

**2012 No. 170**

**ROAD TRAFFIC AND VEHICLES**

**The Motor Vehicles (Driving Licences) (Amendment)  
Regulations (Northern Ireland) 2012**

*Made* - - - - - *19th April 2012*

*Coming into operation in accordance with regulation 1(1) to  
(3)*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and Articles 5(3) and (4), 13(3), 14(4), 19C(1A) and (2) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(b).

The Department of the Environment is designated(c) for the purposes of section 2(2) of the European Communities Act 1972 in relation to the licensing of drivers of motor vehicles.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2012 and subject to paragraphs (2) and (3) shall come into operation on 19<sup>th</sup> January 2013.

(2) Regulation 3(12)(c)(ii) and (21)(a) and (c) shall come into operation on 21<sup>st</sup> May 2012.

(3) Regulation 3(29)(a)(i)(aa) and (b)(i) and (30)(a) shall come into operation on 1<sup>st</sup> October 2012.

(4) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendment of the Road Traffic (Northern Ireland) Order 1981**

2.—(1) The Road Traffic (Northern Ireland) Order 1981 is amended in accordance with paragraphs (2) to (8).

(2) In Article 13(1) (grant of licences)—

(a) for sub-paragraph (d) substitute—

“(d) is not —

(i) in accordance with Article 4(3) subject to a current disqualification which is relevant to the licence he applies for; or

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(a) 1972 c.68; section 2(2) was amended by section 27(1) of the Legislative and Regulatory Reform Act 2006 (c.51)

(b) S.I.1981/154 (N.I.1); Articles 5, 11, 13, 14 and 19C were substituted by Schedule 1 to S.I. 1991/197 (N.I. 3) and Articles 5 and 19C were amended by Schedule 3 to S.I. 1996/1320 (N.I.10) and Schedule 1 to S.R.1996 No.426

(c) S.I. 1981/1536

(d) 1954 c.33 (N.I.)

- (ii) subject to a current disqualification under the law of an EEA State (other than the United Kingdom) which relates to vehicles of the class, or of a class corresponding to the class, to which the application relates and was imposed while the person was the holder of a licence granted under the law of that State; and
- (e) is not prevented from obtaining the licence by the provisions of Article 5 of this Order or Article 6 of, or paragraph 6 or 9 of Schedule 1 to, the Road Traffic (New Drivers) (Northern Ireland) Order 1998(a).”.
- (b) omit paragraphs (3)(d), (5) and (5A)(b).
- (3) In Article 14(c) (form of licence) for paragraph (3) substitute—
  - “(3) A licence shall not by virtue of paragraph (2) authorise a person to drive—
    - (a) a vehicle of a class for the driving of which he could not, by reason of Article 17, lawfully hold a licence; or
    - (b) unless he has passed a test of competence to drive a motor bicycle or moped on a road in circumstances in which, by virtue of Article 13(3)(e), a provisional licence would not authorise him to drive it before he had passed that test.”.
- (4) In Article 15 (duration of licences)—
  - (a) in paragraph (2)—
    - (i) in sub-paragraph (a) for “10 years” substitute “5 years” and for “forty-fifth” substitute “sixty-sixth”; and
    - (ii) omit sub-paragraph (b); and
  - (b) omit paragraph (3).
- (5) In Article 15A(4)(d) (authorisation to drive in Northern Ireland)—
  - (a) in sub-paragraph (a)—
    - (i) for “(b) or (c)” substitute “(c)”; and
    - (ii) for “45 years” substitute “66 years” and for “later” substitute “earlier”; and
  - (b) omit sub-paragraph (b).
- (6) In Article 17 (disqualification of persons under age) after paragraph (6) add—
  - “(7) “Medium-sized goods vehicle” specified in the Table includes a tractor and trailer combination.”.
- (7) In Article 19D(1)(e) (interpretation)—
  - (a) for the definitions of “EEA Agreement” and “EEA State”(f) substitute—
    - ““EEA agreement” means the agreement on the European Economic Area signed at Oporto on 2<sup>nd</sup> May 1992, together with the Protocol adjusting that Agreement signed at Brussels on 17<sup>th</sup> March 1993, as modified or supplemented from time to time;
    - “EEA state”, in relation to any time, means—
      - (a) a state which at that time is a member State; or
      - (b) any other state which at that time is a party to the EEA agreement.”;
  - (b) for the definition of “moped” substitute—

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- (a) S.I. 1998/1074 (N.I.7)
  - (b) Paragraph (3)(d) was inserted by, and paragraphs (5) and (5A) were substituted by, Article 92 of S.I. 1995/2994 (N.I. 18) and amended by Schedule 2 to S.R. 1996 No.426
  - (c) Paragraph (3) was amended by Article 92 of S.I. 1995/2994 (N.I. 18), Article 7(7) of S.I. 1991/197 (N.I.3) and paragraph 5(3) of the Schedule to S.R. 2002 No. 374
  - (d) Article 15A was inserted by paragraph 8 of Schedule 1 to S.R.1996 No. 426 and paragraph (4)(a) was substituted by paragraph 7 of the Schedule to S.R.2002 No. 374
  - (e) Article 19D was inserted by Schedule 1 to S.I.1991/197 (N.I. 3) and amended by paragraph 12 of Schedule 1 to S.R.1996 No.426
  - (f) The definitions of “EEA Agreement” and “EEA State” were inserted by paragraph 12(2)(d) of Schedule 1 to S.R.1996 No.426

“moped” does not include light quadricycle within the meaning in Article 1(3)(a) of the motorcycle type approval Directive but otherwise has the same meaning as in Directive 2006/126/EC of the European Parliament and of the Council of 20<sup>th</sup> December 2006 on driving licences;”;

- (c) in the definition of “motor bicycle” in sub-paragraph (b) for “and” substitute “or”; and
- (d) after the definition of “motor bicycle” insert—

“motorcycle type approval Directive” has the same meaning as in Article 31A”.

(8) In Article 78 (interpretation) in the definition of “large goods vehicle”(a) after “Part II)” insert “which is designed and constructed for the carriage of no more than 8 passengers in addition to the driver and”.

### **Amendment of the Motor Vehicle (Driving Licences) Regulations (Northern Ireland) 1996**

**3.—**(1) The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 are amended in accordance with paragraphs (2) to (34).

(2) In regulation 2(1) (interpretation)—

- (a) after the definition of the “1995 Order” insert—

“A1 motorcycle” means a motor bicycle with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kilowatts and with a power to weight ratio not exceeding 0.1 kilowatts per kilogram;

“A1 motor tricycle” means a motor tricycle with a power not exceeding 15 kilowatts;

“A2 motorcycle” means a motor bicycle of a power not exceeding 35 kilowatts, with a power to weight ratio not exceeding 0.2 kilowatts per kilogram and not being derived from a vehicle of more than double its power;”;

- (b) after the definition of “approved motorcycle instructor”(b) insert—

“B1 vehicle” means a vehicle in sub-category B1 (invalid carriages) and former sub-category B1;

“category P vehicle” means a motor vehicle with less than 4 wheels with a maximum design speed exceeding 45 kilometres per hour but not exceeding 50 kilometres per hour and which, if propelled by an internal combustion engine, has a cylinder capacity not exceeding 50 cubic centimetres;

“category Q vehicle” means a motor vehicle with less than 4 wheels which—

- (a) if propelled by an internal combustion engine, has a cylinder capacity not exceeding 50 cubic centimetres and, if not equipped with pedals by means of which the vehicle is capable of being propelled, has a maximum design speed not exceeding 25 kilometres per hour; and

- (b) if propelled other than by an internal combustion engine, has a maximum design speed not exceeding 25 kilometres per hour;”;

- (c) after the definition of “controlled by a pedestrian” insert—

“deductible period” means—

- (a) any period during which a person is disqualified under Article 35 or 40 of the Offenders Order;

