**1986 No. 368**

# ROAD TRAFFIC AND VEHICLES

## Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1986

*Made* . . . . . *30th December 1986*

*Coming into operation* . . . *9th February 1987*

The Department of the Environment in exercise of the powers conferred on it by Articles 71(3)(*c*), 72(1), 75(1), 76, 214(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers enabling it in that behalf and with the approval of the Department of Finance and Personnel(**b**) as regards regulations 2(2), (5) and (7) makes the following Regulations:

*Citation and commencement*

**1.** These Regulations may be cited as the Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1986 and shall come into operation on 9th February 1987.

*Amendment of the 1981 Regulations*

**2.** The Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1981(**c**) shall be amended as follows:

(1) In regulation 4 (qualifications of applicants)—

(*a*) after "4." insert "—(1)";

(*b*) for sub-paragraph (*b*) substitute—

"(*b*) he has not at any time since he attained the age of 5 years had an epileptic attack;

(*bb*) he is fit to hold the licence having regard to his health and any disability which he may suffer;

(*bbb*) he is, having regard to his conduct (including conduct in Great Britain) as the driver of a motor vehicle, a fit person to hold such a licence;";

(*c*) for sub-paragraph (*d*) substitute—

"(*d*) in the case of an applicant for a hgv trainee driver's licence he is a registered employee of a registered employer and—

(i) if he has not previously held a hgv driver's licence, the licence referred to in sub-paragraph (*c*) shall not have—

(A) if it is an ordinary driving licence, any relevant endorsements on it, or

(B) if it is a Great Britain ordinary driving licence, any penalty points or disqualifications endorsed on it, or

(ii) in any other case, the licence referred to in sub-paragraph (*c*) shall not have—

(A) if it is an ordinary driving licence, more than one endorsement on it, or

---

(**a**) S.I. 1981/154 (N.I. 1)
(**b**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3
(**c**) S.R. 1981 No. 240 as amended by S.Rs. 1982 Nos. 130 and 430 and 1984 No. 86

(B) if it is a Great Britain ordinary driving licence, more than 3 penalty points or any disqualification endorsed on it, so, however, that there shall be disregarded any penalty points exceeding 3 endorsed on it on or after 1st November 1982 but before 13th September 1983 provided that they were endorsed as a consequence of the commission on one occasion of one or more offences.''.

(*d*) at the end add—

''(2) In this regulation—

''penalty points'' means penalty points endorsed on an ordinary driving licence pursuant to section 19 of and Schedule 7 to the Transport Act 1981 c. 56 or counted as having been so endorsed pursuant to section 19(7)(*a*) of that Act.''.

(2) For regulation 9 (fees for licences) substitute—

''*Fees for licences*

**9.** The fee for the grant of a full licence shall be £8·50 and the fee for the grant of a provisional licence shall be £4·00.''.

(3) At the end of regulation 10 (provisional standard licences) add—

''(5) A person to whom a full standard licence has been issued which states that the holder is entitled to drive vehicles in Class 4 only, vehicles in Class 4A only, or vehicles in both those classes, shall be treated as holding a provisional standard licence to drive vehicles in Classes 1, 1A, 2, 2A, 3 and 3A for such time as the full standard licence enures.''.

(4) In regulation 11 (hgv trainee drivers' licences)—

(*a*) for paragraphs (1) and (2) substitute the following paragraph—

''(1) Save as provided in paragraph (8), every hgv trainee driver's licence shall be subject to the condition that the holder shall not drive a heavy goods vehicle of any class for which the licence is issued or for which, by virtue of paragraph (3), the licence is treated as a provisional licence, unless the holder is the registered employee of a registered employer named in the licence and either—

(*a*) (i) the vehicle is a heavy goods vehicle of a class to which the holder's training agreement applies and which is stated in the licence, and

(ii) the vehicle is owned by that registered employer or by a registered hgv driver training establishment named in the licence; or

(*b*) the holder is a part-time member of the armed forces of the Crown and the vehicle is owned by the Secretary of State for Defence and used for naval, military or air force purposes.'';

(*b*) delete paragraph (6)(*a*)(i).

(5) In regulation 14(3) (exchanged licences) for ''25p'' substitute ''£1·50''.

(6) At the end of regulation 22 (production of vehicle for test, etc.) add—

''(3) A person submitting himself for a test shall allow to travel in the vehicle—

(*a*) the examiner, and

(*b*) any person authorised by the Department to attend the test for the purpose of supervising it.''.

(7) In regulation 23 (fees for tests) for ''£65·00'' substitute ''£40·00''.

(8) In regulation 25 (exemptions)—

(*a*) in paragraph (1)—