
STATUTORY INSTRUMENTS

1992 No. 3089

ROAD TRAFFIC

PUBLIC PASSENGER TRANSPORT

The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 5) Regulations 1992

<i>Made</i>	- - - -	<i>8th December 1992</i>
<i>Laid before Parliament</i>		<i>9th December 1992</i>
<i>Coming into force</i>	- -	<i>1st January 1993</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 89(3) and (4) (a), 92(2) and (4)(b), 105, 108(1)(1) and 192(1)(2) and (3) of the Road Traffic Act 1988(3), and of all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 5) Regulations 1992 and shall come into force on 1st January 1993.

2. The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations 1990(4) shall be amended in accordance with the following provisions of these Regulations.

3. In regulation 3 (Application), in paragraph (2), after “24” there shall be inserted “(1)(b) to (e), (3), (4), (5), (6), (7) and (8)”.

4. In regulation 6 (Disabilities)—

(a) in paragraph (1) after “in addition to the disabilities prescribed by regulation 24” there shall be inserted “(1)(b) to (e)”;

(1) See the definition of “prescribed” and “regulations”.

(2) See the definition of “prescribed”.

(3) 1988 c. 52; section 89(3) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 63, which came into force on 1st July 1992; section 89(4)(a) was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22) (“the 1989 Act”), Schedule 3, paragraph 8(a), which came into force on 1st April 1991; section 105 was amended by the 1989 Act, Schedule 3, paragraph 14, which came into force on 1st June 1990 and by the Driving Licences (Community Driving Licence) Regulations 1990 (S.I. 1990/144); and section 192(3) was amended by the 1989 Act, Schedule 3, paragraph 24, which came into force on 1st June 1990.

(4) S.I. 1990/2612: the relevant amending instruments are S.I. 1991/515, 1991/1541 and 1992/166.

- (b) in paragraph (1)(a) for “an epileptic attack since attaining the age of 5 years” there shall be substituted “liability to epileptic seizures”;
 - (c) in paragraph (1)(b)(ii) for “in the case of a person who did not hold an existing licence on 1st January 1983 but” there shall be substituted “in the case of a person not falling within paragraph (1)(b)(i) above”.
5. In regulation 18 (Requirements for tests)—
- (a) in paragraph (1)(a) after “suitable for the purposes of the test under paragraph (3)” there shall be inserted “or paragraph (3A), whichever is appropriate,”;
 - (b) in paragraph (3) for “A vehicle shall not be suitable for the purpose of a test unless” there shall be substituted “A passenger-carrying vehicle shall not be suitable for the purpose of test unless”;
 - (c) in paragraph (3)(a) and paragraph (3)(b) sub-paragraphs (i) and (iv) shall be deleted;
 - (d) after paragraph (3) there shall be inserted the following paragraph—
 - “(3A) A large goods vehicle shall not be suitable for the purpose of a test unless—
 - (a) if the test is taken before 1st July 1996—
 - (i) in the case of a test for category C, it has a maximum authorised mass which exceeds 7.5 tonnes;
 - (ii) in the case of a test for category C plus E, it is either—
 - (a) an articulated goods vehicle combination, or
 - (b) a combination of vehicles comprising a vehicle in category C and a trailer with at least two axles with a permissible maximum weight in relation to the combination of at least 15 tonnes; and
 - (b) if the test is taken on or after that date, it is capable of a speed of at least 80 kilometres per hour and—
 - (i) in the case of a test for category C, it has a maximum authorised mass of at least 10 tonnes and an overall length of at least 7 metres;
 - (ii) in the case of a test for category C plus E, it is either—
 - (a) an articulated goods vehicle with a maximum authorised mass of at least 18 tonnes and an overall length of at least 12 metres, or
 - (b) a combination of vehicles with a maximum authorised mass of at least 18 tonnes and an overall length of at least 12 metres comprising a vehicle in category C with a maximum authorised mass of at least 10 tonnes and an overall length of at least 7 metres and a trailer with an overall length of at least 4 metres.”.
6. In Schedule 1 (Categories of vehicles), in column (2), in the entry describing the vehicles in—
- (a) category C and category D for “750 kg or a trailer of any mass with a single axle” there shall be substituted “, in the case of a trailer with a single axle, 5 tonnes or, in the case of any other trailer, 750 kg”;
 - (b) category C plus E and category D plus E for “750 kg and with more than a single axle” there shall be substituted “, in the case of a trailer with a single axle, 5 tonnes or, in the case of any other trailer, 750 kg”.
7. For Part II of Schedule 6 there shall be substituted the Part II set out in Schedule 1 to these Regulations.

Signed by authority of the Secretary of State for Transport

8th December 1992

Kenneth Carlisle
Parliamentary Under Secretary of State,
Department of Transport

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

SCHEDULE 1

Regulation 7

“PART II

FORM OF STATEMENT OF FAILURE TO PASS A TEST OF COMPETENCE TO DRIVE A LARGE GOODS VEHICLE OR PASSENGER-CARRYING VEHICLE ROAD TRAFFIC ACT 1988 MOTOR VEHICLES (DRIVING LICENCES) (LARGE GOODS AND PASSENGER-CARRYING VEHICLES) REGULATIONS 1990 Statement of Failure

Name

has been examined on a vehicle of category with/without automatic transmission/whilst drawing a trailer* and has failed to pass the test of competence to drive prescribed for the purposes of section 89 of the Road Traffic Act 1988 on (date)

Signed

Examiner conducting the test pursuant to regulation 19(1) of the above mentioned Regulations.

If the test has been conducted by an examiner referred to in regulation 19(1)(c) the name of the holder of the PSV operator's licence by whom the applicant is employed or proposed to be employed should be stated below.

* Delete if inapplicable

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations 1990 (“the principal Regulations”) in the following ways.

Epilepsy and an epileptic attack since attaining the age of 5 years are no longer prescribed as relevant disabilities in relation to applicants for and holders of large goods and passenger-carrying vehicle driver’s licences. Instead, a person will not be entitled to hold a large goods or passenger-carrying vehicle driver’s licence if he is liable to suffer epileptic seizures: see regulations 3 and 4(a) and (b) of these Regulations.

Regulation 6(1)(b)(ii) of the principal Regulations is amended to ensure that it (rather than regulation 6(1)(b)(iii)) applies to a person who

- (a) held an existing licence on 1st January 1983, (b) did not hold such a licence on 1st April 1991, but (c) did hold a large goods or passenger-carrying vehicle driver’s licence on 1st March 1992: see regulation 4(c) of these Regulations.

The principal Regulations set out, in regulation 18, the requirements which a vehicle must meet if it is to be used on a driving test. These requirements vary depending on the nature of the test, and the date on which the test is to be taken. With regard to tests in which the candidate hopes to gain full entitlement to drive vehicles in category C or category C plus E, the requirements for the test vehicle will now change if the test is taken on or after 1st July 1996, not 1st April 1994 as previously provided. Moreover, the requirements for the test vehicle will now change so as to accord with the requirements laid down in the second Council Directive on the driving licence (91/439/EEC): see regulation 5 of these Regulations.

Schedule 1 to the principal Regulations has been amended: see regulation 6 of these Regulations. A combination of vehicles comprising a vehicle in category C (or D) and a single axle trailer weighing more than 5 tonnes is now a combination falling within category C plus E (or D plus E) not category C (or D) as was formerly the case.

Finally, Schedule 6 to the principal Regulations has been amended: see regulation 7 of, and Schedule 1 to, these Regulations. A statement of failure to pass a test of competence to drive a large goods or passenger-carrying vehicle no longer has to include the address of or be signed by the test candidate.