- (b) in a case where a person is or has been disqualified under Article 41 (disqualification until test is passed) of the Offenders Order the period beginning on the date of the court order under paragraph (1) of that Article and ending on the date when the disqualification is deemed by virtue of that Article to have expired;

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(a) The definition of “large goods vehicle” was substituted by paragraph 19(c) of Schedule 1 to S.R.1996 No.426

(b) The definition of “approved motorcycle instructor” was inserted by regulation 2(2) of S.R. 2011 No. 21

- (c) in a case where a person’s licence or test pass certificate has been revoked by the Department under Article 5(1) of, or Schedule 1 to, the Road Traffic (New Drivers) (Northern Ireland) Order 1998(a), the period beginning on the date of the notice of revocation under that Order and ending on the date when the person whose certificate or licence, as appropriate, has been revoked, passes the relevant driving test within the meaning of that Order; and
- (d) any period during which a person’s licence has ceased to be in force;”;
- (d) after the definition of “incomplete large vehicle” insert—
  - ““IBC” means an intermediate bulk container, being a container made of plastic or metal, designed for the storage and transport of fluids, capable of containing a total of 1,000 litres of liquid, with the capacity clearly marked on the exterior of the container and filled with 1,000 litres of water;”;
- (e) after the definition of “LGV trainees driver’s licence” insert—
  - ““light quadricycle” means a quadricycle within the meaning in Article 1(3) of Directive 2002/24/EC of the European Parliament and of the Council of 18<sup>th</sup> March 2002 relating to the type approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC, as corrected by a Corrigendum of 22<sup>nd</sup> February 2003;”;
- (f) after the definition of “mobile project vehicle” insert—
  - ““motor tricycle” means a motor vehicle with 3 symmetrically arranged wheels which has a maximum design speed of more than 45 kilometres per hour and, if fitted with an internal combustion engine, has an engine capacity of more than 50 cubic centimetres;
  - “non-light quadricycle” means a vehicle with 4 wheels having an unladen weight exceeding 350 kilograms but not exceeding 400 kilograms, or 550 kilograms if the vehicle is intended for carrying goods;”;
- (g) for the definition of “maximum net power output” substitute—
  - ““maximum net power output” in relation to an engine, means the maximum net power output measured under full engine load;”;
- (h) for the definition of “power to weight ratio” substitute—
  - ““power to weight ratio” in relation to a motor bicycle with a sidecar, means the ratio of the maximum net power output of the engine of the motor bicycle to the weight of the combination;”;
- (i) after the definition of “road service licence” insert—
  - ““sandbag” means a transparent polyethylene bag filled with sand and clearly marked on its exterior with its weight when filled with sand;”;
- (j) after the definition of “special manoeuvres test”(b) insert—
  - ““standard access period” means the period of 2 years commencing on the date, before 19<sup>th</sup> January 2013, when a person passed a test for a licence authorising the driving of standard motor bicycles of any class, other than motor bicycles in former sub-category A1, but disregarding any deductible period, or part thereof, which subsists in relation to that person on or after the date on which the test was passed;
  - “standard motor bicycle” means—
    - (a) in the case of a motor bicycle without a side-car, a motor bicycle the engine of which has a maximum net power output not exceeding 25 kilowatts and a power to weight ratio not exceeding 0.16 kilowatts per kilogram; or
    - (b) in the case of a motor bicycle and side-car combination, a combination having a power to weight ratio not exceeding 0.16 kilowatts per kilogram;”;

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(a) S.I.1998 /1074 (N.I.7)

(b) The definition of “special manoeuvres test” was inserted by regulation 2 of S.R. 2008 No.418

- (k) after the definition of “the Driving Instruction Regulations”(a) insert—  
 ““the Driving Licences Amendment Regulations” means the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2012;”.
- (3) In regulation 3 (classification of vehicles)—
- (a) in paragraph (1) for “regulation 4” substitute “regulations 4 and 53A”;
  - (b) in paragraph (2) at the beginning of sub-paragraphs (a) and (b) insert “save where preceded by “former”,”;
  - (c) at the end of sub-paragraph (b) omit “and”; and
  - (d) after sub-paragraph (c) add—  
 “and  
 (d) a reference to a category or sub-category which, in either case, is preceded by “former” is a reference to a category or sub-category, as appropriate, of vehicle in respect of which a licence authorising the driving of vehicles of a class included in the category or sub-category, as appropriate, was capable of being granted under these Regulations before they were amended by the Driving Licences Amendment Regulations.”.
- (4) In regulation 4 (classes for which licences may be granted) after paragraph (2) add—  
 “(3) A licence authorising the driving of motor vehicles of a class included in any category or sub-category mentioned in Part 4 of Schedule 1, shall not be granted to a person unless, before 19<sup>th</sup> January 2013—
- (a) he held a licence authorising the driving of vehicles of that class or a class which, by virtue of these Regulations, corresponds to a class included in that category or sub-category; or
  - (b) he passed a test for a licence authorising the driving of motor vehicles of that class or a class which, by virtue of these Regulations corresponds to a class included in that category or sub-category.
- (4) A licence authorising the driving of category Q vehicles, mentioned in Part 5 of Schedule 1, shall not be granted to a person unless that person is entitled to be granted —
- (a) a full licence, in accordance with paragraph (1), authorising the driving of motor vehicles of a class included in category AM, A or B or a class which, by virtue of these Regulations corresponds to a class included in category AM, A or B; or
  - (b) a full licence, in accordance with paragraph (3), authorising the driving of motor vehicles of a class included in category P.
- (5) A licence authorising the driving of motor vehicles of a class included in category B96, mentioned in Part 6 of Schedule 1, may be granted to a person who is entitled thereto by virtue of holding, or having held, a Community licence authorising the driving of that class.”.
- (5) In regulation 5 (competence to drive classes of vehicle)—
- (a) in paragraph (1)(a)(iii) after “this paragraph,” insert “a three-wheeled moped, a light quadricycle, a motor tricycle or”;
  - (b) after paragraph (1) insert—  
 “(1A) Where a person holds a relevant full licence authorising the driving of vehicles included in category B and the additional category is category Q or AM, he is not deemed competent to drive category Q vehicles or vehicles in category AM unless the licence authorises the driving of such vehicles in accordance with regulation 32(5)(b).”;

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(a) The definition of “the Driving Instruction Regulations” was inserted by regulation 2(2) of S.R.2011 No.21

(b) Paragraph (5) was added by regulation 2(7) of S.R. 2011 No.21 and is amended by regulation 3(17)(c) of these Regulations

- (c) in paragraphs (5) and (6) for “vehicles in sub-category B1 and B1 (invalid carriages)” substitute “a vehicle in sub-category B1 (invalid carriages) or a non-light quadricycle”;
- (d) in paragraphs (7) to (9) for “vehicles in sub-category B1 or B1 (invalid carriages)” substitute “a vehicle in sub-category B1 (invalid carriages) or a non-light quadricycle”; and
- (e) after paragraph (9) add—

“(10) Where a person has, before 21<sup>st</sup> February 2011, passed a test (or before 1<sup>st</sup> February 2001, passed a Great Britain test of competence corresponding to such a test) for a licence authorising the driving of vehicles included in category B, the licence shall in addition authorise the driving of all category P vehicles unless the test or, as the case may be, the practical test was passed on a motor vehicle which is adapted on account of a disability of the person taking the test in which case it shall authorise the driving only of such category P vehicles as are so adapted.

(11) Where a person has, before 1<sup>st</sup> April 2003, passed a test (or before 1<sup>st</sup> February 2001, passed a Great Britain test of competence corresponding to such a test) for a licence authorising the driving of vehicles included in category A the licence shall in addition authorise the driving of non-light quadricycles.”.

