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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Motor Vehicles (Driving Licences) Regulations 1999 (S.I. 1999/2864) (“the principal Regulations”). In addition to minor and drafting amendments, they make the following changes of substance.

The Motor Vehicles (Driving Licences) (Amendment) Regulations 2007 (S.I. 2007/698) amended provisions in the principal Regulations relating to the theory test for lorry and bus drivers. The 2007 Regulations increased the number of multiple choice questions in such tests from 60 to 100 questions over 115 minutes duration (or 230 minutes duration for candidates with reading difficulties) from 1st April 2008. They also increased, from 1st April 2008, (a) the amount charged by the Secretary of State for those applying to take such tests from £32 to £45 and (b) the amount charged by the Secretary of State for the supply of a theory test pass certificate in respect of tests conducted by an examiner, other than a Driving Standards Agency examiner, from £21 to £29. Regulations 5(a), 7(c) and 8 of these Regulations reverse those amendments. The charges will remain at £32 and £21 respectively.

*Regulation 5(b)* amends the principal Regulations so as to increase the amount charged by the Secretary of State for those applying to take the theory test in respect of a car, motorcycle or moped to £30 from 1st April 2008. This fee represents a percentage increase of 5.3% and the fees were last increased on 3<sup>rd</sup> September 2007.

*Regulations 6 and 11 and Schedule 2* amend the principal Regulations so as to substitute a new Schedule 5 in order to specify revised fees payable upon an application for a practical or unitary test made on or after 1<sup>st</sup> April 2008 or (in respect of a motorcycle or moped) where the test is to be conducted on or after 29<sup>th</sup> September 2008. The following table shows the new fees with the percentage increase in brackets. The fees were last increased on 2<sup>nd</sup> April 2007.

### ORDINARY TEST

<i>Type of vehicle</i>	<i>Test commenced during normal hours</i>	<i>Test commenced at any other time</i>
Motor cars, tractors and other minor categories	£56.50 (16.5%)	£67 (15.5%)
Lorries, buses and vehicle-plus-trailer combinations	£105.00 (18%)	£125 (16.8%)
Motorcycles and mopeds	£80.00 (33.3%)	£92 (31.4%)

### EXTENDED TESTS

<i>Type of vehicle</i>	<i>Test commenced during normal hours</i>	<i>Test commenced at any other time</i>
Motor cars, tractors and other minor categories	£113.00 (16.5%)	£134.00 (15.5%)
Motorcycles and mopeds	£160.00 (33.3%)	£184 (31.4%)

**Changes to legislation:** There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008. (See end of Document for details)

Regulations 7(a) and (b) and 12 amend provisions in the principal Regulations that relate to the practical test for motorcycles and mopeds. Candidates must perform additional special manoeuvres to demonstrate satisfactory technical control of the vehicle. The special manoeuvres are required to be undertaken off-road on a special testing ground. As regards motorcycles, these amendments further implement Commission Directive 2000/56/EC<sup>M1</sup>, which amended Council Directive 91/439/EEC<sup>M2</sup>

Regulation 10 and Schedule 1 substitute a new Part 1 of Schedule 3 to the principal Regulations in order to specify revised fees payable upon an application for a driving licence made on or after 1<sup>st</sup> April 2008.

The following table shows the new fees and the percentage increase or decrease. The fees were last increased on 1st May 2007.

<i>Paragraph in Schedule 3 specifying a type of licence and the circumstances of the application</i>	<i>Fee payable on application after 1<sup>st</sup> April 2008 (Fee payable formerly (£))</i>	<i>% increase (decrease)</i>
1 A first licence (as defined in Part 2 of Schedule 3)	£50 (45)	11.1%
2 A provisional licence (as detailed)	£50 (45)	11.1%
3 A photocard licence granted in exchange for a licence not in the form of a photocard licence which is still in force excluding a licence falling within any other paragraph in the Table	£17.50 (10)	75.0%
4 A licence granted on exchange (as detailed)	£17.50 (22)	(20.5%)
5 A replacement licence (as detailed)	£17.50 (22)	(20.5%)
6 A licence following disqualification (as detailed)- (i) when granted to a “high risk offender”, or (ii) in other cases	£90 (85) £65 (60)	5.8% 8.3%
7 A provisional licence following disqualification (as detailed)- (i) when granted to a “high risk offender”, or (ii) in other cases	£90 (85) £65 (60)	5.8% 8.3%
8 A provisional Group 2 licence (as detailed)	£65 (60)	8.3%
9 A licence following disqualification (as detailed)	£65 (60)	8.3%
10 A licence following disqualification (as detailed)	£65 (60)	8.3%
11 A licence following disqualification (as detailed)	£65 (60)	8.3%

All the regulations come into force on 1<sup>st</sup> April 2008 except for regulations 7(a) and (b) and 12 (practical test for motorcycles and mopeds), which come into force on 29<sup>th</sup> September 2008. The fees in these Regulations have been set further to (a) the Department of Transport (Fees) Order 1988 (S.I.1988/643), which established a common pool for costs incurred in respect of the functions of the Secretary of State in relation to tests of competence to drive motor vehicles; and (b) to the Department for Transport (Driver Licensing and Vehicle Registration Fees) Order 2003 (S.I.2003/2994), which established a common pool for costs incurred in respect of various vehicle registration functions and various driver licensing functions of the Secretary of State. In

accordance with the terms of the two Orders, in setting the levels of fees further to this Order, the Secretary of State has taken into account the costs within those common pools.

A full impact assessment of the effect that the amendments at regulations 3 to 9, 11 and 12 and Schedule 2 of these Regulations will have on the costs of business and the voluntary sector is available from the Driving Standards Agency, Stanley House, 56 Talbot Street, Nottingham NG1 5GU and on the Driving Standards Agency's website at [www.dsa.gov.uk](http://www.dsa.gov.uk). A full impact assessment of the effect that the amendments at regulation 10 and Schedule 1 of these Regulations will have on the costs of business and the voluntary sector is available from the Driver and Vehicle Licensing Agency, Policy and External Communications Directorate, Longview Road, Swansea, SA7 0EP and on the DVLA's website at [www.dvla.gov.uk](http://www.dvla.gov.uk). The impact assessments are annexed to the explanatory memorandum, which is available alongside the instrument on the Office of Public Sector Information website at [www.opsi.gov.uk](http://www.opsi.gov.uk).

**Changes to legislation:**

There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) (Amendment) Regulations 2008.