading substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **21(a)**
- F554** Reg. 48(ZA1) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **27(b)** (with reg. 33)
- F555** Reg. 48(ZB1) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **21(b)**
- F556** Reg. 48(1A)(1B) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **27(c)** (with reg. 33)
- F557** Reg. 48(2)(za) inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **27(d)(i)** (with reg. 33)
- F558** Words in reg. 48(2)(b) substituted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **18(a)** (with reg. 22)
- F559** Reg. 48(2)(ba) and preceding word inserted (7.7.2008) by The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **18(b)** (with reg. 22)
- F560** Word in reg. 48(2)(b) omitted (30.3.2009) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **27(d)(ii)** (with reg. 33)
- F561** Reg. 48(2)(bb) and word inserted (30.3.2009) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2009 (S.I. 2009/788), regs. 1(2), **27(d)(iii)** (with reg. 33)
- F562** Reg. 48(2A)(2B) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **21(c)**
- F563** Words in reg. 48(3) substituted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **21(d)(i)**
- F564** Words in reg. 48(3) substituted (1.4.2008) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008 (S.I. 2008/508), regs. 1, **9**
- F565** Words in reg. 48(3) inserted (1.11.2021) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2021 (S.I. 2021/1128), regs. 1(2), **10**
- F566** Words in reg. 48(3) inserted (15.11.2021 at 1.00 a.m.) by The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), regs. 1(2), **21(d)(ii)**
- F567** Words in reg. 48(3) omitted (7.7.2008) by virtue of The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2008 (S.I. 2008/1435), regs. 1(1), **18(c)** (with reg. 22)

PART IV

GOODS AND PASSENGER—CARRYING VEHICLES

General

Part III of the Traffic Act: Prescribed classes of goods and passenger-carrying vehicle

49.—(1) All classes of motor vehicle included in categories C, C+E, D and D+E, except vehicles of classes included in sub-categories C1, C1+E (8.25 tonnes) D1 (not for hire or reward) and D1+E (not for hire or reward), are prescribed for the purposes of section 89A(3) of the Traffic Act.

(2) Subject to paragraph (3), all classes of motor vehicle included in categories C, C+E, D and D+E, except vehicles of classes included in sub-categories C1+E (8.25 tonnes), D1 (not for hire or reward) and D1+E (not for hire or reward), are prescribed for the purposes of section 99(1) and (1A) of the Traffic Act.

(3) In the case of a licence in force at a time before 1st January 1997, paragraph (2) above shall apply as if “C1,” was inserted after “sub-categories”.

(4) All classes of motor vehicle included in categories C, C+E, D and D+E, except vehicles of classes included in sub-categories C1+E (8.25 tonnes), D1 (not for hire or reward) and D1+E (not for hire or reward), are prescribed for the purposes of section 99A(3) and (4) of the Traffic Act.

Part IV of the Traffic Act: prescribed classes of large goods and passenger—carrying vehicle

50.—(1) Part IV of the Traffic Act and regulations 54 to 57 shall not apply to a large goods vehicle—

- (a) of a class included in category F, G or H or sub-category C1+E (8.25 tonnes), or
- (b) which is an exempted goods vehicle or an exempted military vehicle.

(2) Part IV of the Traffic Act and regulations 54 to 57 shall not apply to a passenger-carrying vehicle manufactured more than 30 years before the date when it is driven and not used for hire or reward or for the carriage of more than eight passengers;

(3) Part IV of the Traffic Act and regulations 54 to 57 shall not apply to a passenger-carrying vehicle when it is being driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the passenger-carrying vehicle and its passengers) or for other similar purposes.

(4) All classes of large goods and passenger-carrying vehicle to which Part IV of the Traffic Act applies are prescribed for the purposes of section 117(7) and 117A(6) of the Traffic Act.

Exempted goods vehicles and military vehicles

51.—(1) For the purposes of this Part of these Regulations, an exempted goods vehicle is a vehicle falling within any of the following classes—

- (a) a goods vehicle propelled by steam;
- (b) any road construction vehicle used or kept on the road solely for the conveyance of built-in road construction machinery (with or without articles or materials used for the purpose of that machinery);
- (c) any engineering plant other than a mobile crane;
- (d) a works truck;
- (e) an industrial tractor;

- (f) an agricultural motor vehicle which is not an agricultural or forestry tractor;
 - (g) a digging machine;
 - (h) a goods vehicle which, in so far as it is used on [^{F568}public roads]—
 - (i) is used only in passing from land in the occupation of a person keeping the vehicle to other land in the occupation of that person, and
 - (ii) is not used on [^{F569}public roads] for distances exceeding an aggregate of 9.7 kilometres in any calendar week;
 - (j) a goods vehicle, other than an agricultural motor vehicle, which—
 - (i) is used only for purposes relating to agriculture, horticulture or forestry,
 - (ii) is used on [^{F570}public roads] only in passing between different areas of land occupied by the same person, and
 - (iii) in passing between any two such areas does not travel a distance exceeding 1.5 kilometres on [^{F570}public roads];
 - (k) a goods vehicle used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;
 - (l) a goods vehicle manufactured before 1st January 1960, used unladen and not drawing a laden trailer;
 - (m) an articulated goods vehicle the unladen weight of which does not exceed 3.05 tonnes;
 - (n) a goods vehicle in the service of a visiting force or headquarters as defined in the Visiting Forces and International Headquarters (Application of Law) Order 1965 ^{F571};
 - (o) a goods vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the vehicle and its load) or for other similar purposes;
 - (p) a goods vehicle fitted with apparatus designed for raising a disabled vehicle partly from the ground and for drawing a disabled vehicle when so raised (whether by partial superimposition or otherwise) being a vehicle which—
 - (i) is used solely for dealing with disabled vehicles;
 - (ii) is not used for the conveyance of any goods other than a disabled vehicle when so raised and water, fuel, accumulators and articles required for the operation of, or in connection with, such apparatus or otherwise for dealing with disabled vehicles; and
 - (iii) has an unladen weight not exceeding 3.05 tonnes;
 - (q) a passenger-carrying vehicle recovery vehicle; and
 - (r) a mobile project vehicle.
- (2) For the purposes of this Part of these Regulations, an exempted military vehicle is a large goods or passenger-carrying vehicle falling within any of the following classes—
- (a) a vehicle designed for fire fighting or fire salvage purposes which is the property of, or for the time being under the control of, the Secretary of State for Defence, when being driven by a member of the armed forces of the Crown;
 - (b) a vehicle being driven by a member of the armed forces of the Crown in the course of urgent work of national importance in accordance with an order of the Defence Council in pursuance of the Defence (Armed Forces) Regulations 1939 ^{F572} which were continued permanently in force, in the form set out in Part C of Schedule 2 to the Emergency Laws (Repeal) Act, 1959 ^{F573}, by section 2 of the Emergency Powers Act 1964 ^{F574}; or

(c) an armoured vehicle other than a track-laying vehicle which is the property of, or for the time being under the control of, the Secretary of State for Defence.

(3) In this Regulation—

“digging machine” has the same meaning as in paragraph 4(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“agricultural motor vehicle”, “engineering plant”, “industrial tractor” and “works truck” have the same meaning as in regulation 3(2) of the Construction and Use Regulations;

“public road” has the same meaning as in section 62(1) of the Vehicle Excise and Registration Act 1994;

“road construction machinery” means a machine or device suitable for use for the construction and repair of roads and used for no purpose other than the construction and repair of roads; and

“road construction vehicle” means a vehicle which—

- (a) is constructed or adapted for use for the conveyance of road construction machinery which is built in as part of, or permanently attached to, that vehicle, and
- (b) is not constructed or adapted for the conveyance of any other load except articles and materials used for the purposes of such machinery.

Textual Amendments

F568 Words in reg. 51(1)(h) substituted (21.2.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **4(a)(i)**

F569 Words in reg. 51(1)(h) substituted (21.2.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **4(a)(ii)**

F570 Words in reg. 51(1)(j) substituted (21.2.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **4(b)**

F571 S.I. 1965/1536.

F572 S.R. & O. 1939/1304.

F573 1959 c. 19.

F574 1964 c. 38.

Correspondences

52.—(1) For the purposes of section 89A(5) of the Traffic Act, a heavy goods vehicle or public service vehicle of a class specified in column (1) of the table at the end of this regulation corresponds to a class of large goods vehicle or passenger-carrying vehicle, as the case may be, specified in column (2) of that table in relation to the class of vehicle in column (1).

(2) For the purposes of paragraph (1), where a heavy goods vehicle driver’s licence held before 1st April 1991 was restricted to vehicles having a permissible maximum weight not exceeding 10 tonnes by virtue of—

- (a) paragraph 3(3) and (5) of Schedule 2 to the Road Traffic (Drivers’ Ages and Hours of Work) Act 1976 ^{F575}, or
- (b) paragraph (1) or (2) of regulation 31 of the Heavy Goods Vehicles (Drivers’ Licences) Regulations 1977 ^{F576},

before those enactments ceased to have effect, such restriction shall be disregarded.

TABLE

(1)

(2)

Class of heavy goods or public service vehicle	Corresponding class of large goods or passenger—carrying vehicle
<i>Heavy goods vehicles</i>	<i>Large goods vehicles</i>
1	Categories C and C+E
1A	Categories C and C+E (limited, in each case, to vehicles with automatic transmission)
2	Category C and vehicles in category C+E which are drawbar trailer combinations
2A	Category C and vehicles in category C+E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
3	Category C and vehicles in category C+E which are drawbar trailer combinations
3A	Category C and vehicles in category C+E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
<i>Public Service Vehicles</i>	<i>Passenger-carrying vehicles</i>
1	Categories D and D+E
1A	Categories D and D+E (limited, in each case, to vehicles with automatic transmission)
2	Categories D and D+E
2A	Categories D and D+E (limited, in each case, to vehicles with automatic transmission)
3	Category D
3A	Category D (limited to vehicles with automatic transmission)
4	Sub-category D1 and vehicles in category D not more than 5.5 metres in length
4A	Sub-category D1 and vehicles in category D not more than 5.5 metres in length (limited, in each case, to vehicles with automatic transmission)

Textual Amendments

F575 1976 c. 3.

F576 S.I. 1977/1309, to which there were amendments not relevant to these Regulations.

Part IV of the Traffic Act: dual purpose vehicles

53.—(1) Except in the case of a vehicle mentioned in paragraph (2), Part IV of the Traffic Act and regulations 54 to 57 shall apply to dual purpose vehicles to the extent that they apply to passenger-carrying vehicles.

