

1970. No. 40

[C]

HEAVY GOODS VEHICLES (DRIVERS' LICENCES)

REGULATIONS, DATED 2ND MARCH 1970, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTIONS 66(3)(c), 67(1), 68(1), 70(1), 70(2), AND 71 OF AND SCHEDULE 1 TO THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1970.

ARRANGEMENT OF REGULATIONS

PART I—GENERAL

	<i>Regulation</i>
Citation and commencement	1
Interpretation	2

PART II—LICENCES

Applications for licences	3
Qualifications of applicants	4
Issue of licences	5
Form of licences	6
Signature of licences	7
Fees for licences	8
Provisional licences	9
Suspension or revocation	10
Withdrawal of licence under Part X of the Act	11
Lost, defaced and exchanged licences	12
Production of licences :	13

PART III—TESTS

Applications for tests	14
Qualifications of applicants for a test of competence	15
Persons who may conduct tests	16
Nature of tests	17
Results of tests	18
Evidence of results of tests	19
Production of vehicle for test, etc.	20
Fees for tests	21
Refund of fees	22

PART IV—SUPPLEMENTARY

Exemptions	23
Transitional licences	24

SCHEDULES

	<i>Page</i>
1. Classes of heavy goods vehicles	13
2. PART I Form of heavy goods vehicle full driver's licence .	14
PART II Form of heavy goods vehicle provisional driver's licence	14
3. Diagram of distinguishing mark to be displayed on a vehicle driven under a provisional licence	15
4. Nature of tests—operations	16
5. PART I Form of certificate of passing a test of competence to drive a heavy goods vehicle	16
PART II Form of statement of failure to pass a test of com- petence to drive a heavy goods vehicle	16

The Ministry of Home Affairs in exercise of the powers vested in it by Sections 66(3)(c), 67(1), 68(1), 70(1), 70(2) and 71 of and Schedule 1 to the Road Traffic Act (Northern Ireland) 1970(a) and of all other powers enabling it in that behalf, with the approval of the Ministry of Finance for Northern Ireland in regard to the provisions contained in Regulations 8 and 21, hereby makes the following Regulations:—

PART I—GENERAL

Citation and commencement

1. These Regulations may be cited as the Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1970 and shall come into operation on 2nd June 1970.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Act” means the Road Traffic Act (Northern Ireland) 1970;

“articulated vehicle” means a motor car or heavy motor car as defined in section 30(1) of the Act so constructed that a trailer may by partial superimposition be attached thereto in such a manner as to cause a substantial part of the weight of the trailer to be borne thereby and which has a trailer so attached;

“Examiner” means an Inspector of Vehicles or Driving Examiner in the Ministry of Home Affairs;

“full licence” means a hgv driver's licence other than a provisional hgv driver's licence;

“hgv driver's licence” means a heavy goods vehicle driver's licence;

“the Ministry” means the Ministry of Home Affairs for Northern Ireland;

“test” means a test of competence to drive heavy goods vehicles of any class conducted under section 67(2) of the Act;

“vehicle with automatic transmission” shall mean a vehicle in which the driver is not provided with any means whereby he may, independently of the use of the accelerator or the brakes, vary gradually the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle.

- (2) In these Regulations, unless the context otherwise requires—
- (a) any reference to a class or classes of heavy goods vehicles is a reference to one of the classes or to the classes of heavy goods vehicles specified in Schedule 1;
 - (b) any reference to a numbered class of such vehicles is a reference to the class of that number specified in that Schedule; and
 - (c) any reference to additional classes, in relation to a class of heavy goods vehicles, is a reference to the classes specified in the column in that Schedule headed "additional classes" in relation to that class.

PART II—LICENCES

Applications for licences

3.—(1) A person who desires to obtain the grant of a hgv driver's licence shall—

- (a) furnish to the Ministry all relevant particulars and make any relevant declaration specified in such form as the Ministry may require,
- (b) submit his application not more than two months before the date on which the licence is to have effect,
- (c) if he is a person to whom Regulation 24(1) applies, submit his application not more than six months prior to the time of expiry of his licence granted under Part I of the Act which, at the beginning of the appointed day, authorised him to drive a heavy goods vehicle, and
- (d) send with his application—
 - (i) if required by the Ministry, a certificate in such form as the Ministry may require signed by a registered medical practitioner not more than three months prior to the date on which the licence is to have effect,
 - (ii) if he is an applicant for a hgv driver's licence under paragraph 1 of Schedule 1 to the Act, a certificate in such form as the Ministry may require,
 - (iii) his licence granted under Part I of the Act, and
 - (iv) a pass certificate showing that he has passed the test within the relevant period for the class of heavy goods vehicles which the hgv driver's licence applied for will authorise him to drive except in the case of an application for a provisional licence or a hgv driver's licence under paragraph 1 of Schedule 1 to the Act or where he has held a full hgv driver's licence authorising him to drive such vehicles within the relevant period.

