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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

**The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2024**

**PART 2**

**Amendment of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007**

**Amendment of regulation 11 (requirement to carry and produce evidence of CPC or of training exemption in vehicle)**

**16.—**(1) Regulation 11 is amended as follows.

(2) For paragraph (1) substitute—

“(1) Subject to paragraph (4), a person (“P”) who is required by virtue of regulation 9(4)

- (a) to hold a CPC, a national periodic CPC or a Swiss CPC, or
- (b) to have completed a national return to driving course,

is guilty of an offence if P does not carry in the relevant vehicle which P is driving evidence of that CPC, national periodic CPC, Swiss CPC or completion of that national return to driving course as specified in paragraph (2).”.

(3) For paragraphs (2) and (2A) substitute—

“(2) The evidence referred to in paragraph (1) is—

- (a) in the case of a CPC—
  - (i) a valid driver qualification card;
  - (ii) a Community licence bearing the Union code;
  - (iii) a driver attestation, provided for in Regulation (EC) No 1072/2009 of the European Parliament and of the Council<sup>(1)</sup> as it has effect in EU law as amended from time to time, granted to the driver by a member State and, if issued on or after May 2020, bearing the Union code;
  - (iv) any other written record obtained by the driver in a member State or Gibraltar certifying an initial CPC or a periodic CPC;
- (b) in the case of a national periodic CPC, a valid national driver qualification card;
- (c) in the case of a Swiss CPC—
  - (i) a Swiss CPC;

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<sup>(1)</sup> OJ No. L 300, 14.11.2009, p. 72.

- (ii) any other document issued to the driver by Switzerland certifying a Swiss initial CPC or a Swiss periodic CPC and recognised by the competent authority as evidence of such for the purposes of this regulation;
  - (d) in the case of having completed a national return to driving course, a valid national driver qualification card.”.
- (4) For paragraph (3) substitute—
  - “(3) A person (“P”) to whom regulation 4(9) applies, or who holds an initial CPC obtained in a member State or Gibraltar, is guilty of an offence if P does not carry in the relevant vehicle P is driving evidence as specified in paragraph (2)(a) of the initial CPC that P holds.”.
- (5) For paragraph (3A) substitute—
  - “(3A) A person (“P”) to whom regulation 4(9A) applies, or who holds a Swiss initial CPC, is guilty of an offence if P does not carry in the relevant vehicle P is driving evidence as specified in paragraph (2)(c) of the Swiss initial CPC that P holds.”.
- (6) In paragraph (4)—
  - (a) in sub-paragraph (a)—
    - (i) after “driver qualification card” insert “or national driver qualification card”;
    - (ii) for “regulation 8(1) or 8A(4)” substitute “whichever of regulations 8A to 8AD applies”;
  - (b) in sub-paragraph (b)—
    - (i) after “driver qualification card” insert “or national driver qualification card”;
    - (ii) for “8B(3)” substitute “8B(2)”.
- (7) For paragraph (5) substitute—
  - “(5) Subject to paragraph (5A), a person (“P”) to whom regulation 4(5) applies is guilty of an offence if P does not carry an NVT certificate in the relevant vehicle P is driving.”.
- (8) In paragraph (5A), in sub-paragraph (b) for “8B(3)” substitute “8B(2)”.
- (9) In paragraph (5B)—
  - (a) for “8B(3)” substitute “8B(2)”;
  - (b) for “8B(5)” substitute “8B(3)”.
- (10) In paragraph (6) omit “to him”.
- (11) For paragraph (7) substitute—
  - “(7) A person who fails to produce that evidence or document when required to do so under paragraph (6) is guilty of an offence.”.
- (12) In paragraph (8) for “shall be” substitute “is”.