

Status: Point in time view as at 31/03/2009.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, Paragraph 9. (See end of Document for details)

SCHEDULES

SCHEDULE 1

NEWLY QUALIFIED DRIVERS HOLDING TEST CERTIFICATES

PART IV

NEWLY QUALIFIED DRIVER WITH FULL AND PROVISIONAL ENTITLEMENTS AND TEST CERTIFICATE

Re-testing

- 9 (1) Subject to Part V of this Schedule, the Secretary of State may not under Part III of the ^{M1}Road Traffic Act 1988 grant a person whose licence and test certificate have been revoked under [^{F1}paragraph 8, or whose Northern Ireland licence and Northern Ireland test certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1)] [^{F2}or (1ZA)] a full licence to drive any class of vehicles mentioned in sub-paragraph (4), unless he satisfies the Secretary of State that within the relevant period he has passed a relevant driving test.
- (2) In this paragraph “relevant driving test” means any test which—
- (a) falls within paragraph (a) or (b) of section 1(2); and
 - (b) is a test of competence to drive any vehicle included in any class of vehicles mentioned in sub-paragraph (4).
- (3) If the Secretary of State grants a full licence to a person who is required to pass a relevant driving test in order to be granted that licence, the licence granted must (subject to section 92 and Part IV of the Road Traffic Act 1988) be one authorising that person to drive all the classes of vehicles mentioned in sub-paragraph (4).
- (4) The classes of vehicles are—
- (a) any class of vehicles in relation to which the revoked licence was issued as a full licence; and
 - (b) any class of vehicles—
 - (i) that he was treated under section 98(2) of the Road Traffic Act 1988 [^{F3}, or under a provision of Northern Ireland law corresponding to that section] as authorised to drive under a provisional licence, or
 - (ii) in relation to which the revoked licence was issued as a provisional licence,and that, immediately before the test certificate was revoked, he was permitted to drive without observing prescribed conditions.
- (5) In sub-paragraph (1) “the relevant period” means the period beginning—
- (a) after the date of the revocation of the licence and the test certificate; and

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- (b) not more than two years before the date on which the application for the full licence is made.

Textual Amendments

- F1** Words in Sch. 1 para. 9(1) substituted (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 5 para. 58\(a\)](#); S.I. 2004/2624, art. 2(1)(2)(b)
- F2** Words in Sch. 1 para. 9 inserted (31.3.2009) by [Road Safety Act 2006 \(c. 49\), s. 61\(1\)\(10\), Sch. 1 para. 27\(9\)](#); S.I. 2008/3164, art. 3(b)
- F3** Words in Sch. 1 para. 9(4)(b)(i) inserted (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 5 para. 58\(b\)](#); S.I. 2004/2624, art. 2(1)(2)(b)

Marginal Citations

- M1** 1988 c. 52.

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