
 S T A T U T O R Y I N S T R U M E N T S

1977 No. 1043

ROAD TRAFFIC

The Motor Cars (Driving Instruction) Regulations 1977

<i>Made - - - -</i>	<i>21st June 1977</i>
<i>Laid before Parliament</i>	<i>1st July 1977</i>
<i>Coming into Operation</i>	<i>22nd July 1977</i>

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

	Regulation
Commencement and citation	1
Revocation and saving	2
Interpretation	3

PART II

ALTERATION OF CONDITIONS WITH RESPECT TO THE REGISTER
AND TO LICENCES

Alteration of conditions with respect to the Register and to licences	4
---	---

PART III

EXAMINATION OF ABILITY TO GIVE INSTRUCTION

General Provisions	5
Written part of examination	6
Practical part of examination	7

PART IV

TEST OF CONTINUED ABILITY AND FITNESS TO GIVE INSTRUCTION

Test of continued ability and fitness to give instruction	8
---	---

PART V

LICENCES UNDER SECTION 131 OF THE ACT

Additional conditions to be satisfied for the grant of a licence ..	9
Duration of licences	10
Conditions subject to which licences are granted	11
Form of licences	12

PART VI

SUPPLEMENTARY

Fees	13
Official title of registered person and certificate of registration ..	14
SCHEDULE 1 Regulations revoked by Regulation 2	
SCHEDULE 2 Form of licence under section 131 of the Act	
SCHEDULE 3 Form of certificate of registration	

The Secretary of State for Transport, in exercise of the powers conferred by sections 128, 129, 131, 133, 134, 135 and 142 of the Road Traffic Act 1972(a) and of all other enabling powers, hereby makes the following Regulations:—

PART I

PRELIMINARY

Commencement and citation

1. These Regulations shall come into operation on 22nd July 1977 and may be cited as the Motor Cars (Driving Instruction) Regulations 1977.

Revocation and saving

2. The Regulations specified in Schedule 1 to these Regulations are hereby revoked but, subject as in hereinafter provided,—

- (a) insofar as any application or appointment made, notice given, licence, certificate or other document granted or issued or other thing done under the said Regulations could have been made, given, granted, issued or done under a corresponding provision of these Regulations, it shall not be invalidated by the said revocation but shall have effect as if made, given, granted, issued or done under that corresponding provision; and
- (b) any reference in such an application, appointment, notice, licence, certificate or other document to any provision of the Regulations revoked by these Regulations, shall, unless the context otherwise requires, be construed as a reference to the corresponding provision of these Regulations.

Interpretation

3.—(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 1972;

“candidate” means a person submitting himself for the examination or a part thereof or for the test;

“examination” means the examination of ability to give instruction in the driving of motor cars referred to in condition (a) in section 128(1) of the Act and prescribed in Part III of these Regulations;

“examiner” means an officer of the Secretary of State appointed to conduct an examination or test;

“licence” means a licence to give driving instruction granted under section 131 of the Act;

“the Register” means the register of approved driving instructors set up by the then Minister of Transport in pursuance of section 23 of the Road Traffic Act 1962(a) and required to be continued by section 3(1) of the Road Traffic (Driving Instruction) Act 1967(b) and section 128(1) of the Act;

“the Registrar” means the officer of the Secretary of State by whom, on behalf of the Secretary of State, the Register is compiled and maintained; and

“test” means the test of continued ability and fitness to give instruction in the driving of motor cars referred to in section 128(2) of the Act and prescribed in Part IV of these Regulations.

(2) In these Regulations, unless the context otherwise requires any reference to any enactment or instrument shall be construed as a reference to that enactment or instrument as amended, re-enacted or replaced by any subsequent enactment or instrument.

(3) The Interpretation Act 1889(c) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were an Act of Parliament thereby repealed.