(2) Part IV of the Traffic Act and regulations 54 to 57 shall apply to any dual purpose vehicle which is—

- (a) driven by a member of the armed forces of the Crown, and
- (b) used to carry passengers for naval, military or air force purposes,

to the extent that they apply to large goods vehicles.

Persons under the age of 21

[^{F577} Large goods vehicle drivers' licences granted to persons under the age of 21

54.—(1) A large goods vehicle driver's licence granted to a person under the age of 21 is subject to the conditions prescribed in relation thereto, for the purposes of section 114(1) of the Traffic Act, in the following paragraphs.

^{F578}(2)

(3) A large goods vehicle driver's licence held by a member of the armed forces of the Crown is subject to the condition that he shall not drive a large goods vehicle of any class unless it is owned or operated by the Secretary of State for Defence and is being used for naval, military or air force purposes.

(4) A large goods vehicle driver's licence which—

- (a) authorises the driving of a class of vehicles included in category C, and
- (b) is a full licence,

is subject to the condition that its holder shall not drive large goods vehicles of a class included in category C+E, other than vehicles included in sub-category C1+E the maximum authorised mass of which does not exceed 7.5 tonnes, as if he were authorised to do so by a provisional licence before the expiration of a period of six months commencing on the date on which he passed the test for that licence.

^{F579}(5)]

Textual Amendments

F577 Reg. 54 substituted (1.4.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2003 \(S.I. 2003/636\)](#), regs. 1(a), 4

F578 Reg. 54(2) omitted (22.12.2018) by virtue of [The Driving Licences \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1251\)](#), regs. 1(3), **6(9)**

F579 Reg. 54(5) omitted (22.12.2018) by virtue of [The Driving Licences \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1251\)](#), regs. 1(3), **6(9)**

Drivers' conduct

Large goods vehicle drivers' licences and LGV Community licences: obligatory revocation or withdrawal and disqualification

55.—(1) The prescribed circumstances for the purposes of section 115(1)(a) of the Traffic Act are that, in the case of the holder of a large goods vehicle driver's licence who is under the age of 21, he has been convicted (or is, by virtue of section [F58058A] of the Offenders Act, 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 F581 exceeds three.

(2) The prescribed circumstances for the purposes of section 115A(1)(a) of the Traffic Act are that, in the case of the holder of an LGV Community licence who is under the age of 21, he has been convicted (or is, by virtue of section [F58258A] of the Offenders Act, 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 exceeds three.

(3) Where—

- (a) a large goods vehicle drivers' licence is revoked under section 115(1)(a) of the Traffic Act, or
- (b) the Secretary of State serves a notice on a person in pursuance of section 115A(1)(a) of that Act,

the cases in which the person whose licence has been revoked or, as the case may be, on whom the notice has been served must be disqualified indefinitely or for a fixed period shall be determined by the Secretary of State.

(4) Where the Secretary of State makes a determination under paragraph (3) that a person is to be disqualified for a fixed period he shall be disqualified until he reaches 21 years of age or for such longer period as the Secretary of State shall determine.

Textual Amendments

F580 Word in reg. 55(1) substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(d)(i)**

F581 Section 99C was inserted by the 1996 Regulations.

F582 Word in reg. 55(2) substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(d)(ii)**

Holders of licences who are disqualified by order of a court

56.—(1) This regulation applies where a person's large goods vehicle or passenger-carrying vehicle driver's licence is treated as revoked by virtue of section 37(1) of the Offenders Act (effect of disqualification by court order) and where it applies subsections (1) and (2) of section 117 of the Traffic Act are modified in accordance with paragraphs (2) to (6).

(2) Where the licence which is treated as revoked is a large goods vehicle driver's licence held by a person under the age of 21—

- (a) the Secretary of State must order that person to be disqualified either indefinitely or for a fixed period, and
- (b) where the Secretary of State determines that he shall be disqualified for a fixed period, he must be disqualified until he reaches the age of 21 or for such longer period as the Secretary of State determines.

(3) Where the licence which is treated as revoked is a large goods vehicle driver's licence held by any other person or is a passenger-carrying vehicle driver's licence—

- (a) the Secretary of State may order that person to be disqualified either indefinitely or for such fixed period as he thinks fit, or
- (b) except where the licence is a provisional licence, if it appears to the Secretary of State that, owing to that person's conduct, it is expedient to require him to comply with the prescribed conditions applicable to provisional licences until he passes a test, the Secretary of State may order him to be disqualified for holding or obtaining a full licence until he passes a test.

(4) Where the Secretary of State orders him to be disqualified until he passes a test, that test shall be a test prescribed by these Regulations for a licence authorising the driving of any class of vehicle in category C (other than sub-category C1), C+E, D or D+E which, prior to his disqualification by order of the court, he was authorised to drive by the revoked licence.

(5) Any question as to whether a person—

- (a) shall be disqualified indefinitely or for a fixed period or until he passes a test, or
- (b) if he is to be disqualified for a fixed period, what that period should be, or
- (c) if he is to be disqualified until he passes a test, which test he should be required to pass,

may be referred by the Secretary of State to [^{F583}a traffic commissioner].

(6) Where the Secretary of State determines that a person shall be disqualified for a fixed period, that period shall commence on the expiration of the period of disqualification ordered by the court.

(7) Where this regulation applies, subsections (3) to (6) of section 116 of the Traffic Act shall apply, but as if—

- (a) subsection (4)(a) were omitted,
- (b) for the words "in any other case, revoke the licence or suspend it" in subsection (4)(b) there were substituted "suspend the licence", and
- (c) the references to sections 115(1) and 116(1) of that Act were references to this regulation.

Textual Amendments

F583 Words in [reg. 56\(5\)](#) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 2](#) (with arts. 1(3), 2, 7)

Removal of disqualification

57.—(1) Subject to paragraphs (2) and (3), the Secretary of State may remove a disqualification for a period of more than two years imposed under section 117(2)(a) of the Traffic Act, after consultation with [^{F584}a traffic commissioner in a case which was referred under regulation 56(5)], if an application for the removal of the disqualification is made after the expiration of whichever is relevant of the following periods commencing on the date of the disqualification—

- (a) two years, if the disqualification is for less than four years;
- (b) one half of the period of the disqualification, if it is for less than ten years, but not less than four years;
- (c) five years in any other case.

(2) An application may not be made if the applicant has during the relevant period been convicted (or treated as convicted) of an offence by virtue of which he has incurred—

- (a) penalty points, or

- (b) an endorsement of a Northern Ireland driving licence held by him^{F585} ... with particulars of a conviction pursuant to provisions for the time being in force in Northern Ireland that correspond to sections 44 and [^{F586}45A] of the Offenders Act.
- (3) Where an application under paragraph (1) for the removal of a disqualification is refused, a further such application shall not be entertained if made within three months after the date of refusal.

Textual Amendments

- F584** Words in reg. 57(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)
- F585** Words in reg. 57(2)(b) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(e)**
- F586** Word in reg. 57(2)(b) substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(e)**

PART V

APPROVED TRAINING COURSES FOR RIDERS OF MOTOR BICYCLES AND MOPEDS

Approved training courses

Provision of approved training courses

58.—(1) For the purposes of section 97(3)(e) of the Traffic Act an approved training course is a course for riders of motor bicycles or mopeds both complying with and conducted in accordance with this Part of these Regulations and approved by the Secretary of State.

(2) An approved training course may be provided—

- (a) by the Secretary of State, in so far as concerns the instruction of persons in the civil 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, and
- (c) by any chief officer of police, in so far as concerns the instruction of—
 - (i) members of the police force of which he is the chief officer, or
 - [^{F587}(ii) persons employed in the driving of motor vehicles for police purposes by the chief officer or by the police authority or local policing body for the area in respect of which he is the chief officer,]

if that person satisfies the conditions mentioned in paragraph (4).

(3) A person may apply to the Secretary of State to be authorised to provide approved training courses and the Secretary of State may give such authorisation subject to any conditions which he thinks fit to impose if he is satisfied that the applicant satisfies the conditions mentioned in paragraph (4).

(4) The conditions specified in paragraphs (2) and (3) are that he—

- (a) is a fit and proper person to conduct courses,
- (b) will make proper arrangements for the conduct of courses in accordance with these Regulations, and

- (c) will keep proper records of courses and the results thereof.
- (5) In this Part of these Regulations—
- “approved training body” means a person authorised to provide approved training courses under this Part;
- “approved training course” has the meaning given in paragraph (1);
- “prescribed training course” means a course containing the elements prescribed under the regulation 59.

Textual Amendments

F587 Reg. 58(2)(c)(ii) substituted (16.1.2012) by [The Local Policing Bodies \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/3058\)](#), regs. 1(2), **16(4)**

Modifications etc. (not altering text)

- C5** Reg. 58 applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), **Sch. 1 para. 43(4)**
- C6** Reg. 58(2)(c)(ii) modified (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 33(2), **Sch. 5 para. 43(4)**

Nature and conduct of training courses

59.—(1) A training course for riders of motor bicycles and mopeds may not be approved by the Secretary of State unless it comprises elements (A) to (E) set out in Schedule 12.

(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 or moped 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.

Instructors

Certified Instructors

60.—(1) No person may conduct instruction in the riding of motor bicycles or mopeds as part of an approved training course except in accordance with this regulation and regulations [^{F588}61] to 68.

(2) Subject to the following provisions of this regulation, an approved training body may authorise persons to conduct on his behalf instruction of persons in the riding of [^{F589}A1 motorcycles] and mopeds.

(3) A person may not be authorised under paragraph (2) unless at the date of authorisation he satisfies the following conditions, namely that—

- (a) he is a fit and proper person to be an instructor;

- (b) he holds a full licence authorising the driving of vehicles in category A other than [^{F590} A1 motorcycles];
- (c) either—
 - (i) in the case of a person who was authorised to conduct instruction by an approved training body in accordance with regulations in force on 30th January 1998, he had held that licence for a period of, or periods amounting in aggregate to, not less than two years, or
 - (ii) in any other case, he is at least 21 years of age and has held that licence for a period of, or periods amounting in aggregate to, not less than three years; and
- (d) he has either—
 - (i) successfully completed the Secretary of State’s assessment course for certified instructors, or
 - (ii) been fully trained by a certified instructor who has successfully completed such a course and assessed by that instructor to be capable of acting as a certified instructor.

[^{F591}(3A) A person does not have to satisfy the conditions mentioned in paragraph (3)(c) and (d) if that person is entitled to give paid instruction in the riding of A1 motorcycles and mopeds by virtue of Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015.]

