



Road Traffic Act 1988

1988 CHAPTER 52

PART V

DRIVING INSTRUCTION

Examinations and tests

132 Examinations and tests of ability to give driving instruction.

- (1) Regulations may make provision with respect to—
- (a) the nature of examinations of the ability of persons to give instruction in the driving of motor cars and tests of continued ability and fitness to give [^{F1}instruction in the driving of motor cars (or appropriate motor cars)], and
 - (b) evidence of the results of such tests and examinations,
- and generally with respect to such tests and examinations.
- (2) In particular, but without prejudice to the generality of subsection (1) above, the regulations may make provision—
- (a) for requiring a person submitting himself [^{F2}for any] part of such an examination which consists of a practical test, or to [^{F3}any part of such a test of continued ability and fitness which consists of practical assessment], to provide a vehicle for the purposes of [^{F4}the practical test or assessment], being a vehicle in respect of which such conditions as may be specified in regulations are complied with,
 - (b) for requiring a person applying to submit himself for any part of such an examination [^{F5}, or required to submit himself for such a test,] to pay to the Registrar such fee as may be specified in the regulations in relation to that part [^{F6}or such tests,], and
 - (c) for requiring a person who desires to submit himself for any part of such an examination [^{F7}, or is required to submit himself for such a test] to supply the Registrar with such particulars as the Secretary of State may determine.

Status: Point in time view as at 09/12/2016.

Changes to legislation: Road Traffic Act 1988, Cross Heading: Examinations and tests is up to date with all changes known to be in force on or before 02 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in s. 132(1) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(2)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**
- F2** Words in s. 132(2)(a) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(3)(a)(i)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**
- F3** Words in s. 132(2)(a) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(3)(a)(ii)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**
- F4** Words in s. 132(2)(a) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(3)(a)(iii)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**
- F5** Words in s. 132(2)(b) inserted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(3)(b)(i)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**
- F6** Words in s. 132(2)(b) inserted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(3)(b)(ii)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**
- F7** Words in s. 132(2)(c) inserted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 9(1)(3)(c)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2**

Modifications etc. (not altering text)

- C1** S. 132 excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(b)**

133 Review of examinations.

- (1) On the application of a person who has [^{F8}undergone a relevant examination, or a part of such an examination]—
- (a) [^{F9}a magistrates' court], or
 - (b) in Scotland, the sheriff within whose jurisdiction he resides,
- may determine whether [^{F10}the examination or part was properly conducted]
- (2) If it appears to the court or sheriff [^{F11}the examination or part was not properly]conducted, the court or sheriff may order that any fee payable by the applicant in respect of [^{F12}the examination or part]shall not be paid or, if it has been paid, shall be repaid.
- (3) No appeal shall lie under section 131 of this Act in respect of any matter in respect of which an application may be made to a magistrates' court or a sheriff under subsection (1) above.
- [^{F13}(4) In this section “a relevant examination” means—
- (a) an examination of ability to give instruction in the driving of motor cars,
 - (b) a test of continued ability and fitness to give instruction in the driving of motor cars (or appropriate motor cars), or
 - (c) an emergency control assessment.]

Textual Amendments

- F8** Words in s. 133(1) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 11(1)(2)(a)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2** (with art. 3(3))
- F9** Words in s. 133(1)(a) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 309**; S.I. 2005/910, **art. 3**
- F10** Words in s. 133(1) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 11(1)(2)(b)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2** (with art. 3(3))

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- F11** Words in s. 133(2) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 11(1)(3)(a)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2** (with art. 3(3))
- F12** Words in s. 133(2) substituted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 11(1)(3)(b)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2** (with art. 3(3))
- F13** S. 133(4) inserted (1.4.2002) by 2000 c. 38, s. 260, **Sch. 29 para. 11(1)(4)**; S.I. 2002/658, art. 2(2), **Sch. Pt. 2** (with art. 3(3))

Modifications etc. (not altering text)

- C2** S. 133 excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(b)**

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Changes to legislation:

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