PART II

ALTERATION OF CONDITIONS WITH RESPECT TO THE REGISTER AND TO LICENCES

Alteration of conditions with respect to the Register and to licences

4. Subject to the provisions of these Regulations, the conditions as to which the Registrar is required to be satisfied for the entry of a name in the Register, the retention of a name therein, the removal of a name therefrom, the grant of a licence or the revocation of a licence shall be altered to the following extent, namely—

(a) by the substitution in section 128(1) of the Act,

(i) in paragraph (b), for the words from “and, at no time” to the end of that paragraph of the following words:—

“and that, during the period of 6 years ending with the day on which the application is made, one or more of the following requirements have been satisfied in relation to him for periods amounting in the aggregate to at least 4 years—

(A) he has held a current licence of one of the kinds aforesaid,

(B) after having passed the test of competence prescribed under section 85(2) of this Act or, as the case may be, the law for the time being in force in Northern Ireland corresponding to that section, to drive a motor vehicle, he has held a current provisional licence to drive a motor vehicle,

(C) he has held a current foreign licence, that is to say, a document issued under the law of a country outside the United Kingdom authorising the holder to drive a motor vehicle in that country;” and

(a) 1962 c. 59.

(b) 1967 c. 79.

(c) 1889 c. 63.

- (ii) in paragraph (c), for the words “of the said period” of the words “of the period of four years ending with the day on which the application is made”;
- (b) by the omission in section 129(1) of the Act, in paragraph (c), of the words from “and at no time” to the end of that paragraph; and
- (c) by the insertion in section 131(1) of the Act, after the reference to paragraph (b) of the said section 128(1), of the words—
“(as amended by Regulation 4 of the Motor Cars (Driving Instruction) Regulations 1977)”.

PART III

EXAMINATION OF ABILITY TO GIVE INSTRUCTION

General provisions

5.—(1) A candidate for the examination shall supply the Registrar with such particulars as the Secretary of State may determine.

(2) The examination shall consist of a written and a practical part.

(3) The person who is applying to have his name entered in the Register must pass such written part before he takes the practical part thereof, and he must have passed such written part not earlier than three years before the date on which he takes the practical part thereof.

Written part of examination

6. The written part of the examination for entry to the Register shall consist of a theoretical examination, which each candidate shall be required to answer from his own knowledge, on all or any of the following subjects:—

- (a) the principles of road safety generally and their application in particular circumstances;
- (b) the techniques of driving a motor car correctly, courteously and safely, including control of the vehicle, road procedure, recognising hazards and taking proper action, dealing properly with pedestrians and other road users and the use of safety equipment;
- (c) the tuition required to instruct a pupil in driving a motor car, including the items set out in sub-paragraph (b) of this paragraph, the correction of the pupil's errors, the manner of the instructor, the relationship between instructor and pupil and simple vehicle adaptation for disabled drivers;
- (d) the Highway Code and other matters in the booklet in which it is published;
- (e) the booklet “Your Driving Test” (D.L. 68) issued by the Secretary of State and published by H.M. Stationery Office;
- (f) the interpretation of the reasons for failure appended to the Statement of Failure to pass the test of competence prescribed by Regulation 20(2) of the Motor Vehicles (Driving Licences) Regulations 1976(a);
- (g) knowledge, adequate to the needs of driving instruction, of the mechanism and design of a motor car; and
- (h) the book “Driving—The Department of Transport Manual”, issued by the Department of Transport and published by H.M. Stationery Office.

(a) S.I. 1976/1076 (1976 II, p. 2852).

Practical part of examination

7.—(1) The practical part of the examination for entry to the Register shall consist of tests of eyesight, driving technique and instructional ability, and the candidate shall be required to reach the qualifying standard in all three tests on one and the same occasion.

(2) The test of eyesight shall be a requirement that the candidate read in good daylight, a motor vehicle registration mark containing letters and figures $3\frac{1}{2}$ inches in height at a distance of 100 feet, or $3\frac{1}{8}$ inches in height at a distance of 90 feet, in either case with the aid of glasses if worn.