[^{F592}(3B) A person does not have to satisfy the conditions mentioned in paragraph (3)(c) and (d) if that person is entitled to give paid instruction in the riding of A1 motorcycles and mopeds by virtue of Part 2 of the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023.]

- (4) An authorisation given to a person under paragraph (2) shall be of no effect unless—
 - (a) the approved training body has notified the Secretary of State in writing of the proposed authorisation,
 - (b) the Secretary of State has approved the authorisation in writing, and
 - (c) there is in force in respect of that person a valid certificate, in the form set out in Part 1 of Schedule 13, issued by the Secretary of State to the approved training body giving the authorisation.
- (5) A person in respect of whom a certificate issued under paragraph (4)(c) is in force—
 - (a) shall be known as a certified instructor, and
 - (b) shall be entitled to conduct approved training courses, and
 - (c) in the case of a person who has successfully completed the Secretary of State’s assessment course for certified instructors, shall be entitled to train other persons and to assess their capability to act as certified instructors.
- (6) Where a person who is an approved training body satisfies the conditions set out in paragraph (3), the Secretary of State may issue a certificate in respect of him under paragraph (4)(c) and while that certificate is in force—
 - (a) he shall be known as a certified instructor,
 - (b) he shall be entitled to conduct approved training courses, and
 - (c) in the case of a person who has successfully completed the Secretary of State’s assessment course for certified instructors, he shall be entitled to train other persons and to assess their capability to act as certified instructors.
- (7) A certificate issued pursuant to paragraph (4)(c) shall be valid for a period of four years but may be renewed upon application being made to the Secretary of State by the approved training body who authorised the instructor.

(8) When conducting an approved training course a certified instructor shall carry with him the certificate issued in respect of him by the Secretary of State and shall, upon being required to do so by a constable or the Secretary of State, produce it for examination.

(9) In this Part of these Regulations “certified instructor” has the meaning given in paragraph (5) (a) or (6)(a) as the case may be ^{F593}....

Textual Amendments

- F588** Word in reg. 60(1) substituted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(3)(a)**
- F589** Words in reg. 60(2) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 34(a)**
- F590** Words in reg. 60(3)(b) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 34(b)**
- F591** Reg. 60(3A) inserted (9.12.2016) by [The Driving and Motorcycle Riding Instructors \(Recognition of European Professional Qualifications\) Regulations 2016 \(S.I. 2016/1089\)](#), regs. 1, **6(3)(b)**
- F592** Reg. 60(3B) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 93(2)**
- F593** Words in reg. 60(9) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(3)(b)**

Temporary certified instructors

^{F594}**60A.**

Textual Amendments

- F594** Reg. 60A omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(4)**

Persons authorised as assistant instructors

61.—(1) Subject to paragraphs (2) and (3), a person authorised or deemed to be authorised as an assistant instructor by virtue of regulations in force on 30th January 1998 shall be entitled to conduct, on behalf of an approved training body, the instruction of riders of motor bicycles in all elements other than element (E) of the prescribed training course.

(2) No person authorised or deemed to be authorised as an assistant instructor may conduct instruction if at any time he ceases to hold a full licence authorising the driving of vehicles in category A (other than a licence authorising the driving only of [^{F595}A1 motorcycles]) or if the Secretary of State, being satisfied that he is not a fit and proper person to conduct instruction, withdraws approval of his authorisation to act as an assistant instructor.

(3) No person shall be entitled to conduct training otherwise than as a certified instructor or certified direct access instructor after 30th January 2002.

Textual Amendments

F595 Words in reg. 61(2) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 35**

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

62.—(1) The Secretary of State may at any time by notice in writing withdraw an authorisation given under regulation 58(3), an approval given under regulation 60(4)(b) ^{F596}... or an authorisation granted by virtue of regulation 61(1).

(2) Where the Secretary of State withdraws an authorisation given under regulation 58(3)—

- (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,

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 Secretary of State all certificates which were issued to him under regulation 60(4)(c) and all forms for certificates which were supplied to him under regulation 68(3).

(3) Where the Secretary of State withdraws an approval given under regulation 60(4)(b) ^{F597}... or an authorisation granted by virtue of regulation 61(1)—

- (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 60(4)(c) ^{F598}... and all forms of certificates which were supplied to him under regulation 68(3) to the approved training body who authorised him who must, on receiving the certificate issued under regulation 60(4)(c) ^{F598}..., return it to the Secretary of State.

Textual Amendments

F596 Words in reg. 62(1) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(5)(a)**

F597 Words in reg. 62(3) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(5)(b)(i)**

F598 Words in reg. 62(3)(b) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(5)(b)(ii)**

Cessation of conduct of training

63.—(1) Where a certified instructor authorised by an approved training body under regulation 60(2) ^{F599}... ceases to conduct instruction on behalf of the body who authorised him, he shall as soon as is reasonably practicable return the certificate issued under regulation 60(4)(c) ^{F600}... and all forms of certificates which were supplied to him under regulation 68(3) to the approved

training body who must, on receiving the certificate issued under regulation 60(4)(c) ^{F600} ..., return it to the Secretary of State.

(2) Where an approved training body who is also entitled under regulation 60(6) ^{F601} ... to conduct instruction as a certified instructor ceases to conduct such instruction, he shall immediately return the certificate issued under regulation 60(4)(c) ^{F602} ... and (unless the Secretary of State agrees otherwise) all forms of certificates which were supplied to him under regulation 68(3) to the Secretary of State.

Textual Amendments

- F599** Words in reg. 63(1) omitted (1.12.2023) by virtue of The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 4 para. 4(6)(a)(i)**
- F600** Words in reg. 63(1) omitted (1.12.2023) by virtue of The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 4 para. 4(6)(a)(ii)**
- F601** Words in reg. 63(2) omitted (1.12.2023) by virtue of The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 4 para. 4(6)(b)(i)**
- F602** Words in reg. 63(2) omitted (1.12.2023) by virtue of The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 4 para. 4(6)(b)(ii)**

Approved training courses conducted [^{F603}by certified direct access instructors]

64.—(1) An approved training course for a person holding a provisional licence authorising the driving of [^{F604}A2 motorcycles or A3 motorcycles] and undertaken by him on [^{F604}an A2 motorcycle or an A3 motorcycle, as appropriate] must be conducted by a certified direct access instructor.

(2) “Certified direct access instructor” means a person authorised (or deemed to have been authorised) in accordance with regulation 65 ^{F605}

Textual Amendments

- F603** Words in reg. 64 heading substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 36**
- F604** Words in reg. 64(1) substituted (19.1.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 (S.I. 2012/977), reg. 1(2), **Sch. 3 para. 37**
- F605** Words in reg. 64(2) omitted (1.12.2023) by virtue of The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 4 para. 4(7)**

Certified direct access instructors

65.—(1) An approved training body may, subject to the following provisions of this regulation, authorise instructors to conduct on his behalf the instruction of persons who hold provisional licences authorising the riding of [^{F606}A2 motorcycles or A3 motorcycles] in the riding of [^{F606}A2 motorcycles or A3 motorcycles, as appropriate].

- (2) A person may not be authorised under paragraph (1) unless he—
- (a) holds a full licence to drive motor bicycles,
 - (b) either—

- (i) was authorised on 30th January 1998 to conduct instruction by an approved training body in accordance with [^{F607}the Motor Vehicles (Driving Licences) Regulations 1996] and has held that licence for a period of, or periods amounting in aggregate to, not less than 2 years, or
 - (ii) if he was not so authorised, is at least 21 years of age and has held that licence for a period of, or periods amounting in aggregate to, not less than 3 years.
 - (c) is a certified instructor, and
 - (d) has successfully completed the Secretary of State'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 another person who is at that time validly authorised by the approved training body to provide instruction in the riding of [^{F608}motor bicycles other than A1 motorcycles], has successfully completed the Secretary of State's assessment course for certified instructors in addition to the assessment course for direct access instructors,
 - (b) the approved training body has notified the Secretary of State in writing of the proposed authorisation, and
 - (c) the Secretary of State has approved the authorisation in writing.
- [^{F609}(3A) A person does not have to satisfy the conditions mentioned in paragraph (3)(c) and (d) if that person is entitled to give paid instruction in the riding of A1 motorcycles and mopeds by virtue of Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015.]
- [^{F610}(3B) A person is exempt from the conditions set out in paragraph (2)(b) and (d) and paragraph (3)(a) if that person is entitled to give paid instruction in the riding of A2 motorcycles or A3 motorcycles by virtue of Part 2 of the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023.]
- (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 13, issued by the Secretary of State to the person who has authorised him under paragraph (1).
- (5) The Secretary of State may at any time by notice in writing withdraw an approval given under paragraph (3)(c) and any authorisation given under paragraph (1) shall cease to have effect from the date of such notice.
- (6) Any authorisation given under paragraph (1) by an approved training body shall cease to have effect if at any time there ceases to be a person who—
- (a) is validly authorised by that approved training body to conduct instruction in accordance with paragraph (1), and
 - (b) has successfully completed the Secretary of State's assessment course for certified instructors in addition to the assessment course for direct access instructors.
- (7) Where—
- (a) a person who is an approved training body satisfies the conditions set out in paragraph (2),
 - (b) either he or another person who is at that time validly authorised by him to provide instruction in the riding of [^{F611}motor bicycles other than A1 motorcycles] has successfully completed the Secretary of State's assessment course for certified instructors in addition to the assessment course for direct access instructors, and
 - (c) there is in force in respect of that training body a valid certificate issued by the Secretary of State under paragraph (4),

he shall be deemed to have been authorised under paragraph (1) as a certified direct access instructor.

(8) Regulations 60(7) and (8), 62(3) and 63 shall apply in respect of a certified direct access instructor as they apply in respect of a certified instructor as if the references therein to the issue of certificates and the giving or withdrawal of approval were references to the issue of certificates and the giving or withdrawal of approval under this regulation.

(9) Where an authorisation given, or deemed to be given, under this regulation in respect of a certified direct access instructor ceases to have effect by virtue of any of the foregoing provisions of this regulation that instructor shall as soon as is reasonably practicable return the certificate issued under paragraph (4) to the approved training body who must, on receiving it, return it immediately to the Secretary of State.

