



# Road Safety Act 2006

## 2006 CHAPTER 49

### *Driving standards*

#### **36 Driving tests**

- (1) Section 89 of the Road Traffic Act 1988 (c. 52) (driving tests) is amended as follows.
- (2) In subsection (3) (regulations about nature of tests)—
  - (a) in paragraph (a), insert at the end “ and the administrative arrangements for submitting for such tests ”,
  - (b) in paragraph (b), after “conducted” insert “ , conditions which must be satisfied during the currency of an appointment, the charging of reasonable fees in respect of applications for appointment or appointments or in connection with any examination or assessment which may be required before appointment or during the currency of any appointment ”, and
  - (c) after that paragraph insert—
    - “(ba) the duty of a person submitting himself for a test to produce, and in prescribed circumstances surrender, any licence previously granted to him,”.
- (3) In subsection (4) (provision that may be included in regulations under subsection (3))
  - (a) for “In particular, regulations may, without prejudice to the generality of subsection (3) above,” substitute “ Regulations under subsection (3)(a) above may in particular ”,
  - (b) in paragraph (a) (provision by person submitting himself for driving test of vehicle which, if loading requirements are prescribed, is loaded in accordance with prescribed requirements), for “a vehicle” substitute “ a safe and suitable vehicle ”,
  - (c) in that paragraph, for the words after “the test” substitute “ and for requiring that, if the vehicle is a vehicle of a prescribed description, it has been certified in the prescribed manner after a prescribed inspection as satisfying such requirements as may be prescribed, ”, and
  - (d) for paragraph (b) substitute—

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**Changes to legislation:** Road Safety Act 2006, Section 36 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- “(b) for the charging (whether on the making of an appointment for a test or otherwise) of reasonable fees for or in connection with the test and any inspection of a vehicle required by regulations under paragraph (a) above in relation to the test.”.
- (4) In subsection (5) (driving tests in parts), omit paragraph (b) and the word “and” before it.
- (5) After that subsection insert—
- “(5ZA) Regulations under subsection (3)(b) above may in particular provide—
- (a) for the supply by the Secretary of State to persons by whom tests of competence to drive, or parts of such tests, may be conducted of forms for certificates evidencing the results of such tests or parts of such tests, and
- (b) for the charging of reasonable fees in respect of the exercise of any function conferred or imposed on the Secretary of State by the regulations.”
- (6) In section 91 of that Act (repayment of test fees), for “A fee” substitute “ The whole or any part of a fee ”.

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**Commencement Information**

**II** S. 36 in force at 27.2.2007 by S.I. 2007/237, art. 2(b)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 6 para. 8A inserted by [2016 c. 16 s. 3\(3\)](#)
- Sch. 6 para. 10A inserted by [2016 c. 16 s. 4\(2\)](#)
- Sch. 6 para. 13(9) inserted by [2016 c. 16 s. 4\(5\)](#)