
STATUTORY INSTRUMENTS

1999 No. 2864

The Motor Vehicles (Driving Licences) Regulations 1999

PART V

**APPROVED TRAINING COURSES FOR
RIDERS OF MOTOR BICYCLES AND MOPEDS**

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
- (b) after the earlier of the following dates, namely—
 - (i) the last day of the period of 3 years commencing with the date of the certificate, or
 - (ii) in a case where the person to whom the certificate was given is later disqualified by order of a court under section 36 of the Offenders Act, the date on which the order is made.

(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.

Exemptions from Part V

69.—(1) Subject to paragraph (2), section 98(3)(c) of the Traffic Act shall not apply to a person who is a provisional entitlement holder by virtue of having passed a test for the time being prescribed in respect of category P on or after 1st December 1990 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.

(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 A or P.

(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.