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 STATUTORY INSTRUMENTS
 

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1982 No. 230

## ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1982**

<i>Made - - - -</i>	24th February 1982
<i>Laid before Parliament</i>	8th March 1982
<i>Coming into Operation</i>	29th March 1982

The Secretary of State for Transport hereby makes these Regulations in exercise of the powers conferred by sections 85, 107 and 108 of the Road Traffic Act 1972 (a), and now vested in him (b), and of all other enabling powers and after consultation with representative organisations in accordance with section 199(2) of that Act, and, in the case of Regulation 6, with the approval of the Treasury.

1. These Regulations shall come into operation on 29th March 1982 and may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 1982.

2. The Motor Vehicles (Driving Licences) Regulations 1981 (c) shall be amended in accordance with the following provisions of these Regulations.

3. In Regulation 3 (Interpretation), in paragraph (1)—

(a) after the definition of “moped” there shall be inserted the following definition:—

“part of a test” means Part I or Part II, as the case may require, of the test for motor bicycles prescribed by Regulation 18; and

(b) at the end of the definition of “test” there shall be added the words “and includes a reference to a part of a test”.

4. In Regulation 13 (Persons by whom tests may be conducted)—

(a) the words “(1) Subject to paragraph (2) below” shall be inserted at the beginning; and

(b) the following paragraph shall be added at the end:—

“(2) Part I of the test for motor bicycles may be conducted by any persons appointed to conduct tests in pursuance of sub-paragraphs (a), (b), (c), (d) or (f) of the foregoing paragraph and also by any person or body of persons appointed by the licensing authority under Regulation 14A.”.

5. After Regulation 14 there shall be inserted the following Regulation:—

“14A.—(1) Any person or body of persons may apply to the licensing authority to be appointed, subject to such conditions as the licensing authority thinks fit, to conduct Part I of the test for motor bicycles in so far as concerns the testing of persons who have undergone training in the driving of motor bicycles (without a side-car) of a class included in group D with the person or body appointed under this Regulation or with any other such person or body.

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(a) 1972 c.20; section 85 was amended by section 23 of the Transport Act 1981 (c.56).

(b) S.I. 1979/571 and 1981/238.

(c) S.I. 1981/952, as amended by S.I. 1982/99.

(2) Any person or body of persons appointed under paragraph (1) above to conduct Part I of the test for motor bicycles may authorise suitable persons to act on his or their behalf as examiners of those who submit themselves for that part of a test.

(3) Any person authorised under the foregoing provision to act as an examiner shall comply, in relation to the conduct of the part of a test, with any directions given by the licensing authority or subject thereto, any given by the person or body of persons by whom he is authorised.

(4) The licensing authority may at any time—

(a) revoke an appointment of a person or body under this paragraph (1) above, or

(b) revoke an authorisation made under paragraph (2) above, by any such person or body, of a person to act as an examiner.

(5) When the licensing authority revokes an appointment under (a) of the foregoing paragraph the power of the person or body of persons to conduct the said part of a test, and the authority of any person to act on behalf of that person or body in the conduct of such part of a test, shall thereupon cease, and where the licensing authority revokes an authorisation under (b) of the foregoing paragraph the authority of the person whose authorisation is revoked to act as an examiner in the conduct of such part of a test on behalf of the person or body by whom he was authorised shall thereupon cease.”.

6. In Regulation 17 (Fees in respect of tests) for paragraphs (3) and (4) there shall be substituted the following paragraphs:—

“(3) The fee payable in respect of a test to be conducted by an examiner appointed under paragraph (1)(a) of Regulation 13 shall—

(a) in the case of Part I of the test for motor bicycles, be £12.50, and

(b) in the case of any other test except a test to be taken in a vehicle of a class in group J, in respect to which no fee is payable, be £10.30 if the application for the appointment for the test is received before the 1st March 1982 and £13 in any other case.

(4) The fee payable in respect of a test to be conducted by a person or body of persons appointed under Regulation 14A shall be of such an amount as may be specified by the person or body of persons so appointed, and shall be paid to that person or body of persons to be retained by him or them as remuneration.

(5) The fee payable in respect of a test to be conducted by a person appointed by paragraph 1(e) of Regulation 13 shall be £10.30, if the application for the appointment for the test is received before 1st March 1982 and £13 in any other case, and shall be paid to that person to be retained by him as remuneration.”.

7. In Regulation 18 (Nature of tests)—

(a) in paragraph (1), at the end of sub-paragraph (c) there shall be inserted the word “and”, and then the following sub-paragraph:—

“(d) in the case of a licence to drive a motor bicycle (without a side-car) of any class included in group D, that the person taking the test is able to execute the manoeuvres specified in Schedule 4A competently”;

(b) after paragraph (1) there shall be inserted the following paragraphs:—  
“(1A). The test which a person is required to pass as prescribed in paragraph (1) above before a licence authorising him to drive a motor bicycle (without a side-car) of any class included in group D can be granted to him, shall be divided into two separate parts in these Regulations referred to as Part I and Part II of the test for motor bicycles.

(1B) Part I of the test for motor bicycles shall satisfy the person conducting the test as to the matter specified in sub-paragraph (d) of paragraph (1) above and Part II of the test shall satisfy the person conducting the test as to the other matters specified in that paragraph.

(1C) A person may not submit himself for Part II of the test for motor bicycles unless he has within five years of the date he applies for the appointment for that part of the test, passed Part I of the test for motor bicycles, and unless he complies with paragraph (2A) of Regulation 20.