In this sub-sub-paragraph "relevant period" means the period specified in section 67(2) of the Act ending on the date of the coming into force of the hgv driver's licence applied for.

(2) Any application for a hgv driver's licence which does not comply with the foregoing paragraph may be treated by the Ministry as of no effect, but where the Ministry so treats such an application or refuses the grant of a licence any fee and any documents required by sub-paragraph (d) of that paragraph to be sent with the application shall be returned to the applicant.

- (3) A person shall not apply for a hgv driver's licence if—
- (a) he holds a hgv driver's licence which has been suspended,
 - (b) he is disqualified for holding or obtaining a hgv driver's licence,

- (c) he is disqualified by a court for holding or obtaining a licence to drive a motor vehicle granted under Part I of the Act, or
- (d) in the event of the application being granted he would hold more than one hgv driver's licence.

Qualifications of applicants

4. An applicant for a hgv driver's licence shall have the following qualifications, experience and knowledge:—

- (a) he must not be a person to whom paragraph (3) of the last preceding Regulation applies;
- (b) he shall not suffer from any disease or physical disability likely to cause the driving by him of a heavy goods vehicle to be a source of danger to the public;
- (c) he shall on the date of commencement of the hgv driver's licence applied for be aged 21 years or over in the case of an applicant for a hgv driver's licence for class 1, 1A, 2, 2A, 3, or 3A, of heavy goods vehicles or 17 years or over in the case of an applicant for a hgv driver's licence for class 4 or 4A of such vehicles; and
- (d) he shall hold a licence granted under Part I of the Act authorising him to drive a vehicle or vehicles in the class of heavy goods vehicles in respect of which he desires to obtain the grant of a licence.

Issue of licences

5. If the licence held by the applicant under Part I of the Act contains a provision under section 4(2)(b) of the Act limiting the applicant to the driving of vehicles of a particular construction or design only, any full licence granted to the applicant to drive a heavy goods vehicle shall contain a corresponding limitation.

Form of licences

6.—(1) Hgv drivers' licences shall be issued in the form of a book containing—

- (a) in the case of a full licence, particulars in the form set out in Part I of Schedule 2,
- (b) in the case of a provisional licence, particulars in the form set out in Part II of that Schedule.

(2) Where an applicant for a hgv driver's licence is already a holder of a hgv driver's licence the Ministry may, instead of issuing him with a new book, issue the appropriate hgv driver's licence by affixing in the book already held a page or pages containing such particulars as would fall to be included in any new book issued to the applicant.

Signature of licences

7. Every person to whom a hgv driver's licence is granted shall forthwith sign it in ink with his usual signature.

Fees for licences

8. The fee for the grant of a full licence shall be £1 and the fee for the grant of a provisional licence shall be 10s. 0d.:

Provided that the fee for a full licence granted for a period less than three years by virtue of paragraph 5 of Schedule 1 to the Act shall be reduced proportionately.

Provisional licences

9.—(1) A full licence to drive any class of heavy goods vehicles shall also be treated for the purposes of sections 66 to 74 of the Act as a provisional licence to drive heavy goods vehicles of any other class which the holder is not prohibited under section 2 of the Act by reason of his age from driving.

(2) Subject to paragraph (3), a provisional licence, including a full licence which is treated as a provisional licence under the foregoing paragraph, shall be subject to the following conditions, that is to say the holder shall not drive a heavy goods vehicle of any class which he may drive by virtue of the provisional licence—

- (a) otherwise than under the supervision of a person who is present with him in the vehicle and who either holds a full licence to drive that class of vehicle or is a person who by virtue of Regulation 24(1) is the holder of a licence issued under Part I of that Act, other than a provisional licence, authorising him to drive heavy goods vehicles of that class;
- (b) unless there is clearly displayed in a conspicuous manner on the front and on the back of the vehicle a distinguishing mark in the form set out in Schedule 3;
- (c) which is being used to draw a trailer, except where the trailer is part of an articulated vehicle being driven by the holder.

