STATUTORY RULES OF NORTHERN IRELAND

2008 No. 418

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2008

Made - - - -	*17th October 2008*
Coming into operation	*24th November 2008*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 5(1), (3), (4) and (5), 8(b), 19C(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 24th November 2008.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**2**).

Amendment to regulation 2(1) (interpretation)

2. In regulation 2(1) of the principal Regulations—

(a) after the definition of "road service licence" insert—

> ""special manoeuvres test" means a test of driving skills and behaviour concerning vehicles in categories A and P which is carried out on a special testing ground as part of a test consisting of three parts and includes such a test conducted as part of an extended driving test;"; and

(b) for the definition of "practical test" substitute—

> ""practical test" means, where a test is by virtue of these Regulations to be conducted in two or three parts, the part that consists of the practical test of driving

(**1**) S.I. 1981/154 (N.I. 1); see Article 2(2) for the definition of "Department" and "prescribed"; Article 5 was substituted by S.I. 1991/197 (N.I. 3), Schedule 1 and amended by S.R. 1996 No. 426, Schedule 1, paragraph 2; Article 19C was substituted by S.I. 1991/197 (N.I. 3), Schedule 1 and amended by S.I. 1996/1320 (N.I. 10), Schedule 3, paragraph 8 and S.R. 1996 No. 426, Schedule 1, paragraph 11

(**2**) S.R. 1996 No. 542; relevant amending regulations are S.R. 1997 No. 383, S.R. 1999 No. 77, SR 1999 No. 358, S.R.2001 No. 402, S.R. 2002 No. 383, S.R. 2007 No. 111 and S.R. 2007 No. 317

skills and behaviour and includes such a test conducted as part of an extended driving test, but does not include the special manoeuvres test;".

(c) in the definition of "theory test" after the word "two" insert "or three";

Amendment to regulation 21 (applications for practical and unitary tests)

3.—(1) Regulation 21 of the principal Regulations shall be amended in accordance with paragraphs (2) to (3).

(2) In paragraph (1) after the words "wishing to take a" insert "special manoeuvres,".

(3) In paragraph (3) after the words "a further appointment for a" insert "special manoeuvres test,".

Amendment to regulation 22 (fees in respect of tests)

4.—(1) Regulation 22 of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (2) after the words "the table in" insert "Part 1 of".

(3) After paragraph (2A), insert—

"(2B) Subject to paragraph (4), the fee payable in respect of a special manoeuvres test to be conducted by an examiner—

(a) as part of the test for a licence; or

(b) which is or forms part of an extended driving test for a licence;

authorising the driving of a motor vehicle of a class included in a category or sub-category specified in column (1) of the table in Part 2 of Schedule 4 is the fee specified in relation to that category or sub-category in column (2) of that table.".

Amendment to regulation 25 (cancellation of tests)

5. In regulation 25 of the principal Regulations in paragraph (a) after the words "for a" insert "special manoeuvres,".

Amendment to regulation 27 (further requirements at tests)

6. In regulation 27 of the principal Regulations after paragraph (3) insert—

"(3A) A person submitting himself for a practical test with a motor vehicle of a class in category A or P shall produce a valid certificate furnished under regulation 37A(1)(a) showing that he has passed the special manoeuvres test.".

Amendment to regulation 28 (examiner's right to refuse to conduct test)

7.—(1) In regulation 28(1)(b) of the principal Regulations for "(4) or (5)" substitute ", (3A), (4) or (5)".

Amendment to regulation 29 (nature of tests other than extended tests)

8.—(1) Regulation 29 of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1A) for "A, B, C, D or P" substitute "B, C or D".

(3) After paragraph (2) insert—

"(2A) Subject to regulation 31 the test for a licence authorising the driving of vehicles included in category A or P shall be conducted in three parts, namely—

(a) a test of driving theory and hazard perception;

(b) a special manoeuvres test; and

(c) a practical test of driving skills and behaviour,

and a person taking such a test must pass all three parts.".

(4) After paragraph (3) insert—

"(3A) A person shall be treated as having passed the special manoeuvres test if he satisfies the person conducting it of his ability to comply with the specified requirements.".

