

2000 No. 3157

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
(No. 2) Regulations 2000**

Made - - - - - *28th November 2000*

Laid before Parliament *7th December 2000*

Coming into force - - *1st January 2001*

The Secretary of State, in exercise of the powers conferred on him by sections 89(3), 97(3)(a) and 105(1), (2) and (3) of the Road Traffic Act 1988(a), and after consulting with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2000 and shall come into force on 1st January 2001.

Amendments to the Motor Vehicles (Driving Licences) Regulations 1999

2. The Motor Vehicles (Driving Licences) Regulations 1999(b) are amended in accordance with regulations 3 to 6 below.

3. In regulation 3(1), after the definition of “controlled by a pedestrian” shall be inserted the following definitions—

“disability assessment test” means a test of competence to drive for which a person is required, by notice under section 94(5)(c) of the Traffic Act(c), to submit himself; and “disability assessment licence” means a provisional licence granted to enable him to drive a motor vehicle for the purposes of preparing for, and taking, such a test’.

4. In regulation 16, after paragraph (11) shall be inserted the following paragraph—

“(11A) The holder of a disability assessment licence shall not drive a vehicle of a class which he is authorised to drive by virtue of the licence otherwise than during a period which—

(a) commences with the beginning of such period prior to the taking of the disability assessment test required by a relevant notice as is specified in writing by the Secretary of State when serving that notice; and

(a) 1988 c. 52. See section 108(1) for the definitions of “prescribed” and “regulations”.
(b) S.I. 1999/2864, to which there are no relevant amendments.
(c) i.e. the Road Traffic Act 1988.

(b) ends with the completion of the test;
and, for these purposes, a “relevant notice” is a notice under section 94(5)(c) of the Traffic Act requiring the person to submit to a disability assessment test.”

5. In regulation 23, paragraph (1)(d), the words “or of persons employed in the driving of motor vehicles for the purposes of any such brigade” shall be omitted.

6. In regulation 24—

(1) in paragraph (1)—

(a) after the words “in paragraph (2)” shall be inserted “or (2A)”;

(b) in sub-paragraph (c), the words “or of persons employed in the driving of motor vehicles for the purposes of any such brigade” shall be omitted;

(2) after paragraph (2) shall be inserted—

“(2A) A practical test which is conducted as a disability assessment test shall be conducted by—

(a) a person in the public service of the Crown appointed by the Secretary of State for the purposes of paragraph (1)(a), or

(b) a person appointed by the Secretary of State for the purpose of conducting the test.”

Signed by authority of the Secretary of State for the Environment, Transport and the Regions.

Larry Whitty

Parliamentary Under-Secretary of State,

28th November 2000

Department of the Environment, Transport and the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations 1999 (S.I. 1999/2864).

Where an application has been made for a full driving licence following the revocation of such a licence, or the refusal of its renewal, on medical grounds, the Secretary of State may serve a notice under section 94(5)(c) of the Road Traffic Act 1988 requiring the applicant to take a driving test to assist in determining whether he is fit to regain his licence. The Regulations provide that a provisional licence granted for this purpose may only be used during such period up to and including the taking of a test as is specified by the Secretary of State when serving the notice (*regulation 4*). They also specify by whom the tests may be conducted (*regulation 6(2)*).

Regulations 5 and 6(1) delete words inserted in error in regulations 23(1)(d) and 24(1)(c) of the 1999 Regulations (which concern persons by whom tests of fire brigade members may be conducted).

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