(3) The test of driving technique shall be as follows:—

(a) The candidate shall be required to satisfy the examiner that he has an adequate knowledge of the principles of good driving and road safety and that he can apply them in practice. In particular, he shall be required to satisfy the examiner on all or any of the following subjects:—

- (i) his expert handling of controls;
- (ii) his use of correct road procedure;
- (iii) his anticipation of the actions of other road users and taking of appropriate action;
- (iv) his sound judgment of distance, speed and timing; and
- (v) his consideration for the convenience and safety of other road users.

(b) The candidate will be asked to demonstrate his ability to perform all or any of the following manoeuvres:—

- (i) move away straight ahead or at an angle;
- (ii) overtake, meet or cross the path of other vehicles and take an appropriate course;
- (iii) turn right hand and left hand corners;
- (iv) stop the vehicle as in an emergency;
- (v) drive the vehicle backwards and whilst so doing enter limited openings to the right and to the left; and
- (vi) turn the vehicle around in the road to face in the opposite direction by the use of forward and reverse gears.

(4) The following provisions shall have effect with regard to the test of instructional ability, that is to say:—

(a) The candidate shall be required to demonstrate his knowledge and ability by giving practical driving instruction to the examiner acting as his pupil, assuming the examiner to be, successively, an absolute novice, a learner driver with some knowledge, and a learner driver who is at about driving test standard, and for each of these three phases the examiner will nominate one or more of the following subjects as the basis of the instruction:—

- (i) explanation of the controls;
- (ii) moving off and making normal progress;
- (iii) driving the vehicle backwards and while so doing entering limited openings to the right or to the left;
- (iv) turning the vehicle around in the road to face in the opposite direction, using forward and reverse gears;
- (v) parking close to the kerb, using reverse gear;

- (vi) using the mirror, and explaining how to make an emergency stop;
 - (vii) approaching corners;
 - (viii) judgment of speed and general road positioning;
 - (ix) dealing with road junctions;
 - (x) dealing with cross roads;
 - (xi) meeting, crossing the path of, and overtaking other vehicles; and
 - (xii) allowing adequate clearance for other road users, and dealing with pedestrian crossings.
- (b) The candidate shall be assessed on the method, clarity, adequacy and correctness of his instruction, the observation and correction of driving errors committed by his pupil and his manner generally.
- (c) A candidate for the practical part of the examination shall provide, at his own expense, a motor car for the purposes of that part, in respect of which the following conditions shall apply:—
- (i) the vehicle shall have four wheels and either shall be constructed solely for the carriage of passengers and their effects and fitted with a rigid roof, with or without a sliding panel, or shall be a dual-purpose vehicle, that is to say, a vehicle constructed or adapted for the carriage of both passengers and goods or burden of any description being a vehicle of which the unladen weight does not exceed 2 tons and which satisfies the conditions as to construction specified in paragraph 14(2) of Schedule 5 to the Road Traffic Regulation Act 1967(a);
 - (ii) the vehicle shall be in proper condition, shall carry no advertisements or signs which might cause other road users to believe that it is being used for the purposes of giving driving instruction or that the driver is not a qualified driver, shall have a readily adjustable driving seat and a seat for a forward-facing front passenger, shall have its steering wheel on its off side, and shall be provided with a means whereby the driver may, independently of the use of the accelerator or the brakes, gradually vary the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle;
 - (iii) there shall be in existence an insurance covering the vehicle during the practical part of the examination against any liability of the candidate or the examiner as the driver or the person in charge of the vehicle for the death of or bodily injury to third parties (including any passengers in the vehicle) as required by Part VI of the Act, and against any liability of the examiner whilst he is driving or in charge of the vehicle for damage to the vehicle or to any other property; and
 - (iv) the candidate shall have with him two distinguishing marks in the form set out in Schedule 2 to the Motor Vehicles (Driving Licences) Regulations 1976, which are capable of being displayed when required during the practical part of the examination in a conspicuous manner on the front and on the back of the vehicle.