Textual Amendments

- F606** Words in reg. 65(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 38(a)**
- F607** Words in reg. 65(2)(b) substituted (1.11.2000) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2000 \(S.I. 2000/2766\)](#), regs. 1, **3**
- F608** Words in reg. 65(3)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 38(b)**
- F609** Reg. 65(3A) inserted (9.12.2016) by [The Driving and Motorcycle Riding Instructors \(Recognition of European Professional Qualifications\) Regulations 2016 \(S.I. 2016/1089\)](#), regs. 1, **6(8)**
- F610** Reg. 65(3B) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 93(3)**
- F611** Words in reg. 65(7)(b) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 38(b)**

Temporary certified direct access instructors

^{F612}**65A.**

Textual Amendments

- F612** [Reg. 65A](#) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(8)**

Miscellaneous

Eligibility to undertake approved training course

66. No person shall be eligible to undertake an approved training course unless at the time he undertakes it he holds a provisional licence authorising him to drive a motor bicycle or moped of the class on which the course is to be undertaken or is entitled, by virtue of section 98 or 99A of the Traffic Act and regulation 19, to drive a motor bicycle of that class subject to the same conditions as the holder of a provisional licence.

Ratio of trainees to instructors

67.—(1) Where, during an approved training course, more than one person is receiving on-site instruction and practical on-site riding as part of elements (B) and (C) of the prescribed training course—

- (a) in the case of instruction or riding which may under these Regulations be conducted by a certified or an assistant instructor, there shall be no more than four such persons in the charge of any one instructor at any one time,
- (b) in the case of instruction or riding which must under regulation 64 be conducted by a certified direct access instructor, there shall be no more than two such persons in the charge of any one instructor at any one time.

(2) Subject to paragraph (3), when riders are undertaking element (E) of the prescribed training course—

- (a) there must be no more than two riders in the charge of any one certified or certified direct access instructor at any one time, and
- (b) the instructor must be able to communicate with each rider by means of a radio which is not hand-held while in operation.

(3) The requirement specified in paragraph (2)(b) shall not apply in the case of a rider who is unable, by reason of impaired hearing, to receive directions from the instructor by radio where the rider and the instructor are employing a satisfactory means of communication which they have agreed before the start of element (E).

Evidence of successful completion of course

68.—(1) The certified instructor or the certified direct access instructor who conducted element (E) of the prescribed training course shall furnish a person who successfully completes an approved training course with a certificate in the form set out in Part 3 of Schedule 13 and signed by that instructor.

(2) A certificate under paragraph (1) is not valid either for the purposes of section 97(3)(e) of the Traffic Act or as evidence of the successful completion of an approved training course for the purposes of regulation 38(8)—

- (a) if the person to whom it is issued is at the time of issue ineligible to undertake the training course and

[^{F613}(b) after whichever is the earliest of the following dates, namely—

- (i) in a case where the person to whom the certificate was furnished is subsequently disqualified by order of a court under section 36 of the Offenders Act, the date on which the order is made;
- (ii) in a case where the licence of the person to whom the certificate was furnished is subsequently revoked by the Secretary of State under section 3(1) of the Road Traffic (New Drivers) Act 1995, the date on which the revocation has effect in accordance with section 3(2) of that Act;

^{F614}(iii)

- (iv) ^{F615}... the last day of the period of 2 years beginning with the date of the certificate.]

(3) A certified instructor or a certified direct access instructor shall issue certificates using forms supplied by the Secretary of State to the approved training body and the Secretary of State may make a charge of £8 per form.

(4) An approved training body may, if satisfied that a certificate issued to a person who has successfully completed an approved training course conducted by that body has been lost or

destroyed, issue a duplicate certificate but may not make a charge exceeding £20 in respect of the issue of any one certificate.

[^{F616}(5) For the purposes of this regulation, a certificate furnished before 19th January 2013 in the form set out in Part 3 of Schedule 13 to these Regulations as they stood before amendment by the Motor Vehicles (Driving Licences) (Amendment) Regulations 2012 shall be regarded as a certificate under paragraph (1).]

Textual Amendments

- F613** Reg. 68(2)(b) substituted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **10(2)**
- F614** Reg. 68(2)(b)(iii) omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 39(a)(i)**
- F615** Words in reg. 68(2)(b)(iv) omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 39(a)(ii)**
- F616** Reg. 68(5) added (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 39(b)**

[^{F617} **Approved training courses before 19th January 2013**

68A.—(1) A person who, before 19th January 2013, was authorised as an approved training body, or as a certified instructor, shall be treated as an approved training body or a certified instructor (as the case may be) in relation to motor bicycles or mopeds, as appropriate.

(2) A person who, before 19th January 2013, was authorised, or deemed to be authorised, as a certified direct access instructor shall be treated as, or as being deemed to be authorised as, a certified direct access instructor in relation to motor bicycles.

(3) A course which, before 19th January 2013, was an approved training course shall be treated as an approved training course for riders of bicycles or mopeds, as appropriate.

(4) A certificate which, before 19th January 2013, was issued to a person referred to in paragraph (1) in the form set out in Part I of Schedule 13 shall, subject to regulation 60(7), be treated as being in force in respect of that person.]

Textual Amendments

- F617** Reg. 68A inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 40**

Exemptions from Part V

69.—[^{F618}(1) Subject to paragraph (2), section 98(3)(c) of the Traffic Act shall not apply to a person who—

- (a) passed a test in respect of a vehicle in former category P after 30th November 1990 and before 19th January 2013, or
- (b) passes the test for the time being prescribed in respect of category AM,

and such a person shall be exempt from the requirement imposed by section 89(2A) of that Act.]

(2) Paragraph (1) shall cease to apply to a person if he is disqualified by order of a court under section 36 of the Offenders Act.

^{F619}(2A) Subject to paragraph (2C), section 89(2A) of the Traffic Act shall not apply to a person who is for the time being the holder of a full licence for a class of vehicle included in category A in respect of a test of competence to drive a vehicle of any other class included in that category.

(2B) Subject to paragraph (2C), a person who is for the time being the holder of a full licence for a class of vehicle included in ^{F620}category AM or A] shall be exempt from the restriction imposed by section 97(3)(e) on his driving a vehicle of ^{F620}any] class included in ^{F620}category AM or A].

(2C) The exemptions conferred by paragraphs (2A) and (2B) shall not apply in relation to the holder of a full licence authorising him only to drive a vehicle included in category A having automatic transmission in respect of—

- (a) a test of competence to drive a vehicle having manual transmission; or
- (b) his driving a vehicle having manual transmission.]

(3) 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.

(4) 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 (6).

(5) 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 (6).

(6) The conditions referred to in paragraphs (4) and (5) 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 ^{F621}AM or A].

(7) 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 or adapted for special purposes 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 and regulation 19, as authorising him to drive motor bicycles of any class as if he held a provisional licence therefor.

Textual Amendments

F618 Reg. 69(1) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 41(a)**

- F619** Reg. 69(2A)-(2C) inserted (1.2.2001) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2001 \(S.I. 2001/53\)](#), regs. 1, **11**
- F620** Words in reg. 69(2B) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 41(b)**
- F621** Words in reg. 69(6)(b)(ii) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 41(c)**

[^{F622}Review of Part V

69A.—(1) The Secretary of State must from time to time—

- (a) carry out a review of regulations 58 to 69,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

^{F623}(2)

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by regulations 58 to 69,
- (b) assess the extent to which those objectives are achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published by 9th December 2021.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.

^{F624}(6)]

Textual Amendments

- F622** Reg. 69A inserted (9.12.2016) by [The Driving and Motorcycle Riding Instructors \(Recognition of European Professional Qualifications\) Regulations 2016 \(S.I. 2016/1089\)](#), regs. 1, **6(10)**
- F623** Reg. 69A(2) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(9)(a)**
- F624** Reg. 69A(6) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 4 para. 4(9)(b)**

PART VI

DISABILITIES

Licence groups

70.—(1) In this Part of these Regulations—

“Group 1 licence” means a licence in so far as it authorises its holder to drive classes of motor vehicle included in—

- (a) [^{F625}categories AM, A, B, B+E, F, G, H, K and L,]

(b) the former category N,

“Group 2 licence” means, subject to paragraphs (2) and (3), a licence in so far as it authorises its holder to drive classes of motor vehicle included in any other category, and

“licence” includes, unless the context otherwise requires, a Northern Ireland licence and a Community licence.

(2) In so far as a licence authorises its holder to drive vehicles of a class included in sub-categories C1, C1+E (8.25 tonnes), D1 (not for hire or reward) and D1+E (not for hire or reward) it is a Group 1 licence while it remains in force if—

(a) it was in force at a time before 1st January 1997, or

(b) it is granted upon the expiry of a licence which was in force at a time before 1st January 1997 and comes into force not later than 31st December 1997.

(3) Subject to paragraph (6)(d) of regulation 7, a licence shall be a Group 1 licence in so far as it authorises, by virtue of paragraphs (4), (5) and (6) of that regulation, the driving of a class of motor vehicles which is not included in a category or sub-category specified in relation to a Group 1 licence in paragraph (1) or (2) above.

Textual Amendments

F625 Words in [reg. 70\(1\)](#) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 42](#)

Disabilities prescribed in respect of Group 1 and 2 licences

71.—(1) The following disabilities are prescribed for the purposes of section 92(2) of the Traffic Act as relevant disabilities in relation to an applicant for, or a person who holds, a Group 1 or Group 2 licence—

^{F626}(a)

(b) severe mental disorder;

(c) liability to sudden attacks of disabling giddiness or fainting which are caused by any disorder or defect of the heart as a result of which the applicant for the licence or, as the case may be, the holder of the licence has a device implanted in his body, being a device which, by operating on the heart so as to regulate its action, is designed to correct the disorder or defect;

(d) liability to sudden attacks of disabling giddiness or fainting, other than attacks falling within paragraph (1)(c); and

(e) persistent misuse of drugs or alcohol, whether or not such misuse amounts to dependency.

(2) The disability prescribed in paragraph (1)(c) is prescribed for the purpose of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 or Group 2 licence if the applicant suffering from that disability satisfies the Secretary of State that—

(a) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public; and

(b) he has made adequate arrangements to receive regular medical supervision by a cardiologist (being a supervision to be continued throughout the period of the licence) and is conforming to those arrangements.

(3) The following disabilities are prescribed for the purposes of paragraphs (a) and (c) of section 92(4) of the Traffic Act namely, any disability consisting solely of any one or more of—

- (a) the absence of one or more limbs,
 - (b) the deformity of one or more limbs, or
 - (c) the lost of use of one or more limbs, which is not progressive in nature.
- (4) In this regulation—
- (a) in paragraph (1)(b), the expression “severe mental disorder” includes mental illness, arrested or incomplete development of the mind, psychopathic disorder and severe impairment of intelligence or social functioning;
 - (b) in paragraph (2)(b), the expression “cardiologist” means a registered medical practitioner who specialises in disorders or defects of the heart and who, in that connection, holds a hospital appointment;
 - (c) in paragraph (3), references to a limb include references to a part of a limb, and the reference to loss of use, in relation to a limb, includes a reference to a deficiency of limb movement or power.

