STATUTORY RULES OF NORTHERN IRELAND

# 2015 No. 5

# ROAD TRAFFIC AND VEHICLES

## The Motor Vehicles (Driving Instruction) (Amendment) Regulations (Northern Ireland) 2015

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| *Made - - - -* | *15th January 2015* |
| *Coming into operation-* | *28th February 2015* |

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 48(4), 50(1), 52(2), (4), (6) and (7), 61, 62, 70(1) and 76 of the Road Traffic (Northern Ireland) Order 2007(**1**).

**Citation and commencement**

**1.** These Regulations may be cited as the Motor Vehicles (Driving Instruction) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 28th February 2015.

**Amendment of the Motor Vehicles (Driving Instruction) Regulations**

**2.**—(1) The Motor Vehicles (Driving Instruction) Regulations (Northern Ireland) 2010(**2**) are amended in accordance with paragraphs (2) to (10).

(2) In regulation 2(1) (interpretation) in the definition of "motor car"—

(a) omit "and" after sub-paragraph (a); and

(b) after sub-paragraph (b) add—

"and

(c) which is a vehicle of category B or category B+E as specified in column (2) of Schedule 1 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**3**);".

(3) In regulation 3 (register) after "motor cars" insert "fitted with a manual transmission or an automatic transmission".

(4) In regulation 4 (registration)—

(a) in paragraph (1)—

(**1**) S.I. 2007/916(N.I.10)
(**2**) S.R. 2010 No.227; as amended by S.R. 2010 No. 367
(**3**) S.R. 1996 No. 542

(i) omit "and" after sub-paragraph (d);

(ii) for sub-paragraph (e) substitute—

"(e) that he has provided the Department with a signed declaration stating that he is able to safely take control of the motor car if an emergency situation arises;

(f) that he follows the guidance issued by the Registrar listed in Schedule 7; and

(g) apart from the fulfilment of the foregoing conditions that he is a fit and proper person to have his name entered in the register."; and

(b) after paragraph (2) add—

"(3) Where the examination referred to in paragraph (1)(a) has been passed in a vehicle with an automatic transmission, instruction can only be given in vehicles fitted with an automatic transmission.".

(5) In regulation 5(2)(extension of registration)—

(a) omit "and" after sub-paragraph (d); and

(b) after sub-paragraph (d) insert—

"(dd) that he follows the guidance issued by the Registrar listed in Schedule 7; and".

(6) In regulation 6(1) (termination of registration)—

(a) omit "or" after sub-paragraph (e);

(b) at the end of sub-paragraph (f) omit the full stop and add—

"; or

(g) that he has failed to follow the guidance issued by the Registrar listed in Schedule 7.".

(7) In regulation 11 (motor car to be provided for practical part of examination)—

(a) in paragraph (3) for "The vehicle must" substitute "Subject to paragraph (3A), the vehicle must";

(b) after paragraph (3) insert—

"(3A) The requirement in paragraph (3)(c) shall not apply where the Registrar is satisfied that the candidate has a disabled person's limited driving licence.";

(c) after paragraph (5) add—

"(6) In this regulation—

"disabled person's limited driving licence" means a licence of one of the following kinds—

(a) a licence to drive a motor vehicle granted under Part II of the Order of 1981 (not being a provisional licence within the meaning of Part II of that Order) which is limited, by virtue of a notice served under Article 9(5)(b) of that Order, to a motor car equipped with an automatic transmission;

(b) a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988(**4**) (not being a provisional licence within the meaning of Part 3 of that Act) which is limited by virtue of a notice served under section 92(5)(b) of that Act, to a motor car equipped with an automatic transmission; and

(**4**) 1988 c.52