PART IV**TEST OF CONTINUED ABILITY AND FITNESS TO GIVE INSTRUCTION***Test of continued ability and fitness to give instruction*

8. The following provisions shall have effect with regard to the test, that is to say:—

- (1) The test shall consist of the attendance of the examiner while the candidate is giving instruction to a pupil or pupils, except that when required to do so by the examiner for the purpose of the test, the candidate shall give such instruction in a motor car on a road.
- (2) The candidate shall be assessed on his instructional ability, and, in particular, in respect of the following qualities:—
 - (a) his method, clarity, adequacy and correctness of instruction;
 - (b) his observation and proper correction of the pupil's errors;
 - (c) his manner, patience and tact in dealing with the pupil; and
 - (d) his ability to inspire confidence.
- (3) Where the test is to be conducted in a motor car, the candidate shall provide a motor car which is a passenger vehicle in proper condition for such a test and there shall be in existence an insurance covering the vehicle during the test against any liability of the candidate or the examiner as the driver or person in charge of the vehicle for the death of or bodily injury to third parties (including any passengers in the vehicle) as required by Part VI of the Act.

PART V**LICENCES UNDER SECTION 131 OF THE ACT***Additional conditions to be satisfied for the grant of a licence*

9. In addition to the conditions referred to in section 131(1) of the Act as respects which the Registrar has to be satisfied are fulfilled in the case of an applicant for a licence, the following condition shall also apply in the case of such an applicant, that is to say, the Registrar shall be satisfied that the applicant at the time of his application for a licence—

- (a) is eligible under Regulation 5(3) of these Regulations to submit himself for the practical part of the examination; or
- (b) has made an application to submit himself for the written part of the examination, the result of which has not been notified to him.

Duration of licences

10. Subject to section 131(5), (7) and (8) of the Act, a licence shall be in force for a period of six months from the date of issue.

Conditions subject to which licences are granted

11. A licence shall be granted subject to the following conditions:—

- (1) the holder thereof shall give instruction thereunder in the driving of a motor car only from an establishment of which the name and address is specified in the licence;
- (2) if any such establishment is a driving school or a branch thereof, the holder of the licence shall give such instruction only if the relevant condition as to the employment of instructors at that school or branch is complied with.

In this sub-paragraph, "the relevant condition as to the employment of instructors" means that, for each holder of a licence in which the school or branch thereof is specified, there is employed thereat one or more persons whose names are in the Register at the rate of one such person for each holder of a licence;

- (3) that in the case of any licence other than the second of two licences issued in respect of consecutive periods, the holder thereof shall, while giving instruction in the driving of a motor car, receive direct personal supervision from a person whose name is in the Register for at least one fifth of the total time the holder spends giving such instruction during the first three months for which the licence is in force;
- (4) the holder shall maintain in respect of each working day during the first three months of a licence to which the last preceding paragraph applies a record of the time he spends giving such instruction containing the particulars specified in the next succeeding paragraph, shall preserve such record for three months from the date of expiry of that licence and shall produce such record on request to an officer authorised by the Secretary of State to inspect such a record who shall be entitled to retain it, if he so desires;
- (5) the particulars referred to in the last preceding paragraph are:—
 - (a) the name of the holder of the licence;
 - (b) its number;
 - (c) the name of the establishment from which the holder of the licence has given instruction;
 - (d) the name of the person under whose direct personal supervision the holder of the licence has given instruction;
 - (e) in respect of each working day:—
 - (i) the date;
 - (ii) the total number of hours spent giving instruction from the establishment;
 - (iii) the periods spent under the direct personal supervision of the person referred to at (d) above;
 - (iv) the signature of the holder of the licence;
 - (v) the counter-signature of the person referred to at (d) above.

Form of licences

12. A licence shall be in the form set out in, and contain the particulars required by, Schedule 2 to these Regulations.

PART VI

SUPPLEMENTARY

Fees

13.—(1) A person applying to submit himself to the written part of the examination shall pay a fee of £15.