Textual Amendments

F626 Reg. 71(a) omitted (8.3.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), 2(2)

Disabilities prescribed in respect of Group 1 licences

72.—^{F627}(1) Impairment of vision 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, who is unable to satisfy the following standards—

- (a) the Group 1 visual acuity standard in paragraph (1A);
- (b) the Group 1 visual field standard in paragraph (1C); and
- (c) in the case of a person with diplopia or sight in only one eye, the adaptation standard in paragraph (1D).

(1A) The Group 1 visual acuity standard is—

- (a) a visual acuity of at least 6/12 (decimal 0.5); and
- (b) the ability to read in good daylight a registration mark which is affixed to a motor vehicle and contains characters of the prescribed size,

in either case with corrective lenses if necessary.

(1B) For the purposes of paragraph (1A)(b), “characters of the prescribed size” means characters 79 millimetres high and 50 millimetres wide in a case where they are viewed from a distance of—

- (a) 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
- (b) 20 metres, in any other case.

(1C) The Group 1 visual field standard is—

- (a) a measurement of at least 120 degrees on the horizontal plane;
- (b) an extension of at least 50 degrees left and an extension of at least 50 degrees right;
- (c) an extension of at least 20 degrees above and an extension of at least 20 degrees below the horizontal plane; and
- (d) no significant defects present within a radius of the central 20 degrees.

(1D) The adaptation standard for a person having diplopia or sight in only one eye is that ^{F628}..., there has been—

- (a) an appropriate period of adaptation; and
- (b) clinical confirmation of full adaptation.

(1E) Impairment of vision is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who fails to meet the visual field standard, where that person satisfies the following conditions—

- (a) the visual acuity standard in paragraph (1A) is met;
- (b) any visual field defect has been present for at least one year;
- (c) that defect was caused by an isolated event or a non-progressive condition;
- (d) there is no other condition or pathology present which is regarded as progressive and likely to affect the visual field;
- (e) there is clinical confirmation of full functional adaptation;
- (f) the applicant has sight in both eyes;
- (g) there is no uncontrolled diplopia;
- (h) there is no other impairment of visual function, including glare sensitivity, contrast sensitivity or impairment of twilight vision;
- (i) since developing any visual field defect, the applicant has passed a disability assessment test; and
- (j) the Secretary of State is satisfied that the driving of a vehicle by that person in accordance with the licence is not likely to be a source of danger to the public.]

[^{F629}(2) Epilepsy 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, who has had two or more epileptic seizures during the previous five year period.

(2A) Epilepsy is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who satisfies the conditions set out in paragraph (2F) and who has either—

- (a) been free from any unprovoked seizure during the period of one year immediately preceding the date when the licence is granted; or
- (b) during that one year period has suffered no unprovoked seizure other than a permitted seizure.

(2B) A permitted seizure for the purposes of paragraph (2A)(b) is—

- (a) a seizure, which can include a medication adjustment seizure, falling within only one of the permitted patterns of seizure; or
- (b) a medication adjustment seizure where—
 - (i) that medication adjustment seizure does not fall within a permitted pattern of seizure;
 - (ii) previously effective medication has been reinstated for at least 6 months immediately preceding the date when the licence is granted;
 - (iii) that seizure occurred more than 6 months before the date when the licence is granted; and
 - (iv) there have been no other unprovoked seizures since that seizure; or
- (c) a seizure occurring before a medication adjustment seizure permitted under subparagraph (b), where—

- (i) that earlier seizure had, to that point, formed part of only one permitted pattern of seizure and had occurred prior to any medication adjustment seizure not falling within the same permitted pattern; or
 - (ii) it is a medication adjustment seizure, which was not followed by any other type of unprovoked seizure, except for another medication adjustment seizure.
- (2C) A permitted pattern of seizure for the purposes of paragraph (2B), is a pattern of seizures—
 - (a) occurring during sleep, where—
 - (i) there has been a seizure while asleep more than one year before the date when the licence is granted;
 - (ii) there have been seizures only while asleep between the date of that seizure while asleep and the date the licence is granted; and
 - (iii) there has never been an unprovoked seizure while awake; or
 - (b) occurring during sleep, where—
 - (i) there has been a seizure while asleep more than three years before the date when the licence is granted;
 - (ii) there have been seizures only while asleep between the date of that seizure while asleep and the date the licence is granted; and
 - (iii) there is also a history of unprovoked seizure while awake, the last of which occurred more than three years before the date when the licence is granted, or
 - (c) without influence on consciousness or the ability to act, where—
 - (i) such a seizure has occurred more than one year before the date when the licence is granted;
 - (ii) there have only been such seizures between the date of that seizure and the date when the licence is granted; and
 - (iii) there has never been any other type of unprovoked seizure.
- (2D) An isolated seizure 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—
 - (a) in a case where there is an underlying causative factor that may increase future risk, where such a seizure has occurred during the previous one year period; and
 - (b) in any other case, where such a seizure has occurred during the previous 6 month period.
- (2E) An isolated seizure is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence, who—
 - (a)
 - (i) in a case where there is an underlying causative factor that may increase future risk, has had such a seizure more than one year immediately before the date when the licence is granted; and
 - (ii) in any other case, has had such a seizure more than 6 months immediately before the date when the licence is granted;
 - (b) has had no other unprovoked seizure since that seizure; and
 - (c) satisfies the conditions set out in paragraph (2F).
- (2F) The conditions are that—
 - (a) so far as is practicable, the applicant complies with the directions regarding treatment for epilepsy or isolated seizure, including directions as to regular medical check-ups made as part of that treatment, which may from time to time be given by a registered medical

practitioner or one of the clinical team working under the supervision of that registered medical practitioner;

- (b) if required to do so by the Secretary of State, the applicant has provided a signed declaration agreeing to observe the condition in sub-paragraph (a);
- (c) if required by the Secretary of State, there has been an appropriate medical assessment by a registered medical practitioner; and
- (d) the Secretary of State is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.]

(3) The disability described in paragraph (1) is prescribed for the purposes of section 94(5)(b) of the Traffic Act in relation to an applicant for, or a person who holds, a Group 1 licence.

[^{F630}(4) Diabetes mellitus 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, who is being treated with insulin or another medication which carries a risk of inducing hypoglycaemia and—

- [^{F631}(a) has experienced two or more episodes of severe hypoglycaemia while awake during the previous one year period, and the most recent episode occurred during the previous three month period; or]
- (b) has impaired awareness of hypoglycaemia.

(5) Diabetes mellitus is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who is being treated with insulin and—

- [^{F632}(a) does not fall within paragraph (4)(a);]
- (b) does not have impaired awareness of hypoglycaemia; and
- (c) satisfies the conditions prescribed in paragraph (6).

(6) The conditions are that the applicant—

- (a) can demonstrate an understanding of the risks of hypoglycaemia and adequate control of the condition;
- [^{F633}(b) undertakes appropriate monitoring to assess glucose levels and any risk of hypoglycaemia;]
- (c) is under regular medical review; and
- (d) is a person in respect of whom the Secretary of State is satisfied that the driving of a vehicle in accordance with the licence is not likely to be a source of danger to the public.

(a) [^{F634}(7) (a) in relation to eyesight—

references to measurements of visual acuity are references to visual acuity measured as decimals or fractions on the Snellen Scale; and

“sight in only one eye” means there is total functional loss of vision in one eye, or use of only one eye.

(b) in relation to epilepsy and isolated seizure—

“epilepsy” means the occurrence of two or more unprovoked seizures over a period which exceeds 24 hours and “epileptic seizure” means any such seizure;

“isolated seizure” means—

- (i) one or more unprovoked seizures occurring over a single period which does not exceed 24 hours; or
- (ii) one or more unprovoked seizures occurring over a period which does not exceed 24 hours, where that period of seizure has occurred more than five years after the last unprovoked seizure;

“medication adjustment seizure” means a seizure occurring during and because of documented physician advised substitution, reduction or withdrawal of anti epilepsy medication;

“provoked seizure” means a seizure which has a recognisable causative factor which is reliably avoidable and which is not a medication adjustment seizure;

“unprovoked seizure” means a seizure which is not a provoked seizure.

(c) in relation to diabetes—

“impaired awareness of hypoglycaemia” means the inability to detect the onset of hypoglycaemia because of a total absence of warning symptoms;

“severe hypoglycaemia” means an episode of hypoglycaemia requiring the assistance of another person.]]

Textual Amendments

- F627** Reg. 72(1)-(1E) substituted for reg. 72(1)(1A) (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **3(2)**
- F628** Words in reg. 72(1D) omitted (10.4.2014) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/613\)](#), regs. 1, 7
- F629** Reg. 72(2)-(2F) substituted for reg. 72(2) (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **3(3)**
- F630** Reg. 72(4)-(7) inserted (15.11.2011) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2011 \(S.I. 2011/2516\)](#), regs. 1(1), **2(2)**
- F631** Reg. 72(4)(a) substituted (1.1.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2017 \(S.I. 2017/1208\)](#), regs. 1, **2(2)(a)**
- F632** Reg. 72(5)(a) substituted (1.1.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2017 \(S.I. 2017/1208\)](#), regs. 1, **2(2)(b)**
- F633** Reg. 72(6)(b) substituted (1.1.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2017 \(S.I. 2017/1208\)](#), regs. 1, **2(2)(c)**
- F634** Reg. 72(7) substituted (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **3(4)**

Disabilities prescribed in respect of Group 2 licences

73.—^{F635}(1) Impairment of vision 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 who—

- (a) is unable to satisfy the standards in paragraph (2);
- (b) has sight in only one eye, unless that person —
 - (i) held an obsolete vocational licence on 1st April 1991, provided
 - (aa) the traffic commissioner who granted the last obsolete vocational licence knew of the disability before 1st January 1991; and
 - (bb) the additional conditions in sub-paragraph (5) are satisfied; or
 - (ii) is an excepted licence holder;
- (c) is a person to whom sub-paragraph (3)(c) applies, who—
 - (i) is able to meet the relevant standard of visual acuity prescribed in that sub-paragraph only with the aid of corrective lenses, and
 - (ii) is unable to meet the standard for corrective lenses set out in paragraph (4A); or
- (d) suffers from uncontrolled diplopia.]

