
STATUTORY INSTRUMENTS

1999 No. 2864

The Motor Vehicles (Driving Licences) Regulations 1999

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) Regulations 1999 and shall come into force on 12th November 1999.

Revocation and saving

2.—(1) The regulations specified in Schedule 1 are hereby revoked.

(2) Subject to otherwise herein provided, and without prejudice to the operation of sections 16 and 17 of the Interpretation Act 1978(1), the revocation of those regulations shall not affect the validity of any application or appointment made, notice or approval given, licence, certificate or other document granted or issued or other thing done thereunder and any reference in such application, appointment, notice, approval, licence, certificate or other document or thing to a provision of any regulation hereby revoked, whether specifically or by means of a general description, shall, unless the context otherwise requires, be construed as a reference to the corresponding provision of these Regulations.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the following meanings—

“1981 Act” means the Public Passenger Vehicles Act 1981(2);

“1985 Act” means the Transport Act 1985(3);

“ambulance” means a motor vehicle which—

(a) is constructed or adapted for, and used for no other purpose than, the carriage of sick, injured or disabled people to or from welfare centres or places where medical or dental treatment is given, and

(b) is readily identifiable as such a vehicle by being marked “Ambulance” on both sides;

“appropriate driving test” and “extended driving test” have the same meanings respectively as in section 36 of the Offenders Act(4);

(1) 1978 c. 30.

(2) 1981 c. 14.

(3) 1985 c. 67.

(4) Section 36 was substituted by the 1991 Act, section 32.

“Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986⁽⁵⁾;

“controlled by a pedestrian” in relation to a vehicle means that the vehicle either—

- (a) is constructed or adapted for use under such control; or
- (b) is constructed or adapted for use either under such control or under the control of a person carried on it but is not for the time being in use under, or proceeding under, the control of a person carried on it;

“dual purpose vehicle” means a motor vehicle which is constructed or adapted both to carry or haul goods and to carry more than eight persons in addition to the driver;

“exempted goods vehicle” and “exempted military vehicle” have the meanings respectively given in regulation 51;

“extended driving test” means a test of a kind prescribed by regulation 41;

“full”, in relation to a licence of any nature, means a licence granted otherwise than as a provisional licence;

“Group 1 licence” and “Group 2 licence” have the meanings respectively given in regulation 70;

“incomplete large vehicle” means—

- (a) an incomplete motor vehicle, typically consisting of a chassis and a complete or incomplete cab, which is capable of becoming, on the completion of its construction, a medium-sized or large goods vehicle or a passenger-carrying vehicle, or
- (b) a vehicle which would be an articulated goods vehicle but for the absence of a fifth-wheel coupling,

and which is not drawing a trailer;

“large motor bicycle” means—

- (a) in the case of a motor bicycle without a side-car, a bicycle the engine of which has a maximum net power output exceeding 25 kilowatts or which has a power to weight ratio 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 exceeding 0.16 kilowatts per kilogram;

“LGV trainee driver’s licence” has the meaning given in regulation 54;

“maximum authorised mass”—

- (a) in relation to a goods vehicle, has the same meaning as “permissible maximum weight” in section 108(1) of the Traffic Act,
- (b) in relation to an incomplete large vehicle, means its working weight, and
- (c) in relation to any other motor vehicle or trailer, has the same meaning as “maximum gross weight” in regulation 3(2) of the Construction and Use Regulations;

“maximum speed” means the speed which the vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden;

“maximum net power output” has the same meaning as in section 97 of the Traffic Act;

“mobile project vehicle” means a vehicle which has a maximum authorised mass exceeding 3.5 tonnes, is constructed or adapted to carry not more than eight persons in addition to the driver and carries principally goods or burden consisting of—

(5) [S.I. 1986/1078](#). The relevant amending instruments are [S.I. 1987/676](#), [1990/1981](#) and [1994/329](#).

(a) play or educational equipment and articles required in connection with the use of such equipment, or

(b) articles required for the purposes of display or of an exhibition,

and the primary purpose of which is use as a recreational, educational or instructional facility when stationary;

“Northern Ireland test” means a test of competence to drive conducted under the law of Northern Ireland;

“Offenders Act” means the Road Traffic Offenders Act 1988(6);

“passenger-carrying vehicle recovery vehicle” means a vehicle (other than an articulated goods vehicle combination as defined in section 108(1) of the Traffic Act) which—

(a) has an unladen weight not exceeding 10.2 tonnes,

(b) is being operated by the holder of a PSV operator’s licence, and

(c) is being used for the purpose of—

(i) proceeding to, or returning from, a place where assistance is to be, or has been, given to a damaged or disabled passenger-carrying vehicle; or

(ii) giving assistance to or moving a disabled passenger-carrying vehicle or moving a damaged vehicle;

“penalty points” means penalty points attributed to an offence under section 28 of the Offenders Act;

“power to weight ratio”, in relation to a motor bicycle, means the ratio of the maximum net power output of the engine of the vehicle to its weight (including the weight of any side-car) with—

