

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(a):

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(b).

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 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”;

(a) 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

(b) 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

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

<i>Column (1) Category</i>	<i>Column (2) Specified matters</i>	<i>Column (3) Specified requirements</i>	<i>Column (4) Specified requirements</i>
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	—
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.



Stanley Duncan
A senior officer of the Department of the Environment

SCHEDULE 1

Regulation 11(1)

“SCHEDULE 4

Regulation 22

Fees for Tests

PART 1

FEEES FOR PRACTICAL TESTS

Column (1) <i>Category or sub-category of vehicle</i>	Column (2) <i>Test, other than an extended driving test, commencing—</i>		Column (3) <i>Extended driving test commencing—</i>	
	<i>(a) During normal hours</i>	<i>(b) Out of hours</i>	<i>(a) During normal hours</i>	<i>(b) Out of hours</i>
1. A1, B1 (other than B1 invalid carriages) and P	£53.50	£66.00	—	—
2. A	£53.50	£66.00	£107.00	—
3. B	£42.00	£58.00	£84.00	—
4. F, G, H and K	£42.00	—	—	—
5. B+E, C1, C1+E, D1, D1+E, C, C+E, D and D+E	£61.00	£92.00	—	—
6. B1 (invalid carriages)	Nil	Nil	Nil	Nil

PART 2

FEEES FOR SPECIAL MANOEUVRES TESTS

Column (1) <i>Category or sub-category of vehicle</i>	Column (2) <i>Special manoeuvres Test, commencing—</i>	
	<i>(a) During normal hours</i>	<i>(b) Out of hours</i>
1. A, A1 and P	£31.00	£43.00”

Specified Requirements for Special Manoeuvres Test

PART 1

Special Manoeuvres Test: Category A and sub-category A1

1. Test candidates must satisfy the examiner as to their ability to—

- (a) carry out properly the activities, and
- (b) perform competently the manoeuvres

specified in paragraphs A to C in all respects in accordance with those paragraphs.

A. Preparation to drive

1. Adjust rear view mirrors.
2. Adjust crash helmet.

B. Technical control of the vehicle

1. Remove motor bicycle from its stand and move it, without the aid of the engine, by walking alongside it.

2. Parking the motorcycle on its stand.

3. Cause the vehicle to face in the opposite direction by driving it forward (a “U-turn”).

4. At least two manoeuvres to be executed at slow speed, including a slalom. This should allow competence to be assessed in the handling of the throttle and clutch in combination with the brake, balance, vision direction and position on the motorcycle and the position of the feet on the footrests.

5. At least two manoeuvres to be executed at higher speed, of which one manoeuvre whilst driving the vehicle in second or third gear at a speed of at least 30 km/h (18.75 mph) and one manoeuvre avoiding an obstacle at a minimum speed of 50 km/h (31.25 mph). This should allow competence to be assessed on the position on the motorcycle, vision direction, balance, steering technique and technique of changing gears.

6. At least two braking exercises shall be executed including an emergency brake at a minimum speed of 50 km/h (31.25 mph). This should allow competence to be assessed in the handling of the front and rear brake, vision direction and the position on the motorcycle.

7. Start the engine, move off smoothly and with due regard for safety.

8. Use of ancillary controls.

C. Alighting from vehicle

1. Take all precautions necessary when alighting.

PART 2

Special Manoeuvres Test: Category P

1. Test candidates must satisfy the examiner as to their ability to—

- (a) carry out properly the activities, and
- (b) perform competently the manoeuvres

specified in paragraphs A to C in all respects in accordance with those paragraphs.

A. Preparation to drive

1. Adjust rear view mirrors.
2. Adjust crash helmet.

B. Technical control of the vehicle

1. Remove motor bicycle from its stand and move it, without the aid of the engine, by walking alongside it.

2. Parking the motorcycle on its stand.

3. Cause the vehicle to face in the opposite direction by driving it forward (a “U-turn”).

4. At least two manoeuvres to be executed at slow speed, including a slalom. This should allow competence to be assessed in the handling of the throttle and clutch in combination with the brake, balance, vision direction and position on the motorcycle and the position of the feet on the footrests.

5. At least two manoeuvres to be executed at higher speed, of which one manoeuvre whilst driving the vehicle in second or third gear at a speed of at least 30 km/h (18.75 mph) and one manoeuvre avoiding an obstacle at a minimum speed of 30 km/h (18.75 mph). This should allow competence to be assessed on the position on the motorcycle, vision direction, balance, steering technique and technique of changing gears.

6. At least two braking exercises shall be executed, including an emergency brake at a minimum speed of 30 km/h (18.75 mph). This should allow competence to be assessed in the handling of the front and rear brake, vision direction and the position on the motorcycle.

7. Start the engine, move off smoothly and with due regard for safety.

8. Use of ancillary controls.

C. Alighting from vehicle

1. Take all precautions necessary when alighting.”

SCHEDULE 3

Regulation 11(4)

“SCHEDULE 10

Regulation 37

FORMS OF CERTIFICATE AND STATEMENT OF PRACTICAL AND UNITARY TEST RESULT

PART 1

TEST PASS CERTIFICATE

Practical Test Pass After Theory Test Pass

Certificate of passing the test of competence to drive

Driver number

Date of test

I certify that [Name of candidate] has been examined and has PASSED the test of competence prescribed for the purposes of Article 5 of the Road Traffic (Northern Ireland) Order 1981, as substituted by the Road Traffic (Amendment) (Northern Ireland) Order 1991 in respect of vehicles in category/categories

Whether vehicle fitted with automatic transmission.....Y/N.