^{F636}(2) The standards to be satisfied for the purposes of paragraph (1)(a) are—

- (a) the Group 1 visual acuity standard in regulation 72(1A);
 - (b) other than in the case of an excepted licence holder, the relevant Group 2 additional visual acuity standard in paragraph (3); and
 - (c) the Group 2 visual field standard in paragraph (4).]
- (3) The relevant [^{F637}Group 2 additional] standard of visual acuity for the purposes of paragraph (2) means—
- (a) in the case of a person who—
 - (i) was the holder of a valid Group 2 licence or obsolete vocational licence upon each relevant date specified in column (1) of Table 1 at the end of this regulation, and
 - (ii) if he is an applicant for a Group 2 licence, satisfies the Secretary of State that he has had adequate recent driving experience and has not during the period of 10 years immediately before the date of the application been involved in any road accident in which his defective eyesight was a contributory factor,
 the standard prescribed in relation to him in column (2) of Table 1;
 - (b) in the case of a person who—
 - (i) does not fall within sub-paragraph (a), and
 - (ii) was or is the holder of a valid Group 2 licence upon the relevant date specified in column (1) of Table 2 at the end of this regulation,
 the standard prescribed in relation to him in column (2) of Table 2;
 - ^{F638}(c)
 - [^{F639}(c) in the case of any other person, a measurement of visual acuity (with the aid of corrective lenses if necessary) of at least 6/7.5 (decimal 0.8) in the better eye and at least 6/60 (decimal 0.1) in the worse eye.]
- [^{F640}(4) The Group 2 visual field standard is—
- (a) a measurement of at least 160 degrees on the horizontal plane;
 - (b) an extension of at least 70 degrees left and an extension of at least 70 degrees right;
 - (c) an extension of at least 30 degrees above and an extension of at least 30 degrees below the horizontal plane;
 - (d) no defect is present within a radius of the central 30 degrees; and
 - (e) no other impairment of visual function, including glare sensitivity, contrast sensitivity or impairment of twilight vision.
- (4A) The corrective lenses standard requires that there is not—
- (a) poor toleration of the correction made by the lenses; or
 - (b) an inability to meet the visual acuity standard in paragraph (3)(c) except with glasses having a power exceeding plus eight dioptries.]
- [^{F641}(5) The additional conditions prescribed for the purposes of sub-paragraph 1(b)(i)(bb) are—
- (a) the visual acuity in the sighted eye is—
 - (i) in the case of a person who also held such a licence on 1st January 1983, no worse than 6/12 (decimal 0.5), or
 - (ii) in any other case, no worse than 6/9 (decimal 0.67) ;
 - (b) the applicant satisfies the Secretary of State that there has been adequate recent driving experience and that during the period of 10 years immediately before the date of the

application, there has been no involvement in any road accident where the applicant's defective eyesight was a contributory factor; and

- (c) the Secretary of State is satisfied that the driving of a vehicle by the applicant, in accordance with the licence, is not likely to be a source of danger to the public.]

[^{F642}(6) Diabetes mellitus 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 2 licence who is being treated with insulin or another medication which carries a risk of inducing hypoglycaemia and—

- (a) has experienced one or more episodes of severe hypoglycaemia during the previous one year period; or
(b) does not have full awareness of hypoglycaemia.

(6A) Diabetes mellitus is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 2 licence, who—

- (a) is being treated with insulin and—
(i) has undergone treatment with insulin for at least 4 weeks;
(ii) has full awareness of hypoglycaemia;
(iii) has not, during the period of one year immediately preceding the date when the licence is granted, had an episode of severe hypoglycaemia; and
(iv) satisfies the conditions prescribed in paragraphs (6B) and (6C); or
(b) is being treated with a medication which carries a risk of inducing hypoglycaemia, other than insulin, and—
(i) has full awareness of hypoglycaemia;
(ii) has not, during the period of one year immediately preceding the date when the licence is granted, had an episode of severe hypoglycaemia; and
(iii) satisfies the conditions prescribed in paragraphs (6B) and (6D).

(6B) The conditions are that the applicant—

- (a) regularly monitors his or her condition and, in particular, undertakes blood glucose monitoring at least twice daily and at times relevant to driving;
(b) provides a signed declaration to the Secretary of State that he or she—
(i) understands the risk of hypoglycaemia and will comply with such directions regarding treatment for diabetes as may from time to time be given by the registered medical practitioner overseeing that treatment, or one of the clinical team working under the supervision of that registered medical practitioner;
(ii) will immediately report to the Secretary of State in writing any significant change in his or her condition and pending any enquiries being made by the Secretary of State, will follow the advice of his or her registered medical practitioner, or one of the clinical team working under the supervision of that registered medical practitioner, concerning fitness to drive; and
(iii) will provide such evidence as the Secretary of State may request to demonstrate that the monitoring referred to in sub-paragraph (a) is being carried out;
(c) is a person in respect of whom the Secretary of State is satisfied that the driving of a vehicle in accordance with the licence is not likely to be a source of danger to the public.

(6C) The further conditions for an applicant who is being treated with insulin are that—

- (a) the applicant has attended an examination by a hospital consultant specialising in the treatment of diabetes, who has provided a report sufficient to satisfy the Secretary of State

that the applicant has a history of responsible diabetic control and currently has a minimal risk of impairment due to hypoglycaemia;

- (b) the applicant monitors his or her condition as set out in paragraph (6B)(a), using a device that incorporates an electronic memory function to measure and record blood glucose levels, and undertakes to continue so to monitor.

(6D) The further condition for an applicant who is not being treated with insulin is that—

the applicant has attended an examination by a registered medical practitioner, who has provided a report sufficient to satisfy the Secretary of State that the applicant has a history of responsible diabetic control and currently has a minimal risk of impairment due to hypoglycaemia.

(6E) In this regulation “severe hypoglycaemia” has the same meaning as in regulation 72(7).]

(7) Liability to seizures arising from a cause other than epilepsy is prescribed for the purposes of section 92(2) in relation to an applicant for or a person who holds a Group 2 licence.

[^{F643}(8) Epilepsy 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 2 licence, where two or more epileptic seizures have occurred, or that person has been prescribed medication to treat epilepsy, during the previous ten year period.

(8A) Epilepsy is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 2 licence who—

- (a) in the case of a person whose last epileptic seizure was an isolated seizure, satisfies the conditions in paragraph (8C) and (8D); or
- (b) in any other case, satisfies the conditions set out in paragraph (8D) and who, for a period of at least 10 years immediately preceding the date when the licence is granted has—
 - (i) been free from any epileptic seizure, and
 - (ii) has not been prescribed any medication to treat epilepsy.

(8B) An isolated seizure 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 2 licence, where during the previous five year period, such a seizure has occurred, or that person has been prescribed medication to treat epilepsy or a seizure.

(8C) An isolated seizure is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 2 licence who satisfies the conditions set out in paragraph (8D) and who, for a period of at least five years immediately preceding the date when the licence is granted—

- (a) has been free from any unprovoked seizure, and
- (b) has not been prescribed medication to treat epilepsy or a seizure.

(8D) The conditions are that—

- (a) if required by the Secretary of State, there has been an appropriate medical assessment by a neurologist; and
- (b) the Secretary of State is satisfied that the driving of a vehicle by the applicant, in accordance with the licence, is not likely to be a source of danger to the public.]

^{F644}(9)

^{F645}(10)

(11) In this regulation—

[^{F646}(a) references to measurements of visual acuity and to “sight in only one eye” have the same meaning as in regulation 72(7)(a).]

- (b) “excepted licence holder” means a person who—
- (i) was the holder of a licence authorising the driving of vehicles included in sub-categories C1 and C1+E (8.25 tonnes) which was in force at a time before 1st January 1997, and
 - (ii) is an applicant for, or the holder of, a Group 2 licence solely by reason that the licence applied for or held authorises (or would, if granted, authorise) the driving of vehicles included in those sub-categories.
- (c) “obsolete vocational licence” means a licence to drive heavy goods vehicles granted under Part IV of the Traffic Act as originally enacted or a licence to drive public service vehicles granted under section 22 of the 1981 Act which was in force a time before 1 April 1991.
- [^{F647}(d) the expressions “epilepsy”, “epileptic seizure”, “provoked seizure” and “unprovoked seizure” have the same meaning as in regulation 72(7)(b);
- (e) isolated seizure has the same meaning as in regulation 72(7)(b), except that “ten years” is substituted for “five years” in sub paragraph (ii) of that definition.]

TABLE 1

(1) Person holding Group 2 licence or obsolete vocational licence on:	(2) Standard of visual acuity applicable:
F648 ... 2. 1 March 1992, but not on 1 January 1983	F648 ... [^{F649} acuity (with the aid of corrective lenses if necessary) of at least 6/9 (decimal 0.66) in the better eye or at least 6/12 (decimal 0.5) in the worse eye, or uncorrected acuity of at least 3/60 (decimal 0.05) in at least one eye.]

TABLE 2

(1) Person holding Group 2 licence on:	(2) Standard of visual acuity applicable:
1. 31 December 1996, but not on 1 March 1992. F651 ...	[^{F650} Acuity (with the aid of corrective lenses if necessary) of at least 6/9 in the better eye and at least 6/12 in the worse eye and, if corrective lenses are needed to meet that standard, uncorrected acuity of at least 3/60 in at least one eye.] F651 ...