(a) a full supply of fuel in the tank,

(b) an adequate supply of other liquids needed for its propulsion, and

(c) no load other than its normal equipment, including loose tools;

“practical test” means a practical test of driving skills and behaviour or, where a test is by virtue of these Regulations required to be conducted in two parts, the part of it which consists of that test and includes such a test conducted as part of an extended driving test;

“propelled by electrical power”, in relation to a motor vehicle, means deriving motive power solely from an electrical storage battery carried on the vehicle and having no connection to any other source of power when the vehicle is in motion;

“PSV operator’s licence” has the meaning given by section 82(1) of the 1981 Act;

“standard access period” has the meaning given by regulation 22;

“standard motor bicycle” means a motor bicycle which is not a large motor bicycle;

“test” means any test of competence to drive conducted pursuant to section 89 of the Traffic Act including an extended driving test;

“test pass certificate” means a certificate in the form specified in regulation 48(1)(a);

“theory test” means, where a test is by virtue of these Regulations to be conducted in two parts, the part that consists of the theoretical test and includes such a test conducted as part of an extended driving test;

“theory test pass certificate” means a certificate in the form specified in regulation 47(2)(a);

“Traffic Act” means the Road Traffic Act 1988;

“traffic commissioner” means, in relation to an applicant for or the holder of a licence, the traffic commissioner in whose area the applicant or holder resides;

“unitary test” means a test which, by virtue of these Regulations, is to consist of a single test of both practical driving skills and behaviour and knowledge of the Highway Code and other matters and includes such a test conducted as an extended driving test;

“unladen weight” has the same meaning as in regulation 3(2) of the Construction and Use Regulations and, in the case of a road roller, includes the weight of any object for the time being attached to the vehicle, being an object specially designed to be so attached for the purpose of temporarily increasing the vehicle’s weight;

“vehicle with automatic transmission” means a class of vehicle in which either—

- (a) the driver is not provided with any means whereby he may vary the gear ratio between the engine and the road wheels independently of the accelerator and the brakes, or
- (b) he is provided with such means but they do not include a clutch pedal or lever which he may operate manually,

(and accordingly a vehicle with manual transmission is any other class of vehicle);

“working weight” means the weight of a vehicle in working condition on a road but exclusive of the weight of any liquid coolant and fuel used for its propulsion.

(2) In these Regulations, unless the context otherwise requires—

- (a) a reference to a licence being in force is a reference to it being in force in accordance with section 99 of the Traffic Act, save that for the purpose of these Regulations a licence shall remain in force notwithstanding that it is—
 - (i) surrendered to the Secretary of State or is revoked otherwise than by notice under section 93(1) or (2) of the Traffic Act (revocation because of disability or prospective disability), or
 - (ii) treated as revoked by virtue of section 37(1) of the Offenders Act, and
- (b) a reference to the expiry of a licence is a reference to the time at which it ceases to be so in force (and “expired” shall be construed accordingly).

(3) Except where otherwise expressly provided, any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations, and any reference to a numbered paragraph (otherwise than as part of a reference to a numbered regulation) is a reference to the paragraph bearing that number in the regulation or Schedule in which the reference occurs.

(4) Where a statement or certificate (but not a distinguishing mark specified in regulation 16) is required under these Regulations to be in a form prescribed herein, the reference is to a certificate or statement in that form (or as nearly in that form as circumstances permit), adapted to the circumstances of the case and duly completed and signed where required.

(5) For the purposes of section 97(3)(d) of the Traffic Act and these Regulations the date of first use of a motor bicycle means—

- (a) except in a case to which paragraph (b) applies, the date on which it was first registered under the Roads Act 1920, the Vehicles (Excise) Act 1949(7), the Vehicles (Excise) Act 1962(8) or the Vehicles (Excise) Act 1971(9);
- (b) in the case of a motor bicycle which was used in any of the following circumstances before the date on which it was first registered, namely:—

(7) 1949 c. 89.

(8) 1962 c. 13.

(9) 1971 c. 10.

- (i) where the bicycle was used under a trade licence as defined in section 16 of the Vehicles (Excise) Act 1971, otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement,
- (ii) where the bicycle belonged to the Crown and is or was used or appropriated for use for naval, military or air force purposes,
- (iii) where the bicycle belonged to a visiting force or a headquarters or defence organisation to which the Visiting Forces and International Headquarters (Application of Law) Order 1965⁽¹⁰⁾ applied,
- (iv) where the bicycle had been used on roads outside Great Britain and was imported into Great Britain, or
- (v) where the bicycle had been used otherwise than on roads after being sold or supplied by retail and before being registered,

the date of manufacture of the bicycle.

(6) In paragraph (5)(b)(v) “sold or supplied by retail” means sold or supplied otherwise than to a person acquiring solely for the purpose of re-sale or re-supply for a valuable consideration.

⁽¹⁰⁾ S.I. 1965/1536.