
STATUTORY INSTRUMENTS

2005 No. 1902

The Motor Cars (Driving Instruction) Regulations 2005

PART 4

Test of Continued Ability and Fitness to Give Instruction

Nature of test and provision of a motor car

12.—(1) The following provisions shall have effect where a person is required to undergo the continued ability and fitness test.

(2) The test shall, at the discretion of the Registrar, consist of either—

(a) the practical test which shall, at the discretion of the examiner, consist of either the test described in—

(i) paragraph (3) below; or

(ii) paragraph (5) below; or

(b) where a person has not satisfied any of the requirements specified in paragraphs (a) to (c) of regulation 11(2), the test of hazard perception described in paragraphs (9) and (10).

(3) The form of test referred to in paragraph (2)(a)(i) above is a test in which the person undergoing the test (“the candidate”) is required to demonstrate his knowledge and ability by giving practical driving instruction to an examiner as if the examiner were—

(a) a novice or partly trained pupil;

(b) a pupil who is at about driving test standard; or

(c) a full driving licence holder with at least a year’s experience since passing the driving test.

(4) Where the examiner elects to conduct the test by the method described in paragraph (3) above he may at his discretion choose which one or more of the roles described therein he will play but he shall not choose the role referred to in paragraph (3)(c) unless he is satisfied that it is reasonable to do so having regard to the nature of the driving instruction given or likely to be given by the candidate in the course of his business.

(5) The form of test referred to in paragraph (2)(a)(ii) is a test—

(a) carried out on a road in a motor car in which the examiner is present; and

(b) the candidate is giving instruction to a pupil;

for the purpose of enabling the examiner to make an assessment of the candidate’s instructional ability with particular regard to the qualities specified in paragraph (6) below.

(6) The qualities referred to in paragraph (5) above are—

(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.

(7) Where the examiner elects to conduct the test by the method described in paragraph (3) above the candidate shall provide at his own expense a motor car in respect of which the conditions specified in paragraphs (2), (3) where applicable, (5) and (6) of regulation 8 above are satisfied save that where the test is conducted in accordance with paragraph (3)(c) above the requirement contained in regulation 8(5) to display prescribed distinguishing marks shall be disregarded.

(8) Where the examiner elects to conduct the test by the method described in paragraph (5) above, the candidate shall, at his own expense, provide or procure the provision of a motor vehicle that—

- (a) has a seat belt fitted to the rear seat of the vehicle; and
- (b) is otherwise suitable for the conduct of such a test.

(9) The form of test referred to in paragraph (2)(b) is a test which shall—

- (a) be conducted by means of the exhibition of film clips that take the perspective of the driver of a motor vehicle and show, at some point during each film clip, one or more hazards to traffic occurring on or near the road; and
- (b) require the candidate (using electronic equipment provided for the purpose and capable of recording the exact moment of each response) to indicate during each film clip the moment he observes a hazard relating to traffic on the road.

And, for the purposes of this paragraph “film clip” means a sequence of visual images displayed electronically.

(10) A candidate taking the test referred to in paragraph (2)(b) must satisfy the examiner that his performance in the test demonstrates the necessary ability to perceive hazards on the road.

(11) Before undergoing the continued ability and fitness test a person must produce to the examiner the certificate issued to him under regulation 18.