(1D) Nothing in sub-paragraph (d) of paragraph (1) or paragraphs (1A), (1B) or (1C) above shall apply in the case of a person whose application for an appointment for a test is received before 29th March 1982, or in the case of a person who at the time he applies for an appointment for a test is resident in an island outside the mainland of Great Britain other than (a) any of the following islands, namely, the Isle of Wight, Lewis and Harris, North Uist, Benbecula and South Uist, Mainland Orkney, Mainland Shetland and Skye, or

(b) an island from which motor vehicles, not constructed for special purposes, can at some time be conveniently driven to a road in any part of the mainland of Great Britain, or in an island mentioned at (a) above, because of the presence of a bridge, tunnel, ford, or other way suitable for the passage of such motor vehicles.”; and

(c) at the end of paragraph (2) there shall be added the following sub-paragraph:—

“In this paragraph the reference to a test does not include a reference to Part I of the test for motor bicycles.”.

**8.** In Regulation 20 (Evidence of results of tests)—

(a) after paragraph (2) there shall be inserted the following paragraph:—

“(2A). An applicant for an appointment for Part II of the test for motor bicycles to be conducted by an examiner appointed under paragraph (1)(a) of Regulation 13 shall at the time when he applies for the appointment deliver to the clerk to the traffic commissioners a certificate furnished to him under paragraph (1) above in respect of Part I of that test on a form supplied by the licensing authority.”; and

(b) at the end there shall be added the following paragraph:—

“(4). Forms for certificates evidencing the results of tests for Part I of the test of competence for motor bicycles to be conducted by a person or body of persons appointed in pursuance of Regulation 14A shall be supplied to the person or body of persons by the licensing authority at a charge of £1.25 per form.”.

**9.** In Regulation 21 (Period of ineligibility for a subsequent test) there shall be added at the end the following sub-paragraph:—

“In this Regulation the reference to a test includes a reference to Part II of the test for motor bicycles but not to Part I thereof.”.

**10.** After Schedule 4 (additional requirements for driving tests) there shall be inserted the following Schedule:—

“SCHEDULE 4A  
(see Regulation 18)

MANOEUVRES FOR PART I OF THE TEST FOR MOTOR BICYCLES

The manoeuvres which a candidate for Part I of the test for motor bicycles must be able to execute competently in order to satisfy the person conducting the test in accordance with Regulation 18 are as follows:—

1. Drive the vehicle round a predetermined left-hand circuit bringing it to rest when signalled to do so.
2. Drive the vehicle round a predetermined right-hand circuit bringing it to rest when signalled to do so.
3. Drive the vehicle round a predetermined right-hand circuit bringing it to rest at a predetermined point.
4. Drive the vehicle straight ahead to reach a speed of approximately 15 miles per hour, bringing it to rest at a predetermined point.
5. Drive the vehicle in and out of a line of markers on a predetermined course, bringing it to rest when signalled to do so.
6. Drive the vehicle round a figure-of-eight circuit bringing it to rest when signalled to do so.
7. Drive the vehicle slowly, while keeping alongside the person conducting the test as he walks at a varying pace, until signalled to stop.”.

*David Howell,*  
Secretary of State for Transport.

19th February 1982.

We approve the making of Regulation 6 of these Regulations.

*Robert Boscawen,*  
*J. A. Cope,*  
Two of the Lords Commissioners of  
Her Majesty's Treasury.

24th February 1982.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Motor Vehicles (Driving Licences) Regulations 1981 ("the original Regulations"). The principal changes are as follows.

In exercise of the powers conferred by section 23(6) and (7) of the Transport Act 1981 as extending section 85(2) of the Road Traffic Act 1972 they provide for the prescribed test of competence for motor bicycles (without a side-car) to be in two parts ("the new test"). The new test is prescribed in the amendments made by Regulation 7 to Regulation 18 of the original regulations, the previous test for this class becoming Part II of the new test and the requirement for Part I of the test being added by the amendments; this requirement is to be found in Regulation 18(1)(d) and Schedule 4A to the original Regulations as inserted by Regulation 10.

A person may not submit himself for Part II of the new test unless he has within five years passed Part I of the new test (Regulation 18(1C) of the original Regulations as amended by Regulation 7).

A person whose application for an appointment for a test is received before 29th March 1982 or who at the time he applies is resident in certain remote islands is exempt from the requirement to have passed the Part I test. (Regulation 18(1D) of the original Regulations as amended by Regulation 7).

Parts I and II of the new test may be conducted by any of the persons authorised by the original Regulations to conduct the previous test, but Part I of the new test may also be conducted by any person or body of persons appointed by the licensing authority under Regulation 14A of the original Regulations as amended by Regulations 4 and 5 and such person or body of persons may authorise suitable persons to act as examiners on his or their behalf. Examiners authorised under Regulation 14A of the original Regulations as so amended must conduct Part I of the test in accordance with any directions given by the licensing authority and, subject thereto, by the person or body by whom they are authorised.

A person who submits himself for, or applies for an appointment for, Part I of the new test must pay a fee of £12.50 if it is to be conducted by an examiner appointed by the licensing authority under Regulation 13(1)(a) of the original Regulations and if it is to be conducted by a person or body of persons appointed under Regulation 14A of those Regulations he must pay a fee of such amount as may be specified by the person or body, and the fee may be retained by the person or body as remuneration.

Provision is made for the supply by the licensing authority of forms for certificates evidencing the results of Part I of the new test at a charge of £1.25 per form (Regulation 8).

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