(3) The condition specified in paragraph 2(a) shall not apply whilst the holder of a provisional licence is undergoing a test.

Suspension or revocation

10.—(1) A hgv driver's licence may at any time be suspended or revoked by the Ministry on the ground that the licence has been obtained by misrepresentation or by reason of his conduct as a driver of a motor vehicle or of physical disability the holder is not a fit person to hold such a licence; and during any time of suspension such a licence shall be of no effect.

(2) A corresponding licence issued in Great Britain, in so far as under section 69(1) of the Act it permits the driver while he is in Northern Ireland to drive such a vehicle on a road therein, may at any time be suspended or revoked by the Ministry in like manner to Northern Ireland licences under the provisions of paragraph (1).

(3) Where in pursuance of paragraph (1) or (2) the Ministry revokes such a licence the Ministry may order the holder to be disqualified indefinitely or for such period as the Ministry thinks fit for holding or obtaining a hgv driver's licence or, if the licence is a full licence, the Ministry may order the holder to be disqualified for holding or obtaining a full licence until he has, since the date of the order, passed the test.

(4) The holder of a hgv driver's licence which has been suspended or revoked by the Ministry shall on receipt of notice either delivered to the holder personally or sent by the recorded delivery service to the holder's last known address of the decision of the Ministry to suspend or revoke the licence forthwith deliver it to the Ministry for endorsement or cancellation.

(5) If a hgv driver's licence is suspended, the Ministry shall endorse particulars of the suspension on the hgv driver's licence and shall return it to the holder at the end of the period of suspension on a demand in writing being made by that person.

(6) The holder of a hgv driver's licence issued in Great Britain which has been suspended or revoked by the Ministry shall on receipt of notice either delivered to the holder personally or sent by the recorded delivery service to the holder's last known address of the decision of the Ministry to suspend or revoke the licence forthwith deliver it to the Ministry for return to the issuing authority in Great Britain.

Withdrawal of licence under Parts I and X of the Act

11.—(1) If the holder of a hgv driver's licence is disqualified for holding or obtaining a licence under Part X of the Act, or if such a licence is refused or revoked under section 4 of the Act, he shall forthwith—

- (a) notify the Ministry of the particulars of the disqualification refusal or revocation, and
- (b) deliver his hgv driver's licence to the Ministry.

(2) Where a person who has delivered his hgv driver's licence to the Ministry in accordance with the foregoing paragraph ceases to be disqualified, unless the hgv driver's licence has been revoked or a period of suspension is still current, the Ministry on production of that person's licence granted under Part I shall return the hgv driver's licence to him if it has not expired.

Lost, defaced and exchanged licences

12.—(1) If the holder of a hgv driver's licence satisfies the Ministry that the hgv driver's licence has been lost or defaced the Ministry shall, on payment of a fee of 5s. 0d. and in the case of a defaced hgv driver's licence on surrender to the Ministry of the licence, issue to him a duplicate hgv driver's licence and shall endorse thereon particulars of any suspension endorsed upon the original hgv driver's licence and the duplicate so issued shall have the same effect as the original.

(2) If at any time while a duplicate, which was issued in the place of a lost hgv driver's licence, is in force the original hgv driver's licence is found and the person to whom the original hgv driver's licence was issued becomes aware of that fact he shall forthwith inform the Ministry and, if it is not in his possession, take all reasonable steps to obtain possession of it, and if it is in his possession or he obtains possession of it shall return it as soon as may be to the Ministry.

(3) If the holder of a hgv driver's licence surrenders it and applies for a new hgv driver's licence he shall, if he so requires, on payment of a fee of 5s. 0d. be granted a hgv driver's licence to continue in force only for the period for which the surrendered licence would have continued if not surrendered.

Production of licences

13.—(1) Subject to paragraph (5), any such person as follows, that is to say,—

- (a) the driver of a heavy goods vehicle on a road, or
- (b) a person who accompanies the holder of a provisional licence while the holder is driving a heavy goods vehicle on a road,

shall, on being so required by a constable or an examiner, produce his hgv driver's licence for examination, so as to enable the constable or examiner to ascertain the name and address of the holder of the hgv driver's licence, the date of issue, and the authority by which it was issued, and shall, on being so required by an examiner as aforesaid, give his name and address and acknowledge that such information as recorded by the examiner on the examiner's record sheet is correct by signing the said record sheet.