(6) In regulation 6 (minimum ages for holding or obtaining licences)—

- (a) after paragraph (1) insert—

“(1A) In item 2 (moped), for the class of moped there is substituted the classes of vehicle in category AM and a category Q vehicle.

- (1B) In item 3 (motor bicycle)—

- (a) subject to paragraphs (1C) and (1D), for the class of motor bicycle and the age of 17 there is substituted, in respect of full licences, the following—

3. A1 motorcycle	17
3A. A1 motor tricycle	17
3B. A2 motorcycle	19
3C. A motorcycles	24
3D. A motor tricycles	24;

- (b) subject to paragraph (1E), in relation to the class of motor bicycle there is, in respect of provisional licences, substituted for the age of 17 the age of 24.

(1C) For the age of 19 in relation to item 3B and the age of 24 in relation to item 3C there is substituted the age of 17 where a person passed a test before 19th January 2013 in respect of a motor bicycle (other than a motor bicycle in former sub-category A1) and the standard access period has expired.

(1D) For the age of 24 in relation to item 3C there is substituted the age of 21 in a case where a person has, for a period of not less than 2 years, held a full licence which authorises the driving of A2 motorcycles.

- (1E) For the age of 24 as substituted by paragraph (1B)(b) there is substituted—

- (a) the age of 21 in the case of a provisional licence for the driving of A motorcycles where a person has, for a period of not less than 2 years, held a full licence which authorises the driving of A2 motorcycles;
- (b) the age of 19 in the case of a provisional licence which is restricted to the driving of A2 motorcycles; and
- (c) the age of 17 in the case of a provisional licence which is restricted to the driving of A1 motorcycles.

(1F) For the age of 17 in relation to items 3 or 3A there is substituted the age of 16 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A1.

(1G) For the age of 19 in relation to item 3B there is substituted the age of 18 in the case of a person holding a Community licence authorising the driving of a vehicle in sub-category A2.

(1H) For the age of 24 in relation to item 3C there is substituted the age of 20 in the case of a person holding a Community licence authorising the driving of vehicles in category A.

(1I) For the age of 24 in relation to item 3D there is substituted—

- (a) the age of 21 in a case where a person has, for a period of not less than 2 years, held a full licence which authorises the driving of A2 motorcycles;
- (b) the age of 17 in a case where the person was, before 19<sup>th</sup> January 2013, entitled to drive vehicles having 3 or 4 wheels and an unladen weight not exceeding 550 kilograms.”;

(b) after paragraph (2) insert—

“(2A) In item 5 (small vehicle) the class of small vehicles except motor tricycles and light quadricycles is substituted for the class of vehicle.”;

(c) in paragraph (3) omit “(small vehicles)”;

(d) omit paragraph (5);

(e) after paragraph (7) insert—

“(7A) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category C or C+E where the vehicle is being used by the fire service or for maintaining public order or is undergoing road tests for repair or maintenance purposes.

(7B) In item 7, the age of 18 is substituted for the age of 21 in the case of a motor vehicle and trailer combination which is in sub-category C1+E and the maximum authorised mass of the combination does not exceed 12 tonnes.

(7C) Subject to paragraphs (9) and (9B)(a), in item 7 the age of 24 is substituted for the age of 21 in the case of a person driving a motor vehicle of a class included in category D or D+E, other than sub-category D1 or D1+E, save—

- (a) where the vehicle is being used by the fire service or for maintaining public order or is undergoing road tests for repair or maintenance purposes; or
- (b) in respect of a person under the age of 24 who was entitled to a licence to drive a vehicle of that class before 19<sup>th</sup> January 2013.”;

(f) for paragraph (10) substitute—

“(10) In items 3B to 3D, 6 and 7, the age of 17 is substituted for the ages of 18, 19, 21 and 24 respectively in the case of motor vehicles—

- (a) owned or operated by the Secretary of State for Defence; or
- (b) driven by persons for the time being subject to the orders of a member of the armed forces of the Crown,

when they are being used for naval, military or air force purposes.”; and

(g) in paragraph (11)(b)—

- (i) omit sub-paragraph (b);
- (ii) omit “and” at the end of sub-paragraph (c); and
- (iii) after sub-paragraph (d) add—

“and

- (e) in the calculation of the period of time for which a licence has been held there shall be disregarded any deductible period.”.

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(a) Paragraph (9B) was inserted by regulation 4(4) of S.R. 2009 No.14

(b) Sub-paragraphs (c) and (d) were substituted by regulation 4(5) of S.R. 2009 No.14

(7) In regulation 11 (meaning of “qualified driver”) in paragraph 2(c)(i) for “vehicles in sub-category B1 or B1 (invalid carriages)” substitute “vehicles in former sub-category B1 or B1 (invalid carriages)”.

(8) After regulation 11 insert—

**“Classes of vehicle for which provisional licence authorises driving**

**11A.**—(1) A provisional licence in respect of a vehicle in category AM or A shall be restricted to such vehicles as have no more than 2 wheels save where the applicant declares that they are suffering from a relevant disability of such a nature that they are unable to ride a vehicle which has 2 wheels.

(2) In the case of a vehicle with 2 wheels a provisional licence shall be restricted to vehicles within category AM or A.”.

(9) In regulation 12 (conditions attached to provisional licences)—

(a) in paragraph (2)—

(i) for sub-paragraph (a) substitute—

“(a) is driving a motor vehicle constructed to carry only one person which is not adapted to carry more than one person and is a vehicle in sub-category B1 (invalid carriages), a motor tricycle, a light quadricycle or a motor vehicle of a class included in category F, G, H or K;”;

(ii) in sub-paragraph (b) after “side-car” add “, a category P vehicle or a category Q vehicle”;

(b) in paragraph (5) for sub-paragraphs (a) and (b) substitute—

“(a) a moped;

(b) a motor bicycle with or without a side-car;

(c) a category P vehicle; or

(d) a category Q vehicle.”;

(c) in paragraph (5A)(a) for the words “a learner motor bicycle” in each place where they occur, substitute “an A1 motorcycle”; and

(d) after paragraph (5B) insert—

“(5C) The holder of a provisional licence authorising the driving of a motor bicycle other than an A1 motorcycle shall not drive such a vehicle otherwise than under the supervision of an approved motorcycle instructor who is—

(a) present with him on the road while riding another moped, A1 motorcycle or any other motor bicycle;

(b) able to communicate with him by means of a radio which is not hand-held while in operation;

(c) supervising only him and not more than one other person who holds such a provisional licence; and

(d) carrying a valid certificate issued in respect of him by the Department under regulation 14(2) of the Driving Instruction Regulations (official title of registered person),

while he and the approved motorcycle instructor are wearing apparel which is fluorescent or (during hours of darkness) is either fluorescent or luminous.”.

(10) For regulation 14 (full licences not carrying provisional entitlement) substitute—

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(a) Paragraphs (5A) and (5B) were inserted by regulation 2(3) of S.R. 2011 No.21



“14.—(1) Articles 14(2) and 15A(5)(a) of the Order shall apply in accordance with paragraphs (2) to (12).

(2) Subject to paragraphs (3) to (6), (11) and (12), the holder of a full licence which authorises the driving of motor vehicles of a class included in a category or sub-category specified in column (1) of the Table may drive motor vehicles—

- (a) of other classes included in that category or sub-category; and
- (b) of a class included in each category or sub-category specified, in relation to that category or sub-category, in column (2) of the Table,

as if he were authorised by a provisional licence to do so.

(3) Article 14(2) of the Order shall not apply to a full licence if it authorises the driving only of motor vehicles adapted on account of a disability, whether pursuant to an application in that behalf made by the holder of the licence or pursuant to a notice served under Article 9(5)(b) of that Order.