Textual Amendments

F635 Reg. 73(1) substituted (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **4(2)**

F636 Reg. 73(2) substituted (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **4(3)**

- F637** Words in reg. 73(3) inserted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(4)(a)**
- F638** Reg. 73(3)(c) omitted (21.2.2003) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2003 (S.I. 2003/166), regs. 1(1), **6(b)**
- F639** Reg. 73(3)(c) substituted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(4)(b)**
- F640** Reg. 73(4)(4A) substituted for reg. 73(4) (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(5)**
- F641** Reg. 73(5) substituted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(6)**
- F642** Reg. 73(6)-(6E) substituted for reg. 73(6) (15.11.2011) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2011 (S.I. 2011/2516), regs. 1(1), **3(2)**
- F643** Reg. 73(8)-(8D) substituted for reg. 73(8) (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(7)**
- F644** Reg. 73(9) omitted (15.11.2011) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2011 (S.I. 2011/2516), regs. 1(1), **3(3)**
- F645** Reg. 73(10) omitted (15.11.2011) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2011 (S.I. 2011/2516), regs. 1(1), **3(4)**
- F646** Reg. 73(11)(a) substituted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(8)(a)**
- F647** Reg. 73(11)(d)(e) inserted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(8)(b)**
- F648** Reg. 73 Table 1 entry omitted (8.3.2013) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(9)(a)**
- F649** Words in reg. 73 Table 1 substituted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(9)(b)**
- F650** Words in reg. 73 Table 2 substituted (8.3.2013) by The Motor Vehicles (Driving Licences) (Amendment) Regulations 2013 (S.I. 2013/258), regs. 1(1), **4(10)**
- F651** Reg. 73 Table 2 entry omitted (2.4.2007) by virtue of The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007 (S.I. 2007/698), regs. 1(1), **13(b)**

Disabilities requiring medical investigation: High Risk Offenders

74.—(1) Subject to paragraph (2), the circumstances prescribed for the purposes of subsection (5) of section 94 of the Traffic Act, under subsection (4) of that section, are that the person who is an applicant for, or holder of, a licence—

- (a) has been disqualified by an order of a court by reason that the proportion of alcohol in his body equalled or exceeded—
 - (i) 87.5 microgrammes per 100 millilitres of breath, or
 - (ii) 200 milligrammes per 100 millilitres of blood, or
 - (iii) 267.5 milligrammes per 100 millilitres of urine;
- (b) has been disqualified by order of a court by reason that he has failed, without reasonable excuse, to provide a specimen when required to do so pursuant to section 7 of the Traffic Act; ^{F652}...
- [^{F653}(bb) has been disqualified by order of a court by reason of failure, without reasonable excuse, to give permission for a laboratory test of a specimen of blood taken pursuant to section 7A of the Traffic Act; or]
- (c) has been disqualified by order of a court on two or more occasions within any period of 10 years by reason that—

(i) the proportion of alcohol in his breath, blood or urine exceeded the limit prescribed by virtue of section 5 of the Traffic Act, or

(ii) he was unfit to drive through drink contrary to section 4 of that Act.

(2) For the purposes of paragraph (1)(a) and (b) a court order shall not be taken into account unless it was made on or after 1st June 1990 and paragraph (1)(c) shall not apply to a person unless the last such order was made on or after 1st June 1990.

[^{F654}(3) For the purposes of paragraph 1(bb) a court order shall not be taken into account unless it was made on or after 1st June 2013.]

Textual Amendments

F652 Word in reg. 74(1)(b) omitted (1.6.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1013\)](#), regs. 1(2), **2(2)(a)**

F653 Reg. 74(1)(bb) inserted (1.6.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1013\)](#), regs. 1(2), **2(2)(b)**

F654 Reg. 74(3) inserted (1.6.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1013\)](#), regs. 1(2), **2(3)**

Examination by an officer of the Secretary of State

75.—(1) There are prescribed for the purposes of section 94(5)(b)(ii) (examination of a licence applicant or holder by an officer of the Secretary of State) the following disabilities—

[^{F655}(a) impairment of vision;]

(b) a disability consisting of any one or more of the following—

(i) the absence of one or more limbs,

(ii) the deformity of one or more limbs,

(iii) the loss of use of one or more limbs whether or not progressive in nature, and

(iv) impairment of co-ordination of movement of the limbs or of co-ordination between a limb and the eye;

(c) impairment of cognitive functions or behaviour;

(2) In paragraph (1)(b), a reference to a limb includes a reference to part of a limb, and the reference to loss of use in relation to a limb includes a reference to impairment of limb movement, power or sensation.

Textual Amendments

F655 Words in reg. 75(1)(a) substituted (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **5**

PART VII

SUPPLEMENTARY

Transitional provisions

Effect of change in classification of vehicles for licensing purposes

76.—(1) In a licence (whether full or provisional) granted before 1st January 1997, a reference to motor vehicles in an [^{F656}older] category shall be construed as a reference to motor vehicles in the new category corresponding thereto and a reference to motor vehicles of a class included in an [^{F656}older] category shall be construed as a reference to vehicles of the corresponding class included in the new category.

(2) Where a licence granted before 1st January 1997 authorises only the driving of a class of motor vehicles included in an [^{F656}older] category having automatic transmission, it shall authorise the driving of the corresponding class of vehicles in the new category having automatic transmission.

[^{F657}(2A) Subject to paragraphs (3C) to (3E), in a licence (whether full or provisional) granted before 19th January 2013, a reference to motor vehicles in an old category shall be construed as a reference to motor vehicles in the new category corresponding thereto and a reference to motor vehicles of a class included in an old category shall be construed as a reference to vehicles of the corresponding class included in the new category.]

(3) For the purposes of paragraphs (1) and (2), a reference in a licence to motor vehicles in an [^{F658}older] category (or a class included in that category) includes a reference in a licence granted before 1st June 1990 to a group or class of motor vehicles which is, by virtue of any enactment, to be construed as a reference to vehicles in the [^{F658}older] category (or a class included in that category).

[^{F659}(3C) Where a licence (whether full or provisional) granted before 19th January 2013 authorises the driving of—

- (a) standard motor bicycles only, or
- (b) standard motor bicycles and side-car combinations only,

any reference in that licence to motor vehicles in category A (save for those in sub-category A1) shall be construed in accordance with paragraph (3D).

(3D) A reference in a licence of the type referred to in paragraph (3C) granted before 19th January 2013 to motor vehicles in category A shall be construed as a reference—

- (a) where the standard access period has not expired, to motor vehicles in sub-category A2; and
- (b) where that period has expired, to motor vehicles in category A.

(3E) Paragraph (2A) shall not apply to a reference to vehicles in sub-category D1 in a licence granted before 1st January 1997.

(3F) Where a licence granted before 19th January 2013 authorises only the driving of a class of motor vehicles included in an old category having automatic transmission, it shall not under this regulation authorise the driving of any vehicle not having automatic transmission.]

(4) In this regulation—

“old category” and “class included in an old category” mean respectively a category and a class of vehicles specified in [^{F660}column (2)] of the table at the end of this regulation,

[^{F661}“older category” and “class included in an older category”, mean respectively a category and a class of vehicles specified in column (1) of the table at the end of this regulation,]

[^{F662}“new category” and “class included in a new category”—

- (a) in relation to an old category, means respectively the category (or, as the case may be, the sub-category) and the class of vehicles specified in column (3) of the table as corresponding to the relevant old category or class included in that old category; and
- (b) in relation to an older category, means respectively the category (or, as the case may be, the sub-category) and the class of vehicles specified in column (3) of the table as corresponding to the relevant older category or class included in that older category.]

“section 19 permit” means a permit granted under section 19 of the 1985 Act.

TABLE

^{F663} (1) Older category or class	(2) Old category or class	(3) Corresponding new category or class
	A (excluding A1)	A
	A1	A1
	B1	Motor tricycles in categories AM and A and light quadricycles in category AM
B1, limited to invalid carriages		B1 (invalid carriages)
	B	B
B plus E		B + E
	B+E	B + E
	C1	C1
C1 plus E		C1 + E (8.25 tonnes)
	C	C
C plus E		C+E
C plus E, limited to drawbar trailer combinations only		Vehicles in category C+E which are drawbar trailer combinations
D1		D1 (not for hire or reward)
	D1	D1
D1 plus E		D1 + E (not for hire or reward)
	D1 + E	D1 + E
D, limited to 16 seats		D1
D, limited to vehicles not more than 5.5 metres in length		D1 and vehicles in category D not more than 5.5 metres in length
D, limited to vehicles not driven for hire or reward		Vehicles in category D which are either driven while being

<i>[^{F663}(1) Older category or class</i>	<i>(2) Old category or class</i>	<i>(3) Corresponding new category or class</i>
		used in accordance with a section 19 permit or, if not being so used, driven otherwise than for hire or reward
	D	D
D plus E		D + E
	F	F
	G	G
	H	H
	K	K
	L	L
	P	Q and AM]

Textual Amendments

- F656** Word in reg. 76(1)(2) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(a)**
- F657** Reg. 76(2A) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(b)**
- F658** Word in reg. 76(3) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(c)**
- F659** Reg. 76(3C)-(3F) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(d)**
- F660** Words in reg. 76(4) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(e)(i)**
- F661** Words in reg. 76(4) inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(e)(ii)**
- F662** Words in reg. 76(4) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(e)(iii)**
- F663** Reg. 76(4) Table substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 43(f)**

Saving in respect of entitlement to Group M

77.—(1) Where a person was authorised by virtue of regulations revoked by these Regulations (whether or not he is also the holder of a licence granted before 1st October 1982) to drive, or to apply for the grant of a licence authorising the driving of, vehicles of a class included in the former group M (trolley vehicles used for the carriage of passengers with more than 16 seats in addition to the driver's seat), he shall continue to be so authorised and any licence granted to such a person shall be construed as authorising the driving of vehicles of that class.

(2) A person who is authorised to drive vehicles of a class included in the former group M shall, to the extent that he is so authorised, be deemed to be the holder of a Group 1 licence.

Saving in respect of entitlement to former category N

78.—(1) Where on 31st December 1996 a person was, by virtue of regulations then in force, the holder of, or entitled to apply for the grant of, a licence authorising the driving of vehicles included in—

- (a) the former category N (vehicles exempt from vehicle excise duty under section 7(1) of the Vehicles (Excise) Act 1971) alone, or
- (b) category F or A and the former category N,

the Secretary of State may, notwithstanding anything otherwise contained in these Regulations, grant to such a person a licence authorising the driving of vehicles in the former category N (with or without vehicles in either or both of the other categories as the case may be) and a person holding such a licence shall be authorised to drive such vehicles.

(2) Where on 31st December 1996 a person was the holder of, or entitled to apply for the grant of, a licence authorising the driving of vehicles included in category B and the former category N, he shall continue to be authorised to drive vehicles in that former category and any licence granted to such a person authorising the driving of vehicles included in category B shall be construed as authorising also the driving of vehicles in that former category.

Saving in respect of entitlement to drive mobile project vehicles

79. In relation to a person who was at a time before 1st January 1997 the holder of a licence authorising the driving of vehicles of a class included in category B (except a licence authorising only the driving of vehicles included in [^{F664}former sub-category B1 or sub-category] or B1 (invalid carriages)), regulation 7(5) shall apply as if paragraphs (b) and (c) and the words “on behalf of a non-commercial body” were omitted.