(2) Subject to paragraph (5), any such person as follows, that is to say,—

- (a) a person whom a constable has reasonable cause to believe to have been the driver of a heavy goods vehicle at a time when an accident occurred owing to its presence on a road, or
- (b) a person whom a constable has reasonable cause to believe to have committed an offence in relation to the use of a heavy goods vehicle on a road,

shall, on being so required by a constable, produce his hgv driver's licence for examination so as to enable the constable to ascertain the name and address of the holder of the hgv driver's licence, the date of issue, and the authority by whom it was issued.

(3) Subject to paragraph (5), where a hgv driver's licence has been suspended or revoked by the Ministry, then if the holder of the hgv driver's licence fails to deliver it to the Ministry for endorsement or cancellation as required by Regulation 10(4), a constable or an examiner may require him to produce it, and upon its being produced may seize it and deliver it for endorsement or cancellation to the Ministry.

(4) Subject to paragraph (5), where a constable or an examiner has reasonable cause to believe that the person to whom a licence has been granted, or any other person, has knowingly made a false statement for the purpose of obtaining the grant of the hgv driver's licence, the constable or examiner may require the holder of the hgv driver's licence to produce it to him.

(5) If any person is unable to produce his hgv driver's licence when required to do so in accordance with any of the foregoing paragraphs, it shall be a sufficient compliance with that paragraph if—

- (a) in a case where the hgv driver's licence was required by a constable to be produced, within five days after the production of his hgv driver's licence was so required he produces the hgv driver's licence in person for examination for the same purposes at such police station as may have been specified by him at the time its production was required, or
- (b) in a case where the hgv driver's licence was required by an examiner to be produced, within ten days after the production of his hgv driver's licence was so required it is produced for examination for the same purposes at the office of such examiner.

(6) The holder of a hgv driver's licence shall, upon being required to do so by the Ministry cause his hgv driver's licence or his licence granted under Part I of the Act to be produced to the Ministry within ten days after the day on which the requirement was made.

PART III—TESTS

Applications for tests

14.—(1) A person who desires to take a test to be conducted by an examiner appointed under Regulation 16(1)(a) shall apply for an appointment for a test to the Chief Examiner.

(2) An applicant for such an appointment shall, when making the application, specify the class of goods vehicles in respect of which he desires to take the test.

(3) Upon receipt of an application for a test in accordance with this Regulation from a person qualified in accordance with the next following Regulation to take the test applied for the Chief Examiner shall make arrangements for the taking of the test and offer the applicant an appointment.

(4) A person who has previously submitted himself for a test and failed to pass shall not submit himself for a test before the expiration of one month from the date of the previous test, except under an order of a court under section 72 of the Act.

Qualifications of applicants for a test of competence

15. An applicant for a test shall hold licences granted under Part I and sections 66 to 74 of the Act entitling him to drive a vehicle or vehicles in the class of heavy goods vehicles in respect of which he desires to take the test:

Provided that this Regulation shall not require an applicant to hold a licence under sections 66 to 74 of the Act if he is a person to whom Regulation 24(1) applies.

Persons who may conduct tests

16.—(1) Tests may be conducted by—

- (a) examiners appointed for that purpose by the Ministry,
- (b) examiners appointed for that purpose by the Secretary of State, in so far as concerns the testing of civilians employed in the driving of motor vehicles for the purposes of the naval, military or air forces of Her Majesty raised in the United Kingdom,
- (c) the Inspector General of the Royal Ulster Constabulary, the Fire Force Commander of the Northern Ireland Fire Authority and the Chief Fire Officer of the Belfast Fire Brigade in so far as concerns persons employed or to be employed by one or other of them to drive motor vehicles.

(2) Any person authorised by virtue of sub-paragraph (c) of the preceding paragraph to conduct tests may, subject to the approval of the Ministry, authorise suitable persons to act as examiners of those who submit themselves for a test.