(5) After paragraph 9 insert—

"(10) The specified requirements for a special manoeuvres test for a licence authorising the driving of a motor vehicle of a class included in a category shown in column (1) of the table are the requirements specified in relation to that category in column (4).".

(6) For the table substitute—

"**Table**

Column (1) *Category*	*Column (2)* *Specified matters*	*Column (3)* *Specified requirements*	*Column (4)* *Specified requirements*
A	Matters specified in Part 1 of Schedule 6	Requirements specified in Part 1 of Schedule 7	Requirements specified in Schedule 7A Part 1
B	Matters specified in Part 2 of Schedule 6	Requirements specified in Part 2 of Schedule 7	—
B+E	—	Requirements specified in Part 2 of Schedule 7	—
C	Matters specified in Part 3 of Schedule 6	Requirements specified in Part 3 of Schedule 7	—
D	Matters specified in Part 4 of Schedule 6	Requirements specified in Part 4 of Schedule 7	—
C+E	—	Requirements specified in Part 3 of Schedule 7	—
D+E	—	Requirements specified in Part 4 of Schedule 7	—
F	—	Requirements specified in Parts 5 and 6 of Schedule 7	—

Column (1) *Category*	*Column (2)* *Specified matters*	*Column (3)* *Specified requirements*	*Column (4)* *Specified requirements*
G	—	Requirements specified in Parts 5 and 6 of Schedule 7	—
H	—	Requirements specified in Parts 5 and 7 of Schedule 7	—
K	—	Requirements specified in Part 5 of Schedule 7	—
P	Matters specified in Part 1 of Schedule 6	Requirements specified in Part 1 of Schedule 7	Requirements specified in Schedule 7A Part 2”

Amendment to regulation 30 (order of test)

9. In regulation 30 of the principal Regulations after paragraph (1) insert—

“(1A) Where a test is required to be conducted in three parts, a person taking the test—

(a) must pass the theory test before he takes the special manoeuvres test;

(b) shall not be entitled to apply for an appointment for the special manoeuvres test in respect of a motor vehicle of a class included in category A or P until he has been furnished with—

(i) a certificate under regulation 36(2)(*a*) stating that he has passed the relevant theory test, or

(ii) a certificate corresponding to such a certificate furnished under the law of Great Britain stating that he has during the relevant period passed the theory test in respect of the same category; and

(c) shall not be entitled to apply for an appointment for the practical test of driving skills and behaviour in respect of a motor vehicle of a class included in category A or P until he has been furnished with a certificate issued under regulation 37A(1)(a) stating that he has passed the special manoeuvres test.”.

New regulation 37A (evidence of the result of special manoeuvres test)

10. After regulation 37 insert—

“**Evidence of the results of special manoeuvres test**

37A.—(1) A person conducting a special manoeuvres test shall furnish—

(a) a person who passes the special manoeuvres test for a vehicle in category A or P with a certificate in the form set out in Part 1A of Schedule 10; and

(b) a person who fails to pass the practical test or the special manoeuvres test, with a statement in the form set out in Part 3 of Schedule 10.

(2) A pass certificate issued under paragraph 1(a) shall be valid for the purposes of regulation 27(3A) for a period commencing on the date on which the test is passed and ending on the date which falls two years later.".

Amendment of the Schedules to the principal Regulations

11.—(1) For Schedule 4 to the principal Regulations (fees for tests) substitute the provisions set out in Schedule 1.

(2) In Schedule 7 (specified requirements for practical or unitary test), in Part 1 paragraph D delete paragraphs 8 and 9.

(3) After Schedule 7 to the principal Regulations insert schedule 7A (specified requirements for special manoeuvres test) as set out in Schedule 2.

(4) For Schedule 10 to the principal Regulations (forms of certificate and statement of practical and unitary test result) substitute the provisions set out in Schedule 3.

Sealed with the Official Seal of the Department of the Environment on 17th October 2008.

L.S.

Stanley Duncan
A senior officer of the Department of the Environment