STATUTORY RULES OF NORTHERN IRELAND

2015 No. 357

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Driving Licences) (Amendment No. 3) Regulations (Northern Ireland) 2015

Made - - - -	*14th October 2015*
Coming into operation	*30th November 2015*

The Department of the Environment makes the following Regulations, in exercise of the powers conferred by Articles 4(7) and (8), 5(3), (4) and (5), 11(4), 13(1) and (3)(a), 14(4) and 19C(1), (1A)(a) and (f) and (2) of the Road Traffic (Northern Ireland) Order 1981(**1**).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment No. 3) Regulations (Northern Ireland) 2015 and shall come into operation on 30th November 2015.

Amendment of the Motor Vehicles (Driving Licences) Regulations

2.—(1) The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**2**) are amended in accordance with paragraphs (2) to (10).

(2) In regulation 7(5)(i) (applications for the grant of licences: general), for "40 millimetres" substitute "45 millimetres".

(3) In regulation 10 (fees for licences), after paragraph (2) add—

"(3) When an application is made for a licence which, but for this paragraph, would attract more than one fee, only one fee shall be paid and where the fees are different, that fee shall be the higher or highest of them.".

(4) In regulation 11(2) (meaning of qualified driver)(**3**), for sub-paragraph (a) substitute—

"(a) "disabled driver" means a person who holds a relevant licence which is limited by virtue of a declaration made with his application for the licence or a notice served under Article 9(5)(b) of the Order to vehicles of a particular class;".

(5) In regulation 27 (further requirements at tests), after paragraph (1)(**4**) insert—

(**1**) S.I. 1981/154 (N.I. 1)
(**2**) S.R. 1996 No. 542; relevant amending Regulations are S.R. 1997 No. 383, S.R. 1999 No. 358, S.R. 2003 No. 371, S.R. 2011 No. 21, S.R. 2012 Nos.170 and 451 and S.R. 2015 No.6
(**3**) Regulation 11 was substituted by regulation 2 of S.R. 1999 No. 358
(**4**) Paragraph (1) was substituted by regulation 2(5) of S.R. 2015 No. 6

"(1A) Paragraph (1) shall not apply in the case of a person who submits himself for an appropriate driving test pursuant to Article 41 of the Offenders Order or for any part of such a test.".

(6) In regulation 47G(2)(a)(evidence of completion of course)(**5**) for "and" substitute "or".

(7) In regulation 52(1)(a) (disabilities requiring medical investigation: High Risk Offenders), after "body" insert "equalled or".

(8) In regulation 55 (persons who become resident in Northern Ireland)—

(a) after paragraph (1) insert—

2.—"(1A) A person who becomes resident in Northern Ireland who is—

(i) the holder of a British external licence granted in the Isle of Man, Jersey or Guernsey authorising the driving of large and medium sized goods vehicles or passenger carrying vehicles, as the case may be, of any class, and

(ii) not disqualified for holding or obtaining a licence in Northern Ireland,

shall, during the period of one year after he becomes so resident, be treated for the purposes of Article 3 of the Order as the holder of a licence authorising him to drive large and medium sized goods vehicles or passenger carrying vehicles, as the case may be, of all classes which he is authorised to drive by that licence.";

(b) for paragraph (2)(**6**) substitute—

"(2) The statutory provisions in paragraph (2A) shall apply in relation to—

(a) holders of relevant permits and holders of British external licences of the classes mentioned in paragraph (1A); or

(b) those licences and permits (as the case may be),

with the modifications contained in paragraph (2A).

(2A) The modifications mentioned in paragraph (2) are that—

(a) Article 11 of the Offenders Order (duty of accused to provide licence) shall apply as if—

(i) the references to a licence were references to a relevant permit or a British external licence, and

(ii) the words after paragraph (c) were omitted;

(b) Article 29(1) and (2) of the Offenders Order (production of licence) shall apply as if—

(i) the reference to a licence were references to a relevant permit or a British external licence,

(ii) the references to the counterpart of a licence were omitted, and

(iii) in paragraph (2) the words ", unless he satisfies the court that he has applied for a new licence and has not received it" were omitted;

(c) Article 47 of the Offenders Order (removal of disqualification) shall apply as if for paragraph (6) there were substituted—

"(6) If under this Article a court orders a disqualification to be removed, the court must cause particulars of the order to be notified to the Department.";

(**5**) Regulation 47G was inserted by regulation 2(9) of S.R. 2011 No. 21 and amended by regulation 2(7) of S.R. 2012 No. 451
(**6**) Paragraph (2) was amended by regulation 20 of S.R. 1997 No. 383