Nature of tests

17. The nature of the test shall be that the candidate shall satisfy the examiner that—

- (a) he is fully conversant with the contents of the Highway Code,
- (b) he has sufficient knowledge of the mechanical operation of the vehicle on which he is tested, including at the discretion of the examiner the effect of distribution of load on the performance of the vehicle, to enable him to drive it safely,
- (c) he is competent to drive without danger to and with due consideration for other users of the road, the vehicle on which he is tested, and
- (d) he is able to perform safely and competently the operations specified in Schedule 4.

Results of tests

18. A person who has passed a test to drive a class of heavy goods vehicles shall be deemed for the purposes of sections 66 to 74 of the Act to have passed in addition the test for any additional classes of heavy goods vehicles relating to that class.

Evidence of results of tests

19.—(1) A person who passes a test shall be furnished with a certificate to that effect in the form (adapted as the case may require) set out in Part I of Schedule 5.

(2) A person who fails to pass a test shall be furnished with a statement to that effect in the form (adapted as the case may require) set out in Part II of Schedule 5.

Production of vehicle for test, etc.

20.—(1) A person submitting himself for a test shall—

(a) provide for the purpose of the test a vehicle which:—

- (i) is a vehicle of the class in respect of which he requires to be tested and in the case of a test in respect of class 2, 2A, 3 or 3A not be an articulated vehicle or the tractive unit thereof;
- (ii) is suitable for the purpose of the test;
- (iii) is not carrying any goods or burden of any description;
- (iv) is fitted with a seat which is firmly secured to the vehicle and in such a position that the examiner may properly conduct the test from it and afford adequate protection from bad weather to the examiner when conducting the test;
- (v) is not a vehicle in respect of which any person is required to be employed as a driver or attendant in addition to the applicant under Regulation 93 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967(b); and
- (vi) 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

(b) produce to the examiner who is to conduct the test his driving licence granted under Part I of the Act and his licence granted under sections 66 to 74 of that Act and shall sign the examiner's attendance record:

Provided that this sub-paragraph shall not require him to produce a licence under sections 66 to 74 of the Act if he is a person to whom Regulation 24(1) applies.

(2) Where a person submitting himself for a test provides a vehicle which does not comply with the foregoing paragraph or fails to produce his licences as aforesaid or fails to sign the examiner's attendance record the examiner may refuse to conduct the test.

Fees for tests

21. The fee payable in respect of a test to be conducted by an examiner appointed under Regulation 16(1)(a) shall be £6.

Refund of fees

22. The fee paid in pursuance of Regulation 21 for an appointment for a test may be repaid in the following cases and not otherwise, that is to say:—

- (a) if no such appointment is made, or an appointment made is subsequently cancelled by or on behalf of the Ministry;
- (b) if the person for whom the appointment is made gives notice cancelling the appointment to the Chief Examiner of not less than three clear days (excluding Saturdays, Sundays, and any public holiday) before the date of the appointment;

- (c) if the person for whom the appointment is made keeps the appointment but the test does not take place, or is not completed, for reasons attributable neither to him nor to any vehicle provided by him for the purposes of the test; or
- (d) if an order for repayment of the fee is made by a court under section 72 of the Act pursuant to a finding that the test was not properly conducted in accordance with these Regulations.

PART IV—SUPPLEMENTARY

Exemptions

23.—(1) Sections 66 to 74 of, and paragraph 1 of Schedule 1 to, the Act shall not apply to heavy goods vehicles of the following classes:—

- (a) track laying vehicles;
- (b) vehicles propelled by steam;
- (c) road rollers;
- (d) road construction vehicles 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);
- (e) engineering plant;
- (f) works trucks;
- (g) an industrial tractor, that is to say a tractor, not being a land tractor, having an unladen weight not exceeding $3\frac{1}{2}$ tons, designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement or implements designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load), and which is so constructed as to be incapable of exceeding a speed of 20 miles per hour on the level under its own power;
- (h) land locomotives and land tractors;
- (i) digging machines;
- (j) vehicles exempted from excise duty by virtue of section 7(5) of the Vehicles (Excise) Act (Northern Ireland) 1954(c) (vehicles used less than a certain distance on public roads);
- (k) any motor car as defined in section 30(1)(e) of the Act so constructed that a trailer may by partial superimposition be attached thereto in such a manner as to cause a substantial part of the weight of the trailer to be borne thereby, but which has no trailer attached;
- (l) vehicles used as public service vehicles as defined in section 190 of the Act;
- (m) vehicles used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;
- (n) vehicles registered before 1st January 1940 used unladen and not drawing a laden trailer;
- (o) vehicles in the service of a visiting force or headquarters;

(p) a vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or danger to other road users or members of the public, for the purpose of safeguarding property, including the heavy goods vehicle and its load, or for other similar purposes; and

(q) any articulated vehicle, the tractive unit of which does not exceed 15 cwt. unladen weight.