(4) In the case of a full licence granted before 19th January 2013 which authorises the driving of a class of standard motor bicycles other than motor bicycles in former sub-category A1, Article 14(2) of the Order shall not apply so as to authorise the driving of a category A motorcycle before the expiration of the standard access period.

(5) Article 14(2) of the Order shall not apply so as to authorise the driving, as if authorised by a provisional licence, of vehicles of any class included in sub-category B96.

(6) In the case of a full licence which authorises the driving of a class of vehicles included in category C or C + E, paragraph (2) applies subject to the provisions of regulation 43.

(7) Subject to paragraphs (8) to (12), the holder of a Community licence to whom Article 15A(5) of the Order applies, and who is authorised to drive in Northern Ireland motor vehicles of a class included in a category or sub-category specified in column (1) of the Table, may drive motor vehicles—

- (a) of other classes included in that category or sub-category; and
- (b) of a class included in each category or sub-category specified, in relation to that category or sub-category, in column (2) of the Table,

as if he were authorised by a provisional licence to do so.

(8) Article 15A(5) of the Order shall not apply to a Community licence if it authorises the driving only of motor vehicles adapted on account of a disability.

(9) In the case of a Community licence granted before 19<sup>th</sup> January 2013 which authorises the driving of a class of standard motor bicycle other than motor bicycles included in former sub-category A1, Article 15A(5) of the Order shall not apply so as to authorise the driving of a category A motorcycle before the expiration of 2 years commencing on the date when that person passed a test for a licence authorising the driving of that class of standard motor bicycle (and in calculating the expiration of that period, any period during which that person has been disqualified from holding or obtaining a licence shall be disregarded).

(10) In the case of a Community licence which authorises the driving only of motor bicycles of a class included in sub-category A1, Article 14(2) of the Order shall not apply so as to authorise the driving of any other class of motorcycle.

(11) Except to the extent provided in paragraph (12), Article 14(2) of the Order shall not apply to a full licence, and Article 15A(5) of that Order shall not apply to a Community licence, insofar as it authorises its holder to drive motor vehicles of any class included in category B+E, C+E, D+E or K or in sub-category B1 (invalid carriages), C1 or D1 (not for hire or reward).

(12) A person—

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(a) Article 15A was inserted by paragraph 8 of Schedule 1 to S.R.1996 No.426

- (a) who holds a full licence authorising the driving only of those classes of vehicle included in a category or sub-category specified in paragraph (11) which have automatic transmission (and are not otherwise adapted on account of a disability); or
- (b) who holds a Community licence, to whom Article 15A(5) of the Order applies and who is authorised to drive in Northern Ireland only those classes of vehicle included in a category or sub-category specified in paragraph (11) which have automatic transmission (and are not otherwise adapted on account of a disability),

may drive motor vehicles of all other classes included in that category or sub-category which have manual transmission as if he were authorised by a provisional licence to do so.

**Table**

<i>Column (1)</i> <i>Full licence held</i>	<i>Column (2)</i> <i>Provisional entitlement included</i>
AM	A, B, F and K
A1	A, B, F and K
A2	A, B, F and K
A	B, F and K
B	A, B+E, G and H
C1	C1+E
C	C1+E, C+E
D1	D1+E
D	D1+E, D+E
F	Q, AM and B
G	H
H	G.”.

(11) In regulation 26 (vehicles suitable for test)—

- (a) in paragraph (1)—
  - (i) for “the Table” substitute “Table 1”,
  - (ii) for “F, G, H, K or P” substitute “AM, F, G, H or K”; and
  - (iii) after “column (2)” add “of Table 1”;
- (b) after paragraph (1) insert—

“(1A) Where an application for a special manoeuvres test or a practical test prescribed in respect of category AM contains a declaration that the applicant is suffering from a relevant disability of such a nature that he is unable to ride a moped with 2 wheels, that test shall be conducted on a specially adapted two-wheeled moped, a three-wheeled moped or a light quadricycle.”;

- (c) for paragraph (2) substitute—

“(2) Where an application for a special manoeuvres test or a practical test prescribed in respect of category A contains a declaration that the applicant is suffering from a relevant disability of such a nature that he is unable to ride a motor bicycle without a side-car, the test shall be conducted, in the case of the test for a licence authorising the driving of a vehicle in—

- (a) sub-category A1, on an A1 motor tricycle or an A1 motorcycle with side-car where the capacity and attainable unassisted speed of the motor tricycle or the motor bicycle, as appropriate, is equivalent to or greater than that shown in relation to sub-category A1 in column (2) of Table 1;
- (b) sub-category A2, on an A2 motorcycle with side-car where the capacity and power output of the motor bicycle is equivalent to or greater than that shown in relation to sub-category A2 in column (2) of Table 1;

- (c) category A, on a motor tricycle or a motor bicycle with side-car where the capacity and power output of the motor tricycle or the motor bicycle, as appropriate, is equivalent to or greater than that shown in relation to category A in column (2) of Table 1.”;
  - (d) in paragraph (3A)(a)(a) omit head (i) and “or” at the end of that head;
  - (e) in paragraph (3B) omit sub-paragraph (a) and “or” at the end of that sub-paragraph;
  - (f) in paragraph (3C) after “belongs” add “and the load required by paragraph (3CA)”;
  - (g) after paragraph (3C) insert—
    - “(3CA) A person submitting himself on or after 1st October 2013 for a practical test prescribed in respect of any of the categories shown in column (1) of Table 2 must—
    - (a) provide a vehicle carrying a load of the nature and weight shown in relation to that category in column (2) of Table 2;
    - (b) position the load on the vehicle so that the person authorised to conduct the test can visually ascertain the weight of the load without the load being disturbed; and
    - (c) secure the load safely and in accordance with regulation 115 of the Construction and Use Regulations (maintenance and use of vehicle so as not to be a danger, etc.).”;
  - (h) in paragraph (4) for “the Table” substitute “Table 1”; and
  - (i) for the Table(b) substitute Tables 1 and 2 as set out in Schedule 1.
- (12) In regulation 27 (further requirements at tests)—
- (a) in paragraph (1) after “theory test,” insert “special manoeuvres test,”;
  - (b) in paragraph (3) after “the same” insert “, or a related”;
  - (c) in paragraph (3A)(c)—
    - (i) for “A or P” substitute “AM or A”; and
    - (ii) after “regulation 37A(1)(a)” insert “or a valid certificate corresponding to such a certificate furnished under the law of Great Britain”;
  - (d) in paragraph (5A)(d) for “A or P” substitute “AM or A”;
  - (e) in paragraph (6)(a) and (b) for the words from “A” to “driver’s seat,” substitute “AM, A, G, H or K”; and
  - (f) after paragraph (7) add—
    - “(8) In this regulation “related category” means, in relation to category A, category AM.”.
- (13) In regulation 29(3)(e) (nature of tests other than extended tests) for “A or P” substitute “AM or A”.
- (14) In regulation 29A(3) (order of test)—
- (a) for “A and P” substitute “AM and A”; and
  - (b) in sub-paragraphs (b) and (c) for “A or P” substitute “AM or A”.
- (15) In regulation 29C (passing the test)—
- (a) in paragraph (1) after “29(2)(a)” insert “or (3)(a)”;
  - (b) in the Table—

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(a) Paragraphs (3A) to (3C) were substituted by regulation 4 of S.R.1999 No.358  
 (b) The Table was substituted by regulation 2(2) of S.R. 2003 No.371  
 (c) Paragraph (3A) was inserted by regulation 6 of S.R.2008 No.418  
 (d) Paragraph (5A) was inserted by regulation 2(4) S.R. 2011 No. 21  
 (e) Regulations (29), (29A) and (29C) were substituted by regulation 9 of S.R. 2009 No.14

(i) before the first entry in columns (1) to (4) insert—

“AM	Matters specified in Part 1 of Schedule 6	Requirements specified in Part 1 of Schedule 7	Requirements specified in Part 2 of Schedule 7A(a)
A1	Matters specified in Part 1 of Schedule 6	Requirements specified in Part 1 of Schedule 7	Requirements specified in Part 1 of Schedule 7A
A2	Matters specified in Part 1 of Schedule 6	Requirements specified in Part 1 of Schedule 7	Requirements specified in Part 1 of Schedule 7A”;

(ii) omit entry P columns (1) to (4).

