
STATUTORY INSTRUMENTS

2007 No. 698

**The Motor Vehicles (Driving Licences)
(Amendment) Regulations 2007**

Citation and commencement

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations 2007 and shall come into force for the purposes of regulation 11 on 1st May 2007, for the purposes of regulation 14 on 1st July 2007 and for all other purposes on 2nd April 2007.

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2. The Motor Vehicles (Driving Licences) Regulations 1999(1) are amended in accordance with regulations 3 to 14.

3. In regulation 23 (persons by whom theory tests may be conducted)—

(a) in paragraph (1)(e) after “passenger-carrying vehicles” insert—

“, or

(f) an eligible person appointed by a company which—

(i) has been approved by the Secretary of State, and

(ii) is the holder of a goods vehicle operator’s licence,

for the purpose of conducting, in respect of eligible candidates, theory tests in respect of any class of goods vehicles.”.

(b) in paragraph (9)—

(i) for sub-paragraph (i) in the definition of “eligible candidate” substitute—

“(i) a person who is employed as a driver by the company which holds the PSV licence where paragraph (1)(e) applies, or the goods vehicle operator’s licence where paragraph (1)(f) applies, or by a sister company of that company which holds a licence of the same description, or;”.

(ii) for the definition of “eligible person” substitute—

““eligible person” means a person employed by the company which holds the PSV licence where paragraph (1)(e) applies, or the goods vehicle operator’s licence where paragraph (1)(f) applies, or by a sister company of that company which holds a licence of the same description, or;”.

(iii) after “Companies Act 1985” insert—

““goods vehicle operator’s licence” means the holder of an operator’s licence within the meaning of section 58(1) of the Goods Vehicles (Licensing of Operators) Act 1995(2).”.

(1) S.I. 1999/2864 (in these footnotes the “1999 Regulations”); relevant amending instruments are S.I. 2002/2641, S.I. 2003/166, S.I. 2004/265, S.I. 2005/1975, S.I. 2005/2717 and S.I. 2006/524.

(2) 1995 c.23.

4. In regulation 24 (persons by whom practical and unitary tests may be conducted), in paragraph (1)(f), after “passenger-carrying vehicles” insert—

“, or

- (g) an eligible person appointed by a company which—
 - (i) has been approved by the Secretary of State, and
 - (ii) is the holder of a goods vehicle operator’s licence,

for the purpose of conducting, in respect of eligible candidates, practical tests in respect of any class of goods vehicles.”.

5. For regulation 30 (fees for theory tests) substitute—

“(1) The fee payable for a theory test to be conducted by an appointed person in respect of a motor vehicle in a category of C or D is—

- (a) where an application is made on or after 2nd April 2007 and the test is conducted before 1st April 2008, £32.00; and
- (b) for a test to be conducted on or after 1st April 2008, £45.00.

(2) The fee payable for a theory test to be conducted by an appointed person in respect of a motor vehicle in a category of A, B or P is—

- (a) for a test to be conducted before 3rd September 2007, £21.50; and
- (b) for a test to be conducted on or after 3rd September 2007, is £28.50.”.

6. In regulation 34 (eligibility to reapply for practical or unitary test) in paragraph (3)(a) after “category” insert “B+E,”.

7. In regulation 35 (fees in respect of practical or unitary tests)—

- (a) in paragraph (2) after the word “paragraphs” omit “(3A),”,
- (b) in paragraph (3) for “paragraphs (3A) and” substitute “paragraph”, and
- (c) omit paragraph (3A).

8. In regulation 38 (further requirements at tests) after paragraph (5) insert—

“(5A) A person submitting himself for a theory test, practical test or unitary test who produces a licence which fails to satisfy the person conducting the test, after an examination or otherwise, that it is an appropriate licence as required under paragraph (3)(a)(i) or (5)(a) must surrender the licence forthwith to the person conducting the test.”.