Textual Amendments

F664 Words in reg. 79 substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 44**

[^{F665}Saving in respect of former category and sub-category

79A. Where a person holds a full licence granted before 19th January 2013 authorising the driving of, or is entitled to apply for the grant of a full licence authorising the driving of, vehicles of a class within the category or sub-category referred to in column (1) of Part 4 of Schedule 2—

- (a) that person is authorised to drive, or entitled to apply for the grant of a licence authorising the driving of (as the case may be), vehicles of the relevant class referred to in column (2) of Part 4 of Schedule 2 which corresponds to that category or sub-category, as appropriate, in column (1); and
- (b) the licence granted to that person shall be construed as authorising the driving of vehicles of that class.]

Textual Amendments

F665 Reg. 79A inserted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 3 para. 45**

Miscellaneous

Persons who become resident in Great Britain

80.—(1) A person who becomes resident in Great Britain who is—

- (a) the holder of a relevant permit, and
- (b) not disqualified for holding or obtaining a licence in Great Britain

shall, during the period of one year after he becomes so resident, be treated for the purposes of section 87 of the Traffic Act as the holder of a licence authorising him to drive all classes of small vehicle, motor bicycle or moped which he is authorised to drive by that permit.

(2) A person who becomes resident in Great Britain who is—

- (a) the holder of a British external licence granted in the [^{F666}Isle of Man, Jersey or Guernsey] authorising the driving of [^{F667}large and medium-sized goods vehicles] of any class, and
- (b) not disqualified for holding or obtaining a licence in Great Britain

shall, during the period of one year after he becomes so resident, be treated for the purposes of section 87 of the Traffic Act as the holder of a licence authorising him to drive [^{F667}large and medium-sized goods vehicles] of all classes which he is authorised to drive by that licence.

(3) A person who becomes resident in Great Britain who is—

- (a) the holder of a British external licence granted in the [^{F668}Isle of Man, Jersey or Guernsey] authorising the driving of passenger-carrying vehicles of any class, and
- (b) not disqualified for holding or obtaining a licence in Great Britain

shall, during the period of one year after he becomes so resident, be treated for the purposes of section 87 of the Traffic Act as the holder of a licence authorising him to drive passenger-carrying vehicles of all classes which he is authorised to drive by that licence.

(4) The enactments mentioned in paragraph (5) shall apply in relation to—

- (a) holders of relevant permits and holders of British external licences of the classes mentioned in paragraphs (2) and (3), or
- (b) (as the case may be) those licences and permits,

with the modifications contained in paragraph (5).

(5) The modifications referred to in paragraph (4) are that—

- (a) section 7 of the Offenders Act ^{F669} shall apply as if—
 - (i) the references to a licence were references to a relevant permit or a British external licence, and
 - (ii) the words after paragraph (c) thereof were omitted;
- (b) section 27(1) and (3) of the Offenders Act ^{F670} shall apply as if—
 - (i) the references to a licence were references to a relevant permit or a British external licence,
 - ^{F671}(ii)
 - (iii) in subsection (3) the words “, unless he satisfies the Court that he has applied for a new licence and has not received it” were omitted;

^{F672}(c)

- (d) section 47 of the Offenders Act shall apply as if for subsection (2) ^{F673} there were substituted—

“(2) Where a court orders the holder of a relevant permit or a British external licence to be disqualified it must send the permit or the licence, on its being produced to the court, to the Secretary of State who shall keep it until the disqualification has expired or been removed or the person entitled to it leaves Great Britain and in any case has made a demand in writing for its return to him.

“Relevant permit” has the meaning given by regulation 80 of the Motor Vehicles (Driving Licences) Regulations 1999.”;

(e) section 164(1), (6) and (8) of the Traffic Act ^{F674} shall apply as if the references therein to a licence were references to a relevant permit or a British external licence ^{F675} ...; and

(f) section 173 of the Traffic Act ^{F676} shall apply as if after paragraph (aa) there were added—

“(ab) a relevant permit (within the meaning of regulation 80 of the Motor Vehicles (Driving Licences) Regulations 1999,

(ac) a British external licence.”.

(6) In this regulation “relevant permit” means—

(i) a “domestic driving permit”,

(ii) a “Convention driving permit”, or

(iii) a “British Forces (BFG) driving licence”,

within the meaning of article 2(7)—of the Motor Vehicles (International Circulation) Order 1975 ^{F677} which is—

(a) for the time being valid for the purposes for which it was issued, and

(b) is not a domestic driving permit or a British Forces (BFG) driving licence in respect of which any order made, or having effect as if made, by the Secretary of State is for the time being in force under article 2(6) of that Order.

Textual Amendments

F666 Words in reg. 80(2) substituted (21.2.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **7(a)(i)**

F667 Words in reg. 80(2) substituted (21.2.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **7(a)(ii)**

F668 Words in reg. 80(3)(a) substituted (21.2.2003) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2003 \(S.I. 2003/166\)](#), regs. 1(1), **7(b)**

F669 The relevant amendment is by the 1991 Act, Schedule 4, paragraph 83.

F670 The relevant amendments are by the 1990 Regulations and the 1991 Act, Schedule 4, paragraph 91.

F671 Reg. 80(5)(b)(ii) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(f)(i)**

F672 Reg. 80(5)(c) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(f)(ii)**

F673 Section 47(2) was amended by the 1990 Regulations and the 1991 Act, Schedule 4, paragraph 100.

F674 The relevant amendments are by the 1990 Regulations and the 1991 Act, Schedule 4, paragraph 68, and Schedule 8.

F675 Words in reg. 80(5)(e) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 11(f)(iii)**

F676 The relevant amendment is by the 1996 Regulations.

F677 [S.I. 1975/1208](#).

[^{F678}Modification of regulation 80: Appendix Ukraine Scheme

80A.—(1) This regulation applies in respect of a person who—

- (a) has entry clearance or permission to stay under the Appendix Ukraine Scheme to the Immigration Rules, and
- (b) is the holder of a relevant permit within the meaning given by regulation 80(6) which was issued under the law of Ukraine.

(2) Where this regulation applies, regulation 80(1) has effect as if the reference to the period of one year after a person becomes resident in Great Britain were to the period of three years after that person becomes resident.]

Textual Amendments

F678 Reg. 80A inserted (7.7.2023) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2023 \(S.I. 2023/666\)](#), regs. 1(2), 3

[^{F679}Modification of regulation 80 and further enactments relating to licences in respect of certain licences issued in EEA States

80B.—(1) This regulation applies in respect of a person—

- (a) who is the holder of a relevant permit within the meaning given by regulation 80(6)(i), and
- (b) where conditions A and B are satisfied.

(2) Condition A is that the relevant permit was issued—

- (a) in an EEA State, and
- (b) in exchange for a licence or a Northern Ireland licence.

(3) Condition B is that the licence or Northern Ireland licence, as the case may be, referred to in paragraph (2)—

- (a) was issued on or after 1st January 2021, and
- (b) was not issued—
 - (i) as a renewal or replacement of, or in exchange for, another licence, or Northern Ireland licence, issued before 1st January 2021, or
 - (ii) in exchange for a relevant permit within the meaning given by regulation 80(6) issued in relation to a country outside of the United Kingdom.

(4) Where this regulation applies, regulation 80 (persons who become resident in Great Britain) has effect subject to the modifications in paragraph (5).

(5) Regulation 80 is to be read as if—

- (a) in paragraph (1)—
 - (i) the reference to the period of one year after a person becomes resident in Great Britain were a reference to the period for which that person is authorised to drive by that relevant permit after they become resident, and
 - (ii) the reference to all classes of small vehicle, motor bicycle or moped were a reference to a motor vehicle, and
- (b) paragraphs (4) and (5) were omitted.

(6) Where this regulation applies, references in any enactment relating to licences to a Community licence, or the holder of a Community licence, have effect as if they also included a reference to

the relevant permit described in paragraph (1), or the holder of such a relevant permit, as the case may be.]

Textual Amendments

F679 Reg. 80B inserted (11.4.2024) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2024 \(S.I. 2024/381\)](#), regs. 1(2), 3

Service personnel

81. [^{F680}A traffic commissioner] is hereby prescribed for the purposes of section 183(6) of the Traffic Act (discharge of Part IV functions in relation to HM Forces).

Textual Amendments

F680 Words in reg. 81 substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Northern Ireland licences

82.—^{F681}(1)

(2) For the purposes of section 122(4) of the Traffic Act, the magistrates' court or sheriff to whom an appeal shall lie by the holder of a Northern Ireland licence, being a person who is not resident in Great Britain and who is aggrieved by the suspension or revocation of the licence or by the ordering of disqualification for holding or obtaining a licence, shall be—

(a) such a magistrates' court or sheriff as he may nominate at the time he makes the appeal; or

[^{F682}(b) if a particular court is not nominated under sub-paragraph (a), the Carlisle Combined Court Centre.]

Textual Amendments

F681 Reg. 82(1) omitted (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

F682 Reg. 82(2)(b) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 2** (with arts. 1(3), 2, 7)

Statement of date of birth

83.—(1) The circumstances in which a person specified in section 164(2) of the Traffic Act shall, on being required by a police constable, state his date of birth are—

(a) where that person fails to produce forthwith for examination his licence on being required to do so by a police constable under that section; or

(b) where, on being so required, that person produces a licence—

(i) which the police constable in question has reason to suspect was not granted to that person, was granted to that person in error or contains an alteration in the particulars entered on the licence (other than as described in paragraph (ii)) made with intent to deceive; or

(ii) in which the driver number has been altered, removed or defaced;

- (c) where that person is a person specified in subsection (1)(d) of that section and the police constable has reason to suspect that he is under 21 years of age.
- (2) In paragraph (1), "driver number" means the number described as the driver number in the licence.

F683 Review

Textual Amendments

F683 Reg. 84 and cross-heading added (4.1.2016) by [The Road Traffic Offenders Act 1988 and Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2015 \(S.I. 2015/2004\)](#), regs. 1, **3(3)**

Review

- 84.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of regulations 37 to 39 (requirements at tests),
 - (b) set out the conclusions of the review in a report, and
 - (c) publish the report.
- (2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how [Directive 2006/126/EC](#) of the European Parliament and of the Council on driving licences (which is implemented in part by means of these Regulations) is implemented in other member States.
- (3) The report must in particular—
- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations,
 - (b) assess the extent to which those objectives are achieved, and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that impose less regulation.
- (4) The first report under this regulation must be published before the 4th January 2021.
- (5) Reports under this regulation are afterward to be published at intervals not exceeding five years.]

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Larry Whitty
Parliamentary under-Secretary of State,
Department of the Environment, Transport and
the Regions

We approve the making of these Regulations

Jim Dowd
Bob Ainsworth
Two of the Lords Commissioners of Her
Majesty's Treasury

Changes to legislation:

There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) Regulations 1999.