

SCHEDULE 3

Amendment of the principal Regulations

Licences

3. For regulation 4 (classification of vehicles) substitute—

“4.—(1) Subject to regulations 5 and 78, the Secretary of State shall grant licences authorising the driving of motor vehicles in accordance with—

- (a) the categories and sub-categories specified in column (1) and defined in column (2) of Parts 1 to 3 and 5 and 6 of Schedule 2;
- (b) the former categories and former sub-categories specified in column (1) and defined in column (2) of Part 4 of Schedule 2, other than former category P and former sub-category B1;
- (c) the class defined in column (2) of Part 4 of Schedule 2 opposite former sub-category B1 specified in column (1); and
- (d) the class defined in column (2) of Part 4 of Schedule 2 opposite former category P specified in column (1).

(2) The categories and sub-categories referred to in paragraph (1)(a) and (b), other than former category P and former sub-category B1, are designated as groups for the purposes of section 89(1)(b) of the Traffic Act.

(3) In these Regulations, expressions relating to vehicle categories have the following meanings—

- (a) save for references to a former category or a former sub-category, any reference to a category or sub-category identified by letter, number or word or by any combination of letters, numbers and words is a reference to the category or sub-category defined in column (2) of Schedule 2 opposite that letter or combination in column (1) of the Schedule,
- (b) “sub-category” means, in relation to category A, B, C, C+E, D or D+E, a class of vehicles comprising part of the category and identified as a sub-category in column (2) of Schedule 2,
- (c) unless the context otherwise requires, a reference to a category includes a reference to sub-categories of that category,
- (d) save for references to “former sub-category B1”, “former category N” or “former category P”, a reference to a former category or a former sub-category identified by letter, number or word or by any combination of letters, numbers and words is a reference to the former category or former sub-category defined in column (2) of Part 4 of Schedule 2 opposite the letter or combination in column (1),
- (e) “former sub-category B1” means a class of vehicle having three or four wheels and an unladen weight not exceeding 550 kilograms,
- (f) “former category N” means vehicles which were exempted from vehicle excise duty under section 7(1) of the Vehicle (Excise) Act 1971(1), and
- (g) “former category P” means a class of vehicle having fewer than four wheels, a maximum design speed not exceeding 50 kilometres per hour and, if propelled

(1) 1971 c.10; notwithstanding the repeal of the 1971 Act by the Vehicle Excise and Registration Act 1994 (c.22), section 65 and Schedule 5, licences may still be granted in respect of vehicles in former category N.

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by an internal combustion engine, a cylinder capacity not exceeding 50 cubic centimetres.”.

4. In regulation 5 (classes for which licences may be granted) after paragraph (3) add—
 - “(4) A licence authorising the driving of motor vehicles of a class shown in column (2) of Part 4 of Schedule 2 opposite a former category or former sub-category (as the case may be) shown in column (1) of that part of that Schedule may not be granted to a person unless, before 19th January 2013, that person held a licence authorising the driving of motor vehicles of that class or passed a test for a licence authorising the driving of motor vehicles of that class.
 - (5) A licence authorising the driving of category Q vehicles may not be granted to a person unless that person is entitled—
 - (a) in accordance with paragraph (1), to be granted a full licence authorising the driving of motor vehicles of a class included in category AM, A or B; or
 - (b) in accordance with paragraph (4), to be granted a full licence authorising the driving of category P vehicles.
 - (6) A licence authorising the driving of motor vehicles of a class included in category B96, which are specified in Part 6 of Schedule 2, may be granted to a person who is entitled thereto by virtue of holding, or having held, a Community licence authorising the driving of that class.”.
5. In regulation 6 (competence to drive classes of vehicle: general)—
 - (a) in paragraph (1)(a)(ii) after “this paragraph,” insert “a three-wheeled moped, a light quadricycle, a motor tricycle or”;
 - (b) in paragraph (2) for “P” substitute “AM”;
 - (c) after paragraph (2) insert—