(16) In regulation 31 (exemption from theory test) for paragraph (1) substitute—

“(1) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising him to drive a motor vehicle of a class included in sub-category A1 if he—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A; or
- (b) has held, for a period of not more than 2 years, a Great Britain theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1A) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in sub-category A2 if he—

- (a) holds a valid standard theory test pass certificate in respect of a motor vehicle of a class included in category AM or A;
- (b) has held, for a period of not less than 2 years, a full licence which authorises the driving of A1 motorcycles; or
- (c) has held, for a period of not more than 2 years a Great Britain theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1B) A person is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category A if he—

- (a) holds a valid theory test pass certificate in respect of a motor vehicle of a class included in category AM or A;
- (b) has held, for period of not less than 2 years, a full licence which authorises the driving of A2 motorcycles; or
- (c) has held, for a period of not more than 2 years a Great Britain theory test pass certificate corresponding to the certificate mentioned in sub-paragraph (a).

(1C) A person who has held, for a period of not more than 2 years, a standard theory test pass certificate issued before 19<sup>th</sup> January 2013 in respect of a motor vehicle of a class included in former category P or former category A is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category AM or A.

(1D) A person who has held, for a period of not more than 2 years, a Great Britain theory test pass certificate corresponding to the certificate mentioned in paragraph (1C) is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising the driving of a motor vehicle of a class included in category AM or A.

(1E) A person who is a full time member of the armed forces of the Crown is exempt from the requirement to pass a theory test for the purpose of obtaining a licence authorising

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(a) Schedule 7A was inserted by regulation 11(3) of, and Schedule 2 to, S.R. 2008 No.418

the driving of a motor vehicle of a class included in category A if he has passed a test for a licence authorising the driving of motor vehicles of another class included in category A.”.

(17) In regulation 32 (entitlement upon passing a test other than an appropriate driving test)—

- (a) in paragraph (3)(a) for “paragraph (4)” substitute “paragraph (5)”;
- (b) omit paragraph (4); and
- (c) in paragraph (5)(b)—
  - (i) for the words “category P” in each place where they occur substitute “category Q or AM”; and
  - (ii) in sub-paragraphs (b) and (c) for “mopeds” in each place where it occurs substitute “vehicles”.

(18) In regulation 33 (entitlement upon passing a test other than an appropriate driving test: category A)—

- (a) in paragraph (1)(b) for “on or after 1<sup>st</sup> January 1997” substitute “before 19<sup>th</sup> January 2013”; and
- (b) in paragraph (3) for “on or after 1<sup>st</sup> July 1997” substitute “before 19<sup>th</sup> January 2013”.

(19) In regulation 33A(c) (entitlement upon passing a test other than an appropriate driving test: category P)—

- (a) in the heading and in paragraphs (1) and (2)(b) for “P” substitute “AM”; and
- (b) in paragraph (2) for sub-paragraph (a) substitute—
  - “(a) in a case where the test was passed on a three-wheeled moped or a light quadricycle, a licence authorising the driving of all vehicles having 3 or 4 wheels included in category AM;”.

(20) In regulation 34 (upgrading of entitlements by virtue of passing second test)—

- (a) in paragraph (10)—
  - (i) at the end of sub-paragraph (a) omit “and”; and
  - (ii) after sub-paragraph (b) add—
    - “(c) where, before 19<sup>th</sup> January 2013, a test was passed, or a licence was held, authorising the driving of motor vehicles in former category D1, references to “sub-category D1” shall include vehicles which would fall within sub-category D1, save that the maximum length of the vehicle exceeds 8 metres;
    - (d) where, before 19<sup>th</sup> January 2013, a test was passed, or a licence was held, authorising the driving of motor vehicles in former sub-category D1+E, references to “sub-category D1+E” shall include vehicles which would fall within sub-category D1+E save that the maximum length of the tractor vehicle exceeds 8 metres; and
    - (e) where, before 19<sup>th</sup> January 2013, a test was passed, or a licence was held, authorising the driving of vehicles in former category B+E, references to “category B+E” shall include vehicles which would fall within category B=E save that the maximum authorised mass of the trailer or semi-trailer (as the case may be) exceeds 3500 kilograms.”; and

(b) after paragraph (10) add—

“(11) Paragraph (10)(c) and (d) shall apply to references in Schedule 8 to “sub-category D1” and “sub-category D1+E” as that paragraph applies to such references in this regulation.”.

(21) In regulation 35 (entitlement upon passing an appropriate driving test)—

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- (a) Paragraph (3) was amended by, and paragraph (4) was inserted by, regulation 3 of S.R. 2003 No.64
  - (b) Paragraph (5) was added by regulation 2(7) of S.R.2011 No.21
  - (c) Regulation 33A was inserted by regulation 2(8) of S.R. 2011 No.21

- (a) in paragraphs (2)(a) and (c) and (3)(a) and (c) for “or, as the case may be, the practical test” substitute “, practical test (other than in relation to a vehicle of a class included in category A or P) or two-part practical test, as the case may be”;
  - (b) in paragraph (4)(b) for “F, G, H, K, L and P” substitute “AM, F, G, H, K and L”; and
  - (c) after paragraph (5) add—
    - “(6) In this regulation “two-part practical test” means in relation to a vehicle of a class included —
      - (a) in category A or P, the special manoeuvres test and the practical test in respect of a vehicle of a class included in category A or P, as appropriate; and
      - (b) in sub-category A1, the special manoeuvres test and the practical test in respect of a vehicle of a class included in sub-category A1;”.
- (22) In regulation 35 (as amended by these Regulations)—
- (a) in paragraphs (2)(a) and (c) and (3)(a) and (c)(a) for “category A or P” substitute “category AM or A”; and
  - (b) in paragraph (6)(a)(b) for the words “category A or P” in each place where they occur substitute “category AM or A”.
- (23) In regulation 36(6) (evidence of result of theory tests) after “regulation 27(3)” insert “, 29A(1)(b), (3)(b) and (c) and 31(1)(a), (1A)(b), (1B)(a) and (1C)”.
- (24) In regulation 47H(c)(exemptions from Part IVA) for paragraph (1) substitute—
- “(1) Subject to paragraph (2), Article 14(3)(b) of the Order shall not apply to a person who—
- (a) is a provisional entitlement holder by virtue of having passed a practical test of driving skills and behaviour in respect of category P in accordance with regulation 29(3); or
  - (b) passes the test for the time being prescribed in respect of category AM, and such a person shall be exempt from the requirement imposed by Article 5(2A) of the Order.”.
- (25) In regulation 48(1) (licence groups) in the definition of “Group 1 licence” after “categories” insert “AM,” and for “, L and P” substitute “and L”.
- (26) In regulation 53 (effect of change in classification of vehicles for licensing purposes)—
- (a) in paragraph (1) for “1<sup>st</sup> January 1997” substitute “the relevant date”;
  - (b) after paragraph (2) insert—
    - “(2A) In a licence (whether full or provisional) granted before 19<sup>th</sup> January 2013, a reference to motor vehicles in former category P shall be construed as a reference to motor vehicles in categories Q and AM and a reference to motor vehicles of a class included in former category P shall be construed as a reference to motor vehicles of a class included in category Q or AM.
    - (2B) In a licence (whether full or provisional) granted before 19<sup>th</sup> January 2013, a reference to motor vehicles in sub-category B1 shall be construed as a reference to motor tricycles in categories AM and A and light quadricycles in category AM and a reference to motor vehicles of a class included in sub-category B1 shall be construed as a reference to motor tricycles in categories AM and A and light quadricycles in category AM.
    - (2C) Where a licence referred to in paragraph (2A) authorises only the driving of a class of motor vehicles having automatic transmission, it shall not under this regulation authorise the driving of any vehicle not having automatic transmission.”;

