
STATUTORY INSTRUMENTS

1999 No. 2864

The Motor Vehicles (Driving Licences) Regulations 1999

PART II

LICENCES

Applications for licences

Applications for the grant of licences: general

10.—(1) The Secretary of State may consider an application for the grant of a licence before the date on which the grant of the licence is to take effect if the application is received by him—

- (a) in the case of an application for a Group 2 licence, during the period of three months ending on that date,
- (b) in any other case, during the period of two months ending on that date,

and may during such period grant the licence so that it takes effect on that date.

(2) For the purposes of subsection (1A)(b) of section 89 of the Traffic Act the holder of an exchangeable licence satisfies the relevant residence requirement if he has been normally resident in Great Britain for a period of not more than five years.

(3) An applicant for a licence who before the licence is granted is required to satisfy the Secretary of State that he has passed a test shall at the time when he applies for the licence deliver to the Secretary of State—

- (a) a valid test pass certificate, or
- (b) a certificate corresponding to that certificate furnished under the law of Northern Ireland or Gibraltar.

(4) A person may not present a certificate in support of an application as evidence that he has passed—

- (a) a test or a theory test, or
- (b) a test corresponding to any of those tests conducted under the law of Northern Ireland or the law of Gibraltar,

if the applicant took the test in respect of which the certificate was issued at a time when he was ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations or a corresponding provision of the law of Northern Ireland or the law of Gibraltar, to take the test to which the certificate relates.

(5) An applicant for a Group 2 licence shall, if required to do so by the Secretary of State, submit in support of his application a report (in such form as the Secretary of State may require) signed by a qualified medical practitioner, prepared and dated not more than four months prior to the date on which the licence is to take effect, for the purpose of satisfying the Secretary of State that he is not suffering from a relevant or prospective disability.

Eligibility to apply for provisional licence

11.—(1) Subject to the following provisions of this regulation, an applicant for a provisional licence authorising the driving of motor vehicles of a class included in a category or sub-category specified in column (1) of the table at the end of this regulation must hold a relevant full licence authorising the driving of motor vehicles of a class included in the category or sub-category specified in column (2) of the table in relation to the first category.

(2) Paragraph (1) shall not apply in the case of an applicant who is a full-time member of the armed forces of the Crown.

(3) For the purposes of paragraph (1), a licence authorising the driving only of vehicles in sub-categories D1 (not for hire or reward), D1+E (not for hire or reward) and C1+E (8.25 tonnes) shall not be treated as a licence authorising the driving of motor vehicles of a class included in sub-categories D1, D1+E and C1+E.

(4) In this regulation, “relevant full licence” means a full licence granted under Part III of the Traffic Act, a full Northern Ireland licence, a full British external licence (other than a licence which is to be disregarded for the purposes of section 89(1)(d) of the Traffic Act by virtue of section 89(2) (c) of that Act⁽¹⁾), a full British Forces licence, an exchangeable licence or a Community licence.

TABLE

(1) Category or sub-category of licence applied for	(2) Category/sub-category of full licence required
B+E	B
C	B
C1	B
D	B
D1	B
C1+E	C1
C+E	C
D1+E	D1
D+E	D
G	B
H	B

Restrictions on the grant of large goods and passenger-carrying vehicle driver’s licences

12.—(1) An applicant for a large goods or passenger-carrying vehicle driver’s licence shall not, subject to paragraph (2), be granted a licence if, at the date from which the licence applied for is to take effect, any—

- (a) large goods or passenger-carrying vehicle driver’s licence held by him is suspended, or
- (b) Northern Ireland large goods or passenger-carrying vehicle driver’s licence held by him is suspended,

(1) Subsection (2)(c) was substituted by the 1989 Act, section 4(3). For designations made under that provision see [S.I. 1996/3206](#).

under section 115 of the Traffic Act or, as the case may be, under the provision of the law for the time being in force in Northern Ireland corresponding to that enactment.

(2) A person may apply for a large goods vehicle driver's licence notwithstanding that, at the date from which the licence applied for is to take effect, any passenger-carrying vehicle driver's licence held by him is suspended and such suspension relates to his conduct other than as a driver of a motor vehicle.

(3) An applicant for an LGV trainee driver's licence—

- (a) must be a registered employee of a registered employer (within the meaning of regulation 54), and
- (b) must not be a person who—
 - (i) has been convicted (or is to be treated as if he had been convicted) of an offence as a result of which at least one penalty point falls to be taken into account under section 29 of the Offenders Act, or
 - (ii) has at any time been disqualified by a court for holding or obtaining a licence or by a court in Northern Ireland for holding or obtaining a Northern Ireland licence, and
- (c) must satisfy the Secretary of State that he holds a Certificate of Professional Competence issued by the Road Haulage and Distribution Training Council stating that the applicant has completed a course of induction training in the driving of goods vehicles which meets the requirements of Council Directive [76/914/EEC](#)(2).

(4) An applicant for a large goods vehicle driver's licence who is a member of the armed forces and is under the age of 21 must not be a person who has—

- (a) been convicted (or is, by virtue of section 58 of the Offenders Act(3), to be treated as if he had been convicted) of an offence as a result of which at least one penalty point falls to be taken into account under section 29 of the Offenders Act(4), or
- (b) at any time been disqualified by a court for holding or obtaining a licence or by a court in Northern Ireland for holding or obtaining a Northern Ireland licence.

Restrictions on the grant of provisional licences to drive motor bicycles

13.—(1) Subject to paragraphs (2) to (4), the Secretary of State must refuse to grant a provisional licence authorising the driving of a motor bicycle of any class to a person who was the holder of a previous licence if the licence applied for would come into force within the period of one year beginning on the day after the expiration of the period for which the previous licence authorised (or would, if not surrendered or revoked, have authorised) the riding of a motor bicycle.

(2) In a case where the applicant's previous licence was surrendered or revoked under subsection (3) or (4) of section 99 of the Traffic Act before its expiry date, paragraph (1) shall not apply.

(3) In a case where—

- (a) the applicant's previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act, and
- (b) the circumstances mentioned in regulation 15(2)(b) and (c) apply (so that the Secretary of State is required to grant a licence which would be in force for a period of less than two years),

(2) OJ No. L357, 29.12.76, p. 36.

(3) Section 58(1) was amended by the 1990 Regulations.

(4) Section 29 was substituted by section 28 of the 1991 Act.

the Secretary of State must refuse to grant a provisional licence which would come into force within the period of two months commencing on the date of such surrender or revocation.

(4) In a case where—

(a) the applicant's previous licence was surrendered or revoked, otherwise than under subsection (3) or (4) of section 99 of the Traffic Act, or treated as being revoked under section 37(1) of the Offenders Act, and

(b) the circumstances mentioned in regulation 15(2)(b) and (c) do not apply,

the Secretary of State must refuse to grant a provisional licence which would come into force within the period of one year commencing on the date of such surrender or revocation.

Fees for licences

14.—(1) An applicant for a licence shall pay a fee (if any) determined in accordance with paragraphs (2) and (3).

(2) The fee payable upon an application for a licence shall, in the case of a licence of a description, and (as the case may be) in the circumstances, specified in column (1) of the table set out in Schedule 3, be the fee specified in relation to that licence in column (2) of that table.

(3) When an application is made for a licence which, but for this paragraph, would attract more than one fee, only one fee shall be paid and where the fees are different, that fee shall be the higher or the highest of them.