(2) Paragraph 1 of Schedule 1 to the Act shall not apply to heavy goods vehicles to which section 66(3)(a) of that Act applies.

(3) In this Regulation:—

(a) “works truck” means a motor vehicle designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works;

“engineering plant” has the meaning given thereto in Article 19 of the Motor Vehicles (Authorisation of Special Types) General Order (Northern Ireland) 1968(d);

“road construction vehicle” and “road construction machinery” have the meanings given thereto by section 26(1) of the Vehicles (Excise) Act (Northern Ireland) 1954;

“track laying”, “land locomotive” and “land tractor” have the meanings given thereto in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967;

“digging machine” means a mechanically propelled vehicle as described in section 4(2)(b) of the Vehicles (Excise) Act (Northern Ireland) 1954;

(b) expressions used in sub-paragraph (o) of paragraph (1) have the same meaning as in the Visiting Forces and International Headquarters (Application of Law) Order 1965(e).

Transitional licences

24.—(1) Section 66(1) of the Act shall not have effect as respects—

(a) the driving of a heavy goods vehicle of any class by a person who, on the day appointed for the coming into operation of that section, is the holder of a licence granted under section 9 of the Act authorising him to drive a heavy goods vehicle of that class; or

(b) the employment to drive a heavy goods vehicle of any class of a person who on that day is the holder of such a licence authorising him to drive a heavy goods vehicle of that class,

so long as (in either case) the licence in question remains in force.

(2) Any hgv driver's licence granted under paragraph 1 of Schedule 1 to the Act to an applicant who has been in the habit of driving, during any period or periods referred to in the said paragraph 1, a heavy goods vehicle or vehicles of any class shall be granted in respect of each class of heavy goods vehicles which he has been in the habit of driving during the said period or periods and in respect of such additional classes relating to that class.

(d) S.R. & O. (N.I.) 1968, No. 277.

(e) S.I. 1965/1536.

(3) Any hgv driver's licence granted under paragraph 1 of the said Schedule 1 to an applicant, who is unable to satisfy the Ministry that he qualifies under the preceding paragraph but who can satisfy the Ministry that during periods referred to in the said paragraph 1 and amounting in aggregate to six months he has been in the habit of driving heavy goods vehicles of a combination of classes shall be restricted to the lowest class of heavy goods vehicles comprised in that combination and such additional classes (if any) relating to that class.

In construing for the purposes of this paragraph the reference to the lowest class of heavy goods vehicles, class 1 in column 1 of Schedule 1 shall be treated as the highest class and each succeeding class in that column shall be treated as lower than any preceding class.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 2nd day of March 1970.

(L.S.)

W. G. Robinson,
Assistant Secretary.

The provisions contained in the foregoing Regulations numbered 8 and 21 are hereby approved by the Ministry of Finance for Northern Ireland this 2nd day of March 1970.

(L.S.)

C. F. Darling,
Assistant Secretary.

(See Regulations 2, 3,
4, 9, 18, 20 and 24)

SCHEDULE 1

Classes of heavy goods vehicles

1 Class	2 Definition	3 Additional Classes
Class 1	an articulated vehicle not with automatic transmission, other than a vehicle coming within class 4.	Classes 1A, 2, 2A, 3, 3A, 4 and 4A
Class 1A	an articulated vehicle with automatic transmission, other than a vehicle coming within class 4A.	Classes 2A, 3A and 4A
Class 2	a heavy goods vehicle not with automatic transmission, other than an articulated vehicle, designed and constructed to have more than four wheels in contact with the road surface.	Classes 2A, 3 and 3A
Class 2A	a heavy goods vehicle with automatic transmission, other than an articulated vehicle, designed and constructed to have more than four wheels in contact with the road surface.	Class 3A
Class 3	a heavy goods vehicle not with automatic transmission, other than an articulated vehicle, designed and constructed to have not more than four wheels in contact with the road surface.	Class 3A
Class 3A	a heavy goods vehicle with automatic transmission, other than an articulated vehicle, designed and constructed to have not more than four wheels in contact with the road surface.	
Class 4	an articulated vehicle not with automatic transmission, the tractive unit of which does not exceed two tons unladen weight.	Class 4A
Class 4A	an articulated vehicle with automatic transmission, the tractive unit of which does not exceed two tons unladen weight.	