(2) A person applying to submit himself to the practical part of the examination shall pay a fee of £25.

(3) The fee to be paid by a person who applies for the retention of his name in the Register for a further period of four years shall be £25.

(4) A person applying for a licence shall pay a fee of £15.

(5) The fee to be paid by a person who applies for the entry of his name in the Register shall be £25, if that person's name had been removed from the Register and, by virtue of subsection (7) of section 128 of the Act, he is not required again to pass the examination mentioned in subsection (1)(a) of the said section 128 or if he is exempt from the condition specified in section 128(1)(a) of the Act by virtue of subsection (4) of that section.

Official title of registered person and certificate of registration

14.—(1) The official title for use by persons whose names are in the Register shall be "Department of Transport Approved Driving Instructor".

(2) The certificate for issue to persons whose names are in the Register as evidence of their names being therein shall be in the form set out in Schedule 3 to these Regulations.

21st June 1977.

William Rogers,
Secretary of State for Transport.

SCHEDULE 1

REGULATIONS REVOKED BY REGULATION 2

Title	Year and Number
The Motor Cars (Driving Instruction) Regulations 1969	S.I. 1969/85 (1969 I, p. 248)
The Motor Cars (Driving Instruction) (Amendment) Regulations 1969	S.I. 1969/713 (1969 II, p. 1944)
The Motor Cars (Driving Instruction) (Amendment) Regulations 1970	S.I. 1970/966 (1970 II, p. 3071)
The Motor Cars (Driving Instruction) (Amendment) Regulations 1971	S.I. 1971/351 (1971 I, p. 1096)
The Motor Cars (Driving Instruction) (Amendment) Regulations 1973	S.I. 1973/2013 (1973 III, p. 6935)
The Motor Cars (Driving Instruction) (Amendment) Regulations 1976	S.I. 1976/1077 (1976 II, p. 2872)

Regulation 12

SCHEDULE 2

FORM OF LICENCE UNDER SECTION 131 OF THE ACT

Serial No.....

REGISTER OF APPROVED DRIVING INSTRUCTORS
 LICENCE TO GIVE INSTRUCTION IN DRIVING MOTOR CARS

Name of holder.....

Address

.....

Name of training establishment.....

Address

.....

Date of expiry of licence.....

Issued under the Road Traffic Act 1972.

Signature.....

Registrar

Date of issue.....

Regulation 14(2)

SCHEDULE 3

Form of certificate of registration

DEPARTMENT OF TRANSPORT APPROVED DRIVING INSTRUCTOR

ROAD TRAFFIC ACT 1972

(Photograph)

On behalf of the Secretary of State for Transport, I certify that

--

is included in the Register of Approved

Driving Instructors as qualified to give instruction in the driving of motor cars.

This certificate

is valid until the last day of

SIGNED

DATE

SIGNATURE OF HOLDER:—

--

No.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate with modifications the Motor Cars (Driving Instruction) Regulations 1969 with the amending Regulations specified in Schedule 1.

The effect of the modifications is to—

- (i) alter (Regulation 4) the conditions as to which the Registrar is required by section 128(1) and 131(1) of the Road Traffic Act 1972 as read with Regulation 3 of the Motor Cars (Driving Instruction) (Amendment) Regulations 1970 (now revoked by Regulation 2 of these Regulations), to be satisfied for the entry of a name in the Register of Approved Driving Instructors, and the grant of a licence to give instruction; and
- (ii) remove the exemptions (formerly Regulation 8 of the Regulations of 1969) from the written or practical parts of the examination of ability to give instruction for a person whose name was included on 10th May 1967 in the Register of instructors maintained by the Motor Schools Association of Great Britain Limited or the Royal Automobile Club, or who had passed the written or practical part of the examination or test required to be taken before the coming into operation of the Regulations of 1969.

SI 1977/1043
ISBN 0-11-071043-6



780110 710433