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STATUTORY INSTRUMENTS

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**1999 No. 2864**

**The Motor Vehicles (Driving Licences) Regulations 1999**

**PART III**

**TESTS OF COMPETENCE TO DRIVE**

*Applications for tests*

**[<sup>F1</sup>Applications for large vehicle off road manoeuvres tests or practical tests: large vehicle instructors]**

**33.**—(1) A large vehicle instructor who wishes to make an appointment for a [<sup>F2</sup>large vehicle off road manoeuvres test or a] practical test prescribed in respect of category B+E, C, C+E, D or D +E which is to be conducted by a [<sup>F3</sup>DVSA examiner] and taken by a person who has, or will have, received from that instructor instruction in the driving of a class of vehicle included in any of those categories shall—

- (a) apply for such an appointment to the Secretary of State, specifying the date and time for the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to—
  - (i) himself,
  - (ii) his establishment,
  - (iii) the vehicle on which the test is to be taken, and
  - (iv) the nature of the test,as the Secretary of State may reasonably require, and
- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as is specified in regulation 35.

(2) The Secretary of State may refuse to accept an application from a large vehicle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where an appointment specified in the application is unavailable or where, in the opinion of the Secretary of State, it is reasonably necessary to do so in the general interests of applicants for [<sup>F4</sup>large vehicle off road manoeuvres tests, practical tests or unitary tests].

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the Secretary of State shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the Secretary of State receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving instruction from that instructor who will at the appointment submit himself for that test,
- (b) the licence which that person holds,

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*Changes to legislation: There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) Regulations 1999, Section 33. (See end of Document for details)*

- (c) the nature of the test, and
- (d) the vehicle on which the test is to be taken,

as the Secretary of State may reasonably require, the Secretary of State shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a large vehicle instructor pursuant to paragraph (4) for a practical test [<sup>F5</sup>or a large vehicle off road manoeuvres test] in respect of any class of vehicle may neither be so nominated nor apply under regulation 31 for a further appointment for a test in respect of a motor vehicle of a class included in the same category unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring at [<sup>F6</sup>16.00 hours on the day which allows one clear working day to elapse between that day and] the day for which the appointment is made.

#### Textual Amendments

- F1** Reg. 33 heading substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(a)**
- F2** Words in reg. 33(1) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(b)**
- F3** Words in reg. 33(1) substituted (1.4.2014) by [The Driving Standards Agency and the Vehicle and Operator Services Agency \(Merger\) \(Consequential Amendments\) Regulations 2014 \(S.I. 2014/480\)](#), regs. 1, **6(5)**
- F4** Words in reg. 33(2) substituted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(c)**
- F5** Words in reg. 33(5) inserted (15.11.2021 at 1.00 a.m.) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1154\)](#), regs. 1(2), **8(d)**
- F6** Words in reg. 33(6) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **6**

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**Changes to legislation:**

There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) Regulations 1999, Section 33.