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(a) Paragraphs (2) and (3) are amended by regulation 3(21)(a) of these Regulations  
 (b) Paragraph (6) is added by regulation 3(21)(c) of these Regulations  
 (c) Regulation 47H was inserted by regulation 2(9) of S.R. 2011 No.21

- (c) in paragraphs (4) and (5) for “1st January 1997” substitute “19<sup>th</sup> January 2013”;
- (d) in paragraph (6) after the definition of ““new category” and “class included in a new category”” insert—
  - ““relevant date” means 1<sup>st</sup> January 1997 save in the case of a reference to vehicles of a class included in former sub-category A1 when the expression means 19<sup>th</sup> January 2013.”; and
- (e) in the Table—
  - (i) in columns (1) and (2) omit entries “A” and “B1”; and
  - (ii) in column (2) for “P” substitute “AM”.

(27) After regulation 53 insert—

**“Saving in respect of former category and sub-category**

**53A.** Where a person held, or holds, a full licence granted under these Regulations, as they stood before amendment by the Driving Licences Amendment Regulations, to drive, or was entitled to apply for the grant of a full licence authorising the driving of, vehicles of a class within the former category or sub-category referred to in column (1) of the Table—

- (a) that person shall be authorised to drive, or to apply for the grant of a licence authorising the driving of, vehicles of the relevant class referred to in column (2) of the Table which corresponds to that former category or sub-category, as appropriate, in column (1) of the Table; and
- (b) any licence granted to that person shall be construed as authorising the driving of vehicles of that class.

**TABLE**

<i>Column (1)</i> <i>Former category or sub-category</i>	<i>Column (2)</i> <i>Relevant class</i>
P (mopeds)	Any motor vehicle which has fewer than 4 wheels, a maximum design speed exceeding 45 kilometres per hour but not exceeding 50 kilometres per hour and, if propelled by an internal combustion engine, a cylinder capacity not exceeding 50 cubic centimetres.
B1	Any motor vehicle having 4 wheels and an unladen weight not exceeding 550 kilograms save for light quadricycles.”.

(28) For Schedule 1 (categories and sub-categories of vehicle for licensing purposes) substitute the Schedule set out in Schedule 2.

(29) In Schedule 4(a) (fees for tests)—

- (a) in Part 1—
  - (i) item 1—
    - (aa) in column (1), for “A1, B1 (other than invalid carriages) and P” substitute “AM, A1, A2, B1 (other than B1 invalid carriages) and P”;
    - (bb) in column (1) as substituted by head (aa) for “AM, A1, A2, B1 (other than B1 invalid carriages) and P” substitute “AM”; and
    - (cc) in column (3)(a) insert “£116”;
  - (ii) in item 2 in column (1) for “A” substitute “A1, A2 and A”; and

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(a) Schedule 4 was substituted by regulation 2 of S.R. 2009 No.73

- (b) in Part 2, in item 1—
  - (i) in column (1) for “A, A1 and P” substitute “AM, A, A1, A2, and P”;
  - (ii) in column (1) as substituted by head (i) for “AM, A, A1, A2, and P” substitute “AM, A1, A2 and A”.
- (30) In Schedule 4A(a) (fees for theory tests) in item 1—
  - (a) in column (1) for “A, A1 and P” substitute “AM, A, A1, A2, and P”; and
  - (b) in column (1) as substituted by sub-paragraph (a) for “AM, A, A1, A2 and P” substitute “AM, A1, A2 and A”.
- (31) In Schedule 6(b) (specified matters for theory test) in Part 1, in the heading for “A and P” substitute “AM, A1, A2 or A”.
- (32) In Schedule 7(c) (specified requirements for practical or unitary test) in Part 1, in the heading for “A and P” substitute “AM, A1, A2 or A”.
- (33) In Schedule 7A(d) (specified requirements for special manoeuvres test)—
  - (a) in Part 1, in the heading for “and sub-category A1” substitute “, sub-categories A1 and A2”; and
  - (b) in Part 2, in the heading for “category P” substitute “category AM”.
- (34) In Schedule 10(e) (forms of certificate and statement of practical and unitary test result) in Part 1A, in the heading for “CATEGORY A (including sub-category A1) or P” substitute “CATEGORY AM, A1, A2 or A”.

**Transitional provision**

4. The substitution in Article 15(2)(a) of the Road Traffic (Northern Ireland) Order 1981 of a period of 5 years for a period of 10 years made by regulation 2(4)(a)(i) does not apply in relation to a licence granted before 19<sup>th</sup> January 2013.

Sealed with the Official Seal of the Department of the Environment on 19<sup>th</sup> April 2012



*Iain Greenway*  
A senior officer of the  
Department of the Environment

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(a) Schedule 4A was substituted by regulation 2 of S.R.2009 No.73  
 (b) Part 1 of Schedule 6 was substituted by regulation 2 of S.R. 2003 No. 183  
 (c) Schedule 7 was substituted by regulation 2(3) of S.R. 2003 No. 371  
 (d) Schedule 7A was inserted by regulation 11(3) of S.R.2008 No. 418  
 (e) Schedule 10 was substituted by regulation 11(4) of S.R. 2008 No.418



## SCHEDULE 1

Regulation 3(11)(i)

**“Table 1**

<i>Column (1)</i> <i>Category</i>	<i>Column (2)</i> <i>Specification</i>
AM	Any two-wheeled moped.
A1	An A1 motorcycle without sidecar, with a cubic capacity of 120 cubic centimetres and capable of an unassisted speed of 90 kilometres per hour.
A2	An A2 motorcycle without sidecar, with a cylinder capacity of 400 cubic centimetres and a power of 25 kilowatts.
A	A category A motorcycle without sidecar, with a cylinder capacity of 600 cubic centimetres and a power of 40 kilowatts.
B	Any four-wheeled vehicle in category B capable of a speed of 100 kilometres per hour on the level.
B+E	A combination of a minimum test vehicle for category B and a trailer having a maximum authorised mass of 1,000 kilograms, capable of speed of at least 100 kilometres per hour on the level, which does not fall within category B; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the corresponding dimensions of the tractor vehicle; the closed box body may also be slightly less wide than the tractor vehicle provided that the view to the rear is only possible by use of the external rear-view mirrors of the tractor vehicle.
C1	Any vehicle in sub-category C1 having a maximum authorised mass of 4,000 kilograms, with a length of at least 5 metres and capable of speed of at least 80 kilometres per hour on the level; fitted with anti-lock brakes and equipped with recording equipment as defined in Council Regulation (EEC) No. 3821/85(a); the cargo compartment shall consist of a closed box body which is at least as wide and (when in position) as high as the cab.
C1+E	A combination of a minimum test vehicle for sub-category C1 and a trailer having a maximum authorised mass of 2,000 kilograms; this combination shall be at least 8 metres in length and capable of a speed of at least 80 kilometres per hour on the level; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and at

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(a) O.J. No. L370, 31.12.1985, p.8

