
STATUTORY INSTRUMENTS

1998 No. 1420

**The Driving Licences (Community
Driving Licence) Regulations 1998**

Amendment of the Road Traffic Act 1988

8.—(1) Section 99 (duration of licences)(1) is amended as follows.

(2) In subsection (2) (provisional licences to drive motor cycles), after “motor bicycle”, in each place where the words occur, insert “or moped”.

(3) After subsection (2) insert—

“(2A) Where, in accordance with the preceding provisions of this section, a licence in the form of a photocard remains in force for a period of more than ten years, the holder of the licence must surrender it and its counterpart to the Secretary of State not later than the end of the period of ten years beginning with—

- (a) the date shown on the licence as the date of its issue, or
- (b) if the licence was granted by way of renewal or replacement of a licence bearing the same photograph, the date shown on the earliest licence bearing that photograph as the date of issue of that licence.”

(4) In subsection (4) (surrender of licence on change of name or address), omit the words “and provide him” onwards.

(5) In subsection (5) (offence), after “subsection” insert “(2A),”.

(6) For subsections (7) and (8) substitute—

“(7) On the surrender of a licence and its counterpart by a person in pursuance of subsection (2A), (3) or (4) above, the Secretary of State must (subject to the following provisions of this section) grant a new licence to that person and any licence granted under this subsection shall be granted free of charge.

(7A) Where the surrendered licence was revoked because it was granted in error or in consequence of an error or omission appearing to the Secretary of State to be attributable to the fault of the licence holder or in consequence of a current disqualification, subsection (7) shall not apply but the Secretary of State may, if the person is not currently disqualified, grant a new licence to that person on payment of the fee (if any) which is prescribed.

(7B) The Secretary of State may require a person to provide—

- (a) evidence of his name, address, sex and date and place of birth, and
- (b) a photograph which is a current likeness of him,

before granting a new licence to him under subsection (7) or (7A) above.

(8) A replacement licence granted pursuant to subsection (7) or (7A) above shall expire on the date on which the surrendered licence would have expired had it not been surrendered except that, where the period for which the surrendered licence was granted was based on an error with respect to the licence holder’s date of birth such that (if that error had not been

(1) Subsection (4) was amended by the 1990 Regulations; subsection (5) was amended by the 1989 Act, Schedule 3, paragraph 12.
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made) that licence would have been expressed to expire on a different date, the replacement licence shall expire on that different date.”.