For the purposes of the above definitions where a vehicle is fitted with two wheels in line transversely and the distance between the centres of their respective areas of contact with the road is less than 18 inches they shall be regarded as only one wheel.

(See Regulation 6)

SCHEDULE 2

PART I

Form of heavy goods vehicle full driver's licence

Road Traffic Act (Northern Ireland) 1970

HEAVY GOODS VEHICLE

DRIVER'S LICENCE

Issued by the Ministry of Home Affairs for Northern Ireland

[

Space for name and address
of holder

]

is hereby authorised to drive heavy goods vehicles of Classes
1, 1A, 2, 2A, 3, 3A, 4, 4A

.....
.....
.....

from until inclusive.

PROVISIONAL LICENCE

This licence has effect as a provisional licence in respect of the classes of heavy goods vehicles for which it is not a full licence. Such heavy goods vehicles may be driven subject to the conditions applying to provisional licence holders and the minimum age requirements being satisfied.

Usual signature of licensee

PART II

Form of heavy goods vehicle provisional driver's licence

Road Traffic Act (Northern Ireland) 1970

HEAVY GOODS VEHICLE

PROVISIONAL DRIVER'S LICENCE

Issued by the Ministry of Home Affairs for Northern Ireland

[

Space for name and address
of holder

]

is hereby authorised to drive heavy goods vehicles of [all Classes] [Classes 4 and 4A] subject to the conditions prescribed in Regulation 9 of the Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1970.

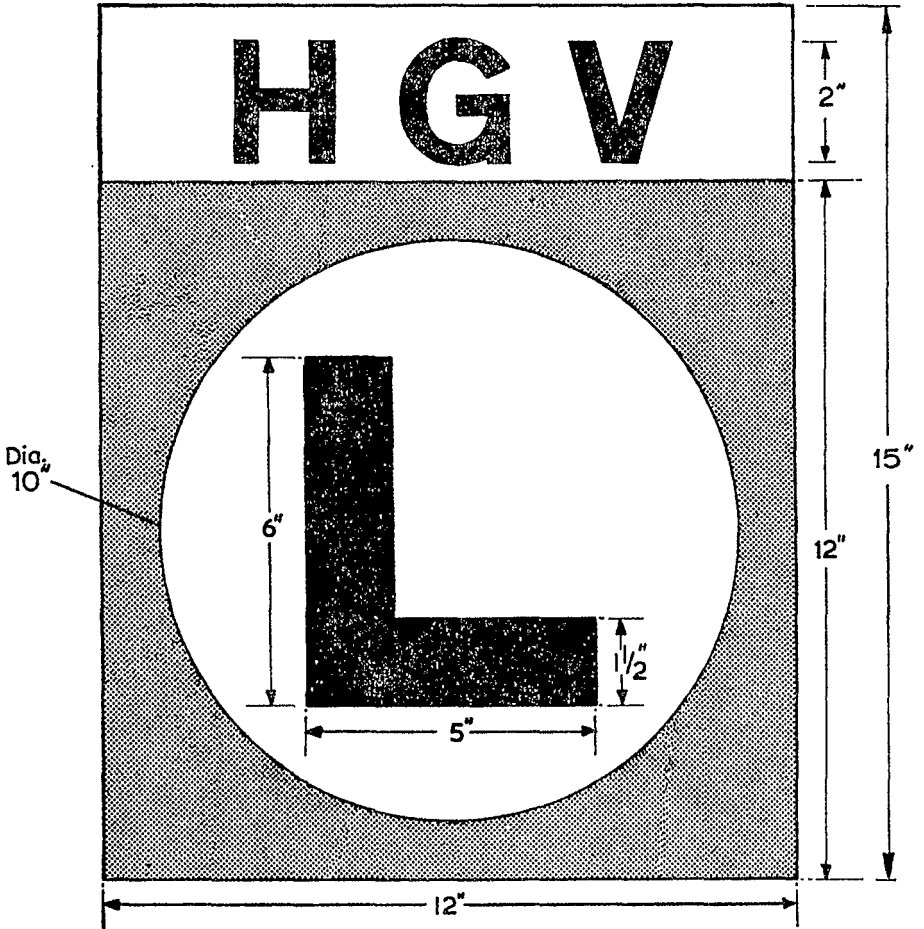
from until inclusive.