	<p>least as high as the corresponding dimensions of the tractor vehicle; the closed box body may also be slightly less wide than the tractor vehicle provided that the view to the rear is only possible by use of the external rear-view mirrors of the tractor vehicle.</p>
D1	<p>Any vehicle in sub-category D1 having a maximum authorised mass of 4,000 kilograms, with a minimum length of 5 metres and capable of a speed of at least 80 kilometres per hour on the level; fitted with anti-lock brakes and equipped with recording equipment as defined by Council Regulation (EEC) No.3821/85.</p>
D1+E	<p>A combination of a minimum test vehicle for sub-category D1 and a trailer having a maximum authorised mass of 1,250 kilograms and capable of a speed of at least 80 kilometres per hour on the level; the cargo compartment of the trailer shall consist of a closed box body which is at least 2 metres wide and at least 2 metres high.</p>
C	<p>Any vehicle in category C other than an articulated goods vehicle having a maximum authorised mass of 12,000 kilograms, a length of at least 8 metres, a width of at least 2.40 metres and capable of a speed of at least 80 kilometres per hour on the level; fitted with anti-lock brakes, equipped with a gearbox having at least 8 forward gears and recording equipment as defined by Council Regulation (EEC) No.3821/85; the cargo compartment shall consist of a closed box body which is at least as wide and at least as high as the corresponding dimensions of the cab.</p>
C+E	<p>Either—</p> <p>(a) an articulated goods vehicle combination having a maximum authorised mass of 20,000 kilograms, a length of at least 14 metres and a width of at least 2.4 metres, and which is capable of a speed of at least 80 kilometres per hour on the level; or</p> <p>(b) a combination of a minimum test vehicle for category C and a trailer having a length of at least 7.5 metres (each having a width of at least 2.4 metres), a maximum authorised mass of 4,000 kilograms, and which has, in aggregate, a maximum authorised mass of 20,000 kilograms and an overall length of 14 metres and which is capable of a speed of 80 kilometres per hour on the level.</p> <p>The relevant cargo compartment of the articulated goods vehicle combination or the trailer shall consist of a closed body box which is at least as wide and as high as the corresponding dimensions of the cab or tractor vehicle.</p>

D	Any vehicle in category D having a length of at least 10 metres, a width of at least 2.40 metres and capable of a speed of at least 80 kilometres per hour on the level; fitted with anti-lock brakes and equipped with recording equipment as defined by Council Regulation (EEC) 3821/85.
D+E	A combination of a minimum test vehicle for category D and a trailer having a maximum authorised mass of 1,250 kilograms, a width of at least 2.40 metres and capable of a speed of at least 80 kilometres per hour on the level; the cargo compartment of the trailer shall consist of a closed body box which is at least 2 metres wide and 2 metres high.
F	Any vehicle in category F.
G	Any vehicle in category G.
H	Any vehicle in category H.
K	Any vehicle in category K.

**Table 2**

<i>Column (1) Category or sub-category of vehicle</i>	<i>Column (2) Weight of load required to be carried on the vehicle or trailer</i>
B+E	A minimum of 600 kilograms and a maximum of 1,000 kilograms loaded on the trailer, consisting of sandbags or one IBC.
C	5,000 kilograms loaded on the vehicle, consisting of 5 IBCs.
C+E (category C lorry + trailer)	5,000 kilograms loaded on the vehicle and 3,000 kilograms loaded on the trailer, consisting of 5 IBCs loaded on the vehicle and 3 IBCs loaded on the trailer.
C+E (articulated lorry)	8,000 kilograms loaded on the combination, consisting of 8 IBCs.
C1+E	A minimum of 600 kilograms and a maximum of 1,000 kilograms loaded on the trailer, consisting of sandbags or one IBC.
D+E	A minimum of 600 kilograms and a maximum of 1,000 kilograms loaded on the trailer
D1+E	A minimum of 600 kilograms and a maximum of 1,000 kilograms loaded on the trailer, consisting of sandbags or one IBC.”

SCHEDULE 2

Regulation 3(28)

“SCHEDULE 1

Regulations 3 and 4

Categories and Sub-categories of Vehicle for Licensing Purposes

PART 1

<i>Column (1) Category or sub-category</i>	<i>Column (2) Classes of vehicle included</i>	<i>Column (3) Additional categories</i>
AM	Mopeds and light quadricycles.	Q
A	Motor bicycles and motor tricycles.	Q, AM, A1, A2 and K
A1	A sub-category of category A comprising A1 motorcycles and A1 motor tricycles.	Q and AM
A2	A sub-category of category A comprising A2 motorcycles.	Q, AM and A1
B	Motor vehicles, other than vehicles included in category Q, AM, A, F or K, having a maximum authorised mass not exceeding 3.5 tonnes and not more than 8 seats in addition to the driver’s seat, including— (a) a combination of any such vehicle and a trailer where the trailer has a maximum authorised mass not exceeding 750 kilograms; and (b) a combination of any such vehicle and a trailer where the maximum authorised mass of the combination does not exceed 3.5 tonnes.	Q, AM, F and K
B+E	Combinations of a motor vehicle (being a tractor vehicle in category B) and trailer or semi-trailer where— (a) the combination does not fall within category B or B96; and (b) the maximum authorised mass of the trailer or semi-trailer does not exceed 3.5 tonnes.	None
C	Any motor vehicle having a maximum authorised mass exceeding 3.5 tonnes, other than a vehicle falling within category D, F, G or H which, is designed and constructed for	None

	the carriage of no more than 8 passengers in addition to the driver and including such vehicle drawing a trailer having a maximum authorised mass not exceeding 750 kilograms.	
C1	A sub-category of category C comprising motor vehicles having a maximum authorised mass exceeding 3.5 tonnes but not exceeding 7.5 tonnes which are designed and constructed for the carriage of no more than 8 passengers in addition to the driver and including such vehicle drawing a trailer having a maximum authorised mass not exceeding 750 kilograms.	None
D	Any motor vehicle constructed or adapted for the carriage of passengers having more than 8 seats in addition to the driver's seat, including such a vehicle drawing a trailer having a maximum authorised mass not exceeding 750 kilograms.	None
D1	A sub-category of category D comprising motor vehicles having more than 8 but not more than 16 seats in addition to the driver's seat with a maximum length not exceeding 8 metres and including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kilograms.	None
C+E	Combination of motor vehicle and trailer where the tractor vehicle is in category C but the combination does not fall within that category.	B+E
C1+E	A sub-category of category C+E comprising any combination of a motor vehicle and trailer where— (a) the tractor vehicle is in sub-category C1; (b) the maximum authorised mass of the trailer exceeds 750 kilograms but not the unladen weight of the tractor vehicle; and (c) the maximum authorised	B+E

	mass of the combination does not exceed 12 tonnes.	
D+E	Combination of a motor vehicle and trailer where the tractor vehicle is in category D but the combination does not fall within that category.	B+E
D1+E	A sub-category of category D+E comprising any combination of a motor vehicle and trailer where— (a) the tractor vehicle is in sub-category D1; and (b) the maximum authorised mass of the trailer exceeds 750 kilograms but not the unladen weight of the tractor vehicle.	B+E
F	Agricultural or forestry tractor, but excluding any motor vehicle included in category H.	K
G	Road roller.	None
H	Track-laying vehicle steered by its tracks.	None
K	Mowing machine or vehicle controlled by a pedestrian excluding any motor vehicle included in category B.	None

## PART 2

<i>Column (1) Category or sub-category</i>	<i>Column (2) Classes of vehicle included</i>	<i>Column (3) Additional categories and sub-categories</i>
C1+E (8.25 tonnes)	A sub-category of category C+E comprising any combination of a motor vehicle and trailer in sub-category C1+E the maximum authorised mass of which does not exceed 8.25 tonnes.	None
D1 (not for hire or reward)	A sub-category of category D comprising motor vehicles in sub-category D1 driven otherwise than for hire or reward.	None
D1+E (not for hire or reward)	A sub-category of category D+E comprising any combination of a motor vehicle and trailer in sub-category D1+E driven otherwise than for hire or reward.	None
L	Motor vehicle propelled by electric power.	None

