

**2015 No. 5**

**ROAD TRAFFIC AND VEHICLES**

**The Motor Vehicles (Driving Instruction) (Amendment)  
Regulations (Northern Ireland) 2015**

*Made* - - - - *15th January 2015*

*Coming into operation-* - *28th February 2015*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 48(4), 50(1), 52(2), (4), (6) and (7), 61, 62, 70(1) and 76 of the Road Traffic (Northern Ireland) Order 2007(a).

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Driving Instruction) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 28<sup>th</sup> February 2015.

**Amendment of the Motor Vehicles (Driving Instruction) Regulations**

2.—(1) The Motor Vehicles (Driving Instruction) Regulations (Northern Ireland) 2010(b) are amended in accordance with paragraphs (2) to (10).

(2) In regulation 2(1) (interpretation) in the definition of “motor car”—

(a) omit “and” after sub-paragraph (a); and

(b) after sub-paragraph (b) add—

“and

(c) which is a vehicle of category B or category B+E as specified in column (2) of Schedule 1 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(c);”.

(3) In regulation 3 (register) after “motor cars” insert “fitted with a manual transmission or an automatic transmission”.

(4) In regulation 4 (registration)—

(a) in paragraph (1)—

(i) omit “and” after sub-paragraph (d);

(ii) for sub-paragraph (e) substitute—

“(e) that he has provided the Department with a signed declaration stating that he is able to safely take control of the motor car if an emergency situation arises;

(f) that he follows the guidance issued by the Registrar listed in Schedule 7; and

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(a) S.I. 2007/916(N.I.10)

(b) S.R. 2010 No.227; as amended by S.R. 2010 No. 367

(c) S.R. 1996 No. 542

- (g) apart from the fulfilment of the foregoing conditions that he is a fit and proper person to have his name entered in the register.”; and
- (b) after paragraph (2) add—
- “(3) Where the examination referred to in paragraph (1)(a) has been passed in a vehicle with an automatic transmission, instruction can only be given in vehicles fitted with an automatic transmission.”.
- (5) In regulation 5(2)(extension of registration)—
- (a) omit “and” after sub-paragraph (d); and
- (b) after sub-paragraph (d) insert—
- “(dd) that he follows the guidance issued by the Registrar listed in Schedule 7; and”.
- (6) In regulation 6(1) (termination of registration)—
- (a) omit “or” after sub-paragraph (e);
- (b) at the end of sub-paragraph (f) omit the full stop and add—
- “; or
- (g) that he has failed to follow the guidance issued by the Registrar listed in Schedule 7.”.
- (7) In regulation 11 (motor car to be provided for practical part of examination)—
- (a) in paragraph (3) for “The vehicle must” substitute “Subject to paragraph (3A), the vehicle must”;
- (b) after paragraph (3) insert—
- “(3A) The requirement in paragraph (3)(c) shall not apply where the Registrar is satisfied that the candidate has a disabled person’s limited driving licence.”;
- (c) after paragraph (5) add—
- “(6) In this regulation—
- “disabled person’s limited driving licence” means a licence of one of the following kinds—
- (a) a licence to drive a motor vehicle granted under Part II of the Order of 1981 (not being a provisional licence within the meaning of Part II of that Order) which is limited, by virtue of a notice served under Article 9(5)(b) of that Order, to a motor car equipped with an automatic transmission;
- (b) a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988(a) (not being a provisional licence within the meaning of Part 3 of that Act) which is limited by virtue of a notice served under section 92(5)(b) of that Act, to a motor car equipped with an automatic transmission; and
- (c) a community licence authorising the driving of a motor vehicle which is similarly limited by virtue of any corresponding provisions of the law under which it was issued and a counterpart of that licence.”.
- (8) In regulation 13 (nature of test and provision of motor car)(b) after paragraph (7) add—
- “(8) Where a test had been passed in a vehicle with automatic transmission, instruction can only be given in vehicles fitted with automatic transmission.”.
- (9) In Schedule 6 (fees) in item 1 for the fee payable “£72” substitute “£66 from 28<sup>th</sup> February 2015 and £64 from 1<sup>st</sup> October 2015”.
- (10) After Schedule 6 add Schedule 7 as set out in the Schedule to these Regulations.

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(a) 1988 c.52

(b) Regulation 13 was substituted by regulation 2(11) of S.R. 2010 No. 367

### **Transitional Provision**

3. Where a person immediately before the coming into operation of these Regulations was providing instruction in the driving of category B+E vehicles that person may continue to provide instruction for a period of 12 months from and including the date these Regulations come into operation unless before that date he meets the requirement set out in regulation 7(4) of the Motor Vehicles (Driving Instruction) Regulations (Northern Ireland) 2010.

Sealed with the Official Seal of the Department of the Environment on 15<sup>th</sup> January 2015



*Iain Greenway*  
A senior officer of the  
Department of the Environment

## **SCHEDULE**

Regulation 2(10)

### **“SCHEDULE 7**

Regulation 4(1)(f)

### **Guidance issued by Registrar**

#### **PART 1**

##### **Motor cars**

1. The Code of Conduct for Approved Driving Instructors.
2. ADI Conditions of Registration.
3. ADI Your Guide to becoming an Approved Driving Instructor.
4. Instructions included in the Quarterly Update magazine and other written instructions issued by the Registrar.

#### **PART 2**

##### **Motorcycles**

1. The Code of Conduct for Approved Motorcycle Instructors.
2. AMI Conditions of Registration.
3. Guide to becoming an Approved Motorcycle Instructor.
4. An Instructor’s Guide to delivering Compulsory Basic Training (CBT) and Information Manual.
5. CBT Conditions of Authority.
6. Instructions included in the Quarterly Update magazine and other written instructions issued by the Registrar.”

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Motor Vehicles (Driving Instruction) Regulations (Northern Ireland) 2010 in order to require instructors of category B+E vehicles to be registered as Approved Driving Instructors within a specified time period. The Regulations introduce a facility for disabled drivers to take the driving instruction tests in a car with automatic transmission and stipulate that if an Approved Driving Instructor passes their test in a vehicle with a automatic transmission, they can only give instruction in a vehicle with automatic transmission. The Regulations also specify the documents that are to be regarded as guidance issued by the Registrar in accordance with Article 52(4) of the Road Traffic (Northern Ireland) Order 2007 and reduce the fee payable for submission to theory test from £72 to £66 from 28<sup>th</sup> February 2015 and to £64 from 1st October 2015.

An Explanatory Memorandum and a Regulatory Impact Assessment have been produced and are available from Road Safety and Vehicle Regulation Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or viewed online at <http://www.legislation.gov.uk/nisr>.

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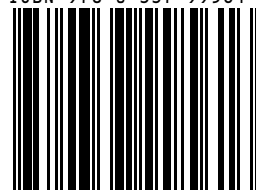
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£4.25

N6387 01/2015 456387T 19585

ISBN 978-0-337-99561-3



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