Whether vehicle modified/other restrictions

Signature of examiner

Signature of candidate

PART 1A

CATEGORY A (including sub-category A1) or P vehicles

Special Manoeuvres Test Pass After Theory Test Pass

Certificate of passing the [extended*] Special Manoeuvres Test

Driver Number

Date of test

I certify that [Name of candidate] has been examined and has PASSED the special manoeuvres test as part of the test of competence prescribed for the purposes of Article 5 of the Road Traffic (Northern Ireland) Order 1981, as substituted by the Road Traffic (Amendment) (Northern Ireland) Order 1991 (and Article 41 of the Road Traffic Offenders (Northern Ireland) Order 1996*) in respect of vehicles in category/categories

Whether vehicle fitted with automatic transmissionY/N.

Whether vehicle modified/other restrictions.....

Signature of examiner.....

Signature of candidate.....

*Words in italics to be omitted where inapplicable.

PART 2

TEST PASS CERTIFICATE (EXTENDED)

Certificate of passing the extended test of competence to drive

Driver number

Date of test

I certify that [Name of candidate] has been examined and has PASSED the test of competence prescribed for the purposes of Article 5 of the Road Traffic (Northern Ireland) Order 1981, as substituted by the Road Traffic (Amendment) (Northern Ireland) Order 1991 and Article 41 of the Road Traffic Offenders (Northern Ireland) Order 1996 in respect of vehicles in category/categories

Whether vehicle fitted with automatic transmission..... Y/N.

Whether vehicle modified/other restrictions

Signature of examiner

Signature of candidate

PART 3

TEST FAILURE STATEMENT

Statement of failure to pass the practical test / test of competence to drive / special manoeuvres test (*delete as appropriate)

(To be endorsed on the front or the reverse of the Driving Test Report Form)

Name of candidate

Category/ies of vehicle

Driver Number

Date of test

The candidate named herein has been examined and has FAILED to pass the practical test/test of competence to drive/ special manoeuvres test (delete as appropriate) prescribed under the Road Traffic (Northern Ireland) Order 1981 (*and for the purposes of Article 41 of the Road Traffic Offenders (Northern Ireland) Order 1996**) in respect of vehicles in the above category/categories.

*Words in italics to be omitted where inapplicable ”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (the “principal Regulations”) and implement in part Article 1(2) and Annex II of Commission Directive 2000/56/EC of 14th September 2000 amending Council Directive 91/439/EEC on driving licences.

These Regulations introduce a special manoeuvres test for those wishing to acquire a licence to drive vehicles in licence categories A (motorcycles) and P (mopeds). The special manoeuvres test must be passed after successfully completing the theory test and before applying for the motorcycle practical driving test.

Regulation 2 inserts a definition of the special manoeuvres test into regulation 2(1) (interpretation) of the principal Regulations and amends the definition of a practical test and theory test.

Regulation 3 amends regulation 21 (applications for practical and unitary tests) by inserting reference to the special manoeuvres test.

Regulation 4 amends regulation 22 (fees in respect of tests) of the principal Regulations by specifying an additional fee for the special manoeuvres test in Schedule 4 (fees).

Regulation 5 amends regulation 25 (cancellation of tests) by inserting reference to the special manoeuvres test.

Regulation 6 amends regulation 27 (further requirements at tests) so that a person submitting himself for a practical test to be conducted on the public road for category A and P vehicles must, before the test commences, present a valid pass certificate showing that he has passed the special manoeuvres test.

Regulation 7 amends regulation 28 (examiner’s right to refuse to conduct test) of the principal Regulations to extend the examiner’s right to refuse to conduct a test to include the special manoeuvres test.

Regulation 8 amends regulation 29 (nature of tests other than extended tests) of the principal Regulations so as to prescribe that the test for a licence to drive a category A and P motor vehicle shall be conducted in three parts; a test of driving theory and hazard perception, a special manoeuvres test and a practical test.

Regulation 9 amends regulation 30 (order of test) of the principal Regulations to include reference to the special manoeuvres test. A person must pass the test of driving theory before applying for the special manoeuvres test and may not apply for the practical test until he has passed the special manoeuvres test.

Regulation 10 inserts a new regulation 37A (evidence of the result of special manoeuvres test) into the principal Regulations. This makes provision for the evidencing of the result of a special manoeuvres test. Candidates successfully sitting a special manoeuvres test are issued with a pass certificate the form and content of which is specified in Part 1A of Schedule 10. The regulation also provides that the pass certificate for the special manoeuvres test is valid for two years from the date of issue.

Regulation 11 (and the Schedules referred to therein) amend certain of the Schedules in the principal Regulations. It substitutes a new two-part fees table in Schedule 4 (fees for tests) to the principal Regulations to provide for the charging of fees for practical tests and separate fees for special manoeuvres tests. It inserts a new Schedule 7A in the principal Regulations in relation to the specified requirements for special manoeuvres tests. It also substitutes Schedule 10 to the principal Regulations so as to prescribe the form and content of the pass certificates and the statement of failure issued to candidates who sit the special manoeuvres test or the practical test.

Copies of the EC Directives referred to in this Note can be obtained from TSO, 16 Arthur Street, Belfast BT1 4GD.

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