### PART 3

<i>Column (1) Category or sub-category</i>	<i>Column (2) Classes of vehicle included</i>	<i>Column (3) Additional categories and sub-categories</i>
B1 (invalid carriages)	A sub-category of category B comprising motor vehicles which are invalid carriages.	None

### PART 4

<i>Column (1) Category or sub-category</i>	<i>Column (2) Classes of vehicle included</i>	<i>Column (3) Additional categories and sub-categories</i>
Former sub-category B1	Motor vehicles having 4 wheels and an unladen weight not exceeding 550 kilograms, not including light quadricycles.	None
Former category B+E	Combinations of motor vehicle and trailer where the tractor vehicle is in category B and the maximum authorised mass of the trailer exceeds 3.5 tonnes.	None
Former sub-category D1	Motor vehicles having more than 8 but not more than 16 seats in addition to the driver's seat with a maximum length exceeding 8 metres and including any such vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kilograms.	None
Former sub-category D1+E	Combinations of a motor vehicle and trailer where: (a) the tractor vehicle is in former sub-category D1; (b) the maximum authorised mass of the trailer exceeds 750 kilograms but not the unladen weight of the tractor vehicle; (c) the maximum authorised mass of the combination does not exceed 12 tonnes; and (d) the trailer is not used for the carriage of passengers.	
P	Category P vehicles.	None

### PART 5

<i>Column (1) Category or sub-category</i>	<i>Column (2) Classes of vehicle included</i>	<i>Column (3) Additional categories and sub-categories</i>
Q	Category Q vehicles.	None

## PART 6

<i>Column (1)</i> <i>Category or sub-category</i>	<i>Column (2)</i> <i>Classes of vehicle included</i>	<i>Column (3)</i> <i>Additional categories and sub-categories</i>
B96	Combinations of a motor vehicle and trailer where— (a) the tractor vehicle is in category B; (b) the maximum authorised mass of the trailer exceeds 750 kilograms; and (c) the maximum authorised mass of the combination exceeds 3.5 tonnes but does not exceed 4.25 tonnes.	None”

### EXPLANATORY NOTE

*(This note is not part of the Order)*

These Regulations amend the Road Traffic (Northern Ireland) Order 1981 (“the 1981 Order”) and the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (the 1996 Regulations”) in order to implement Directive 2006/126/EC of the European Parliament and of the Council of 20th December 2006 on driving licences (“the Third Driving Licences Directive”). (This Directive was added to Annex XIII of the European Economic Area (“EEA”) Agreement by Article 1 of the Decision of the EEA Joint Committee No. 29/2008 of 14th March 2008 (O.J. No. L 182, 10.7.2008, p21)).

The Regulations also amend the 1996 Regulations in order to implement point 5.2 of Annex II to Council Directive 91/439/EEC of 29th July 1991 on driving licences, as amended by Commission Directive 2000/56/EC of 14th September 2000 and Commission Directive 2008/65/EC of 27th June 2008. This point sets out the Real Total Mass required for vehicles of certain categories and combinations during practical driving tests.

Regulation 2 amends the 1981 Order as follows—

Paragraph (2) makes the following amendments to Article 13—

- (a) paragraph (1)(d) is substituted to provide that a person who is subject to a current disqualification under the law of another EEA State and who was the holder of a driving licence from that State, is not eligible to be granted a driving licence;
- (b) paragraph (3)(d) is omitted to enable the grant of provisional licences to allow testing and training to take place on motor bicycles in sub-category A2; and
- (c) paragraphs (5) and (5A) which give the meaning of “learner motor bicycle” and related definitions are also omitted as, following the introduction of new vehicle categories, learner motor bicycles are referred to as motor bicycles in sub-category A1.

Paragraph (3) substitutes Article 14(3) in consequence of the omission of Article 13(3)(d).

Paragraphs (4) to (8) amend the provisions relating to the duration of licences, insert new definitions and update the definitions of “EEA agreement” and “EEA state”.

Regulation 3 amends the 1996 Regulations to make provision in relation to the introduction of new licensing categories and sub-categories of vehicles. Category AM includes mopeds and light quadricycles, category Q is comprised of vehicles which would be categorised as mopeds save that their maximum design speed is 25 kilometres per hour or less and there are now 3 motorcycle categories A1, A2 and A.



It makes provision regarding the classes of vehicle which fall into categories or sub-categories which could be licensed, following test pass, under the 1996 Regulations before 19th January 2013 but not on or after that date.

The classes of vehicle are—

- (a) those which fall into former category P but which are now no longer “mopeds” because they have a maximum design speed exceeding 45 (but not 50) kilometres per hour; and
- (b) those having 4 wheels, apart from light quadricycles, which fall within former sub-category B1.

From 19<sup>th</sup> January 2013, licences for these classes can only be issued to those who held such a licence before 19th January 2013 or who passed a test for a licence to drive such vehicles before that date. Those holding such licence, who passed such test or who are entitled to apply for the grant of a full licence to drive such vehicles are authorised to drive, or to apply for the grant of a licence to drive, such vehicles and any licence granted is construed as authorising the driving of such vehicles.

Regulation 3 also inserts new definitions into the 1996 Regulations for the purposes of licensing categories and makes provision in relation to—

- (a) the preservation of entitlements to drive specified classes of vehicle included in former category P and sub-category B1 and the preservation of entitlements to drive which exist before 19th January 2013 and for the continuation of restrictions upon such entitlements (paragraphs (3), (4) (in part), (9), (10) (in part), and (27) (in part));
- (b) the granting of licences for category B96. A licence for vehicles in category B96 (comprising category B vehicles combined with a trailer having a maximum authorised mass exceeding 750 kilograms) is only granted if a person holds, or held a community licence to drive such vehicles (paragraphs (4) (in part), (10) (in part) and (27)(in part));
- (c) the use of vehicles by those who are disabled and the competency of such persons to drive (paragraphs (5)(a) and (11)(b));
- (d) the minimum ages for holding a licence to drive vehicles in the new categories and sub-categories and, regarding motor bicycles sub-categories A and A2 imposes requirements as to experience and provides that the minimum age for holding a licence to drive an ambulance in sub-category D1 is 21 years and makes provision regarding the minimum ages for holding a licence to drive vehicles in category C, C+E, D and D+E and sub-category C1+E (paragraph (6));
- (e) provisional licences for vehicles in category AM and A. These are restricted to mopeds and motor bicycles save where disability prevents the riding of such vehicles and, in the case of vehicles with 2 wheels, that provisional licences are restricted to vehicles in category AM and A (paragraph (8));
- (f) the requirements for passing the theory test for vehicles in categories AM and A and for exemptions from the theory test, and the validity of standard test pass certificates in relation to such exemptions, regarding vehicles in category A (paragraphs (15), (16) (in part) and (22); and
- (g) the effect of a change in the classification of vehicles on licences in force before 19th January 2013 and the correspondence of one class of vehicle with another class (or other classes) (paragraph (26)).

In addition, regulation 3 inserts new definitions of “IBC” and “sandbag”, the loads now required to be carried on test vehicles and sets out the requirement to carry a load and the manner of loading and the nature and minimum weight of loads required to be carried on the test vehicles in particular categories.(paragraphs (2) and (11)(g)).

Regulation 4 contains a transitional provision to allow Group 2 licences issued prior to 19<sup>th</sup> January 2013 to remain in force until the date of expiry of the licence.

The Regulations also make minor and consequential amendments.

An Explanatory Memorandum and a transposition note have been produced and are available from Road Safety and Vehicle Regulation Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or viewed online at <http://www.legislation.gov.uk/nisr>

A full Impact Assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from [www.doeni.gov.uk](http://www.doeni.gov.uk)

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