
STATUTORY INSTRUMENTS

1991 No. 1129

ROAD TRAFFIC

**The Motor Cars (Driving Instruction)
(Amendment) Regulations 1991**

<i>Made</i>	- - - -	<i>3rd May 1991</i>
<i>Laid before Parliament</i>		<i>10th May 1991</i>
<i>Coming into force</i>	- -	<i>3rd June 1991</i>

The Secretary of State for Transport, in exercise of his powers under section 125(3), 127(2), 132(1) (a), 132(2)(b), 134 and 141 of the Road Traffic Act 1988(1) and the Department of Transport (Fees) Order 1988(2) and all other enabling powers, hereby makes the following regulations:—

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 1991 and shall come into force on 3rd June 1991.

2. In section 128 of the Road Traffic Act 1988, after subsection (7) there shall be inserted the following subsection—

“(8) Where a person whose name has been removed from the register under this section applies under subsection (2) of section 125 of this Act for his name to be entered again in the register and either—

- (a) the application is made after the end of the period of one year beginning with the date on which his name was removed; or
- (b) his name was removed on the grounds that he has failed to pass such a test as is mentioned in subsection (5) of that section,

the Registrar shall not regard the condition specified in paragraph (a) of subsection (3) of that section as fulfilled unless he is satisfied that that person has again passed the examination mentioned in that paragraph since the date on which his name was removed from the register.”

3.—(1) The Motor Cars (Driving Instruction) Regulations 1989(3) shall be amended as follows.

(2) In regulation 5(5), the word “and” immediately following sub-paragraph (e) shall be omitted, and after paragraph (f) there shall be added the following words—

(1) 1988 c. 52; “prescribed” is defined in section 192.
(2) S.I. 1988/643, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant reference in S.I. 1988/643 is Table III of Schedule 1.
(3) S.I. 1989/2057, as amended by S.I. 1990/1113.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“and

(g) parking close to the kerb using forward and reverse gears.”.

(3) In the Table in regulation 13—

(a) for the entry in column (3) in items 2 and 3 there shall be substituted in each case “£50”, and

(b) for the entry in column (3) in items 4, 6 and 7 there shall be substituted in each case “£170”.

Signed by authority of the Secretary of State for Transport

3rd May 1991

Christopher Chope
Parliamentary Under Secretary of State
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 125 of the Road Traffic Act 1988, before a person's name can be entered on to the Register of Approved Driving Instructors he has, amongst other things, to pass a prescribed examination of ability to give instruction in the driving of motor cars. These Regulations amend section 128 so that in two cases a person has to pass the examination again before his name can be re-entered on the register after it has been removed under that section. One case is where his name has been so removed on the grounds that he had failed a test under section 125(5). The other case is where his name has been so removed on any other grounds and he makes his application more than 12 months later.

The Regulations also amend the Motor Cars (Driving Instruction) Regulations 1989 as follows:

- (a) by adding to the driving techniques which a candidate for the driving ability and fitness test can be required to demonstrate, the ability to park close to the kerb, using forward and reverse gears;
- (b) by increasing the fees payable for the driving ability and fitness test and for the instructional ability and fitness test from £45 to £50; and
- (c) by increasing the fee for the retention of the person's name in the register and the entry of a person's name in the register from £146 to £170.