9. In regulation 40 (nature of tests other than extended tests)—

(a) In paragraph (7) for sub-paragraph (b) substitute—

“(b) the time during which that person is required to drive on roads is—

- (i) in the case of a test, taken before 1st September 2008, for a licence authorising the driving of a class of vehicle included in category C, C1, D or D1, not less than 50 minutes;
- (ii) in the case of a test, taken on or after 1st September 2008, for a licence authorising the driving of a class of vehicle included in category C, C1, D or D1, not less than 60 minutes;
- (iii) in the case of a test for a licence authorising the driving of a class of vehicle included in category B+E, C1+E, C+E, D1+E or D+E, not less than 50 minutes; and
- (iv) in the case of any other test, not less than 30 minutes.”.

(b) For paragraph (8A) substitute—

- “(8A) The test of driving theory shall—
- (a) in the case of a test for a licence authorising the driving of a class of vehicle included in a category of C or D—
 - (i) where the test is conducted before 1st April 2008—
 - (aa) be conducted as an approved form of examination consisting of 60 questions, the questions being in either a multiple choice or multiple response form and testing a candidate on the specified matters in accordance with Schedule 7; and
 - (bb) have a duration of 70 minutes or, in the circumstances specified in paragraph (9), 140 minutes;
 - (ii) where the test is conducted on or after 1st April 2008—
 - (aa) be conducted as an approved form of examination consisting of 100 questions, the questions being in either a multiple choice or multiple response form and testing a candidate on the specified matters in accordance with Schedule 7; and
 - (bb) have a duration of 115 minutes, or in the circumstances specified in paragraph (9), 230 minutes;
 - (b) in the case of a test for a licence authorising the driving of a class of vehicle included in a category of A, B or P—
 - (i) where the test is conducted before 3rd September 2007—
 - (aa) be conducted as an approved form of examination consisting of 35 questions, the questions being in either a multiple choice or multiple response form and testing a candidate on the specified matters in accordance with Schedule 7; and
 - (bb) have a duration of 40 minutes or, in the circumstances specified in paragraph (9), 80 minutes;
 - (ii) where the test is conducted on or after 3rd September 2007—
 - (aa) be conducted as an approved form of examination consisting of 50 questions, the questions being in either a multiple choice or multiple response form and testing a candidate on the specified matters in accordance with Schedule 7; and
 - (bb) have a duration of 57 minutes or, in the circumstances specified in paragraph (9), 114 minutes.”.

10. In regulation 47 (evidence of result of theory test) for paragraph (8) substitute—

“(8) A person authorised to conduct theory tests by virtue of paragraphs (b), (c), (d), (e), or (f) of regulation 23(1) or regulation 23(2)(b) shall issue theory test pass certificates using forms supplied by the Secretary of State who may make a charge—

- (a) in respect of a motor vehicle in a category of C or D—
 - (i) where the order is received before 1st April 2008, £21.00 per form,
 - (ii) where the order is received on or after 1st April 2008, £29.00 per form; and
- (b) in respect of a motor vehicle in a category of A, B or P where the order is received on or after 3rd September 2007, £18.50 per form.”.

11. For Part 1 of Schedule 3 (licence fees) substitute the Part 1 set out in Schedule 1 to these Regulations.

12. For Parts 1 and 2 of the table in Schedule 5 (fees for practical and unitary tests) substitute the Schedule set out in Schedule 2 to these Regulations.

13. In regulation 73 (disabilities prescribed in respect of Group 2 licences)—

(a) after paragraph 3(b) insert—

“(c) in the case of any other person, a standard of visual acuity (with the aid of corrective lenses if necessary) of at least 6/9 in the better eye and at least 6/12 in the worse eye and, if corrective lenses are necessary, an uncorrected acuity of at least 3/60 in both eyes.”.

(b) In Table 2 omit the second entry in column (1) and the second entry in column (2).

Amendment of the Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2003

14. In regulation 5 of the Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 2003(3) omit paragraph (6).

Signed by authority of the Secretary of State

28th February 2007

S.J. Ladyman
Minister of State
Department for Transport

We approve the making of these Regulations

5th March 2007

Dave Watts
Alan Campbell
Two of the Commissioners of Her Majesty's
Treasury