Usual signature of licensee

(See Regulation 9)

SCHEDULE 3

Diagram of distinguishing mark to be displayed on a vehicle driven under a provisional licence



- White.
- Red
- Light Orange

The corners of the mark may be rounded off

(See Regulation 17)

SCHEDULE 4

Nature of tests—operations

- A. Start the engine of the vehicle.
- B. Move off straight ahead and at an angle.
- C. Maintain a proper position in relation to a vehicle immediately in front.
- D. Overtake and take an appropriate course in relation to other vehicles.
- E. Turn right and left.
- F. Make an emergency stop.
- G. Manoeuvre the vehicle both forwards and backwards, including steering the vehicle along a predetermined course; make it enter a narrow opening and bring it to rest at a predetermined position.
- H. Give by mechanical means, if fitted to the vehicle, and by arm, except in the case of a vehicle with a left-hand drive or a disabled driver for whom it is impracticable or undesirable to give signals by arm, appropriate signals in clear and unmistakable manner at appropriate times to indicate his intended action.
- I. Act correctly and promptly in response to all signals given by traffic signs and persons regulating road traffic and take appropriate action on signs given by other road users.

(See Regulation 19)

SCHEDULE 5

PART I

Form of certificate of passing a test of competence to drive a heavy goods vehicle

Road Traffic Act (Northern Ireland) 1970
HEAVY GOODS VEHICLE DRIVING TEST
 Pass Certificate

I certify that

.....

.....

has been examined and has passed the test of competence to drive a heavy goods vehicle of class

as prescribed for the purposes of section 67(2) of the Road Traffic Act (Northern Ireland) 1970.

.....

.....

.....

PART II

Form of statement of failure to pass a test of competence to drive a heavy goods vehicle

Road Traffic Act (Northern Ireland) 1970
HEAVY GOODS VEHICLE DRIVING TEST
 Statement of Failure

Name

Address

has this day been examined on a heavy goods vehicle of Class and has failed to pass the test of competence to drive prescribed for the purposes of section 67(2) of the Road Traffic Act (Northern Ireland) 1970.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations make provision for the licensing and testing of drivers of heavy goods vehicles, i.e. all goods vehicles with an unladen weight exceeding three tons and articulated goods vehicles.

There will be eight classes of heavy goods vehicles (Regulation 2(2) and Schedule 1) and after the 31st August 1970—the date fixed by the Minister for compulsory licensing—a person wishing to drive a heavy goods vehicle of a particular class must hold a special licence covering that class (section 66 of the Act). A person qualified to drive a class of heavy goods vehicle is also deemed qualified to drive vehicles falling within all the lower classes (Regulation 18). As at present the only heavy goods vehicles which persons under 21 years of age are allowed to drive are articulated vehicles the tractive unit of which does not exceed two tons unladen weight (Regulation 4(c)).

Persons who at the 31st August 1970 hold a full ordinary driving licence authorising them to drive heavy goods vehicles may continue to drive such vehicles until that licence expires, after which time a heavy goods vehicle driver's licence will be required (Regulation 24(1) and (2)).

Persons who are able to prove they have at least six months' experience in the year ending 31st August 1970 of driving heavy goods vehicles will not be required to undergo a test for that or any lower class of vehicle (Regulation 24(2)), but if their experience has been in different classes of heavy goods vehicles they will only be able to claim exemption from the test for the lowest class of such vehicles (Regulation 24(3)).

Applicants for licences are required to satisfy the Ministry that their health is satisfactory and that their past driving conduct has been good (Regulation 4).

The nature of the test is prescribed and in practice candidates will be required—

- (1) to execute prescribed manoeuvres on an area to be provided off the road;
- (2) to undergo a road test of approximately 25 miles' duration incorporating most types of road conditions;
- (3) to undergo an oral examination of his understanding of the vehicle he is driving and of the contents of the Highway Code (Regulation 17).

A heavy goods vehicle driver's licence will not be required for driving vehicles described in Regulation 23.