“(2A) Where a relevant full licence authorises the driving of vehicles included in category B and the additional category is category Q or AM, the holder is not deemed competent to drive category Q vehicles or vehicles in category AM unless the licence authorises the driving of such vehicles in accordance with regulation 43(3) and (5).”.
6. In regulation 7 (competence to drive classes of vehicle: special cases)—
 - (a) in paragraph (4) for “sub-categories B1 and” substitute “former sub-category B1 or sub-category”;
 - (b) in paragraphs (5)(a), (6)(a) and (7) for “sub-categories B1 or” substitute “former sub-category B1 or sub-category”;
 - (c) after paragraph (7) insert—

“(8) A person who holds a licence authorising the driving of vehicles included in category B and who has, before 1st February 2001, passed a test (or a Northern Ireland test of competence corresponding to such a test) for such a licence may drive a category P vehicle unless the test or, as the case may be, the practical test was passed on a motor vehicle which was adapted on account of a disability of the person taking the test in which case the person is authorised to drive only such category P vehicles as are so adapted.

(9) Where a person holds a full licence issued before 19th January 2013 authorising the driving of vehicles included in category A, that licence shall not in addition authorise the driving of vehicles in former sub-category B1 unless that person passed the test in respect of that licence (or a Northern Ireland test of competence corresponding to that test) before 1st February 2001.”.

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7. In regulation 8 (competence to drive classes of vehicle: dual purpose vehicles) in paragraph (1) (a) for “sub-categories B1 or” substitute “former sub-category B1 or sub-category”.

8. In regulation 9 (minimum ages for holding or obtaining licences)—

(a) after paragraph (1) insert—

“(1A) In item 2 (moped), for the class of moped there is substituted the classes of a vehicle in category AM (moped and light quadricycle) and a category Q vehicle.”;

(b) for paragraph (2) substitute—

“(2) In item 3 (motor bicycle)—

(a) subject to paragraphs (2A) to (2F), for the class of motor bicycle and the age of 17 there is substituted, in respect of full licences, the following—

3(1) A1 motorcycle or A1 motor tricycle	17
3(2) A2 motorcycle	19
3(3) A3 motorcycle	24
3A A3 motor tricycle	24

(b) subject to paragraph (2G), in relation to the class of motor bicycle there is, in respect of provisional licences, substituted for the age of 17 the age of 24.”;

(c) after paragraph (2) insert—

“(2A) For the age of 17 in relation to item 3(1) in the table in paragraph (2)(a) there is substituted the age of 16 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A1.

(2B) For the age of 19 in relation to item 3(2) in the table in paragraph 2(a) there is substituted the age of 18 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A2.

(2C) For the age of 19 in relation to item 3(2) and the age of 24 in relation to item 3(3) in the table in paragraph 2(a) there is substituted the age of 17 where a person passed a test before 19th January 2013 in respect of a motor bicycle (other than a motor bicycle with an engine the maximum net power output of which is 11 kilowatts or less) and the standard access period has expired.

(2D) For the age of 19 in relation to item 3(2) in the table in paragraph 2(a) there is substituted the age of 17 in a case where the vehicle is—

(a) owned or operated by the Secretary of State for Defence, or

(b) being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown,

and is being used for naval, military or air force purposes.

(2E) For the age of 24 in relation to item 3(3) in the table in paragraph 2(a) there is substituted—

(a) the age of 21 in a case where a person has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles;

(b) the age of 20 in the case of a person holding a Community licence authorising the driving of vehicles in sub-category A3; and

(c) the age of 17 in a case where—

(i) the vehicle is being used for naval, military or air force purposes and is—

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- (aa) owned or operated by the Secretary of State for Defence; or
 - (bb) being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown; or
 - (ii) a person—
 - (aa) passes an appropriate driving test after 18th January 2013 on a vehicle of a class in category B or sub-category A2 or A3; and
 - (bb) was entitled, before 19th January 2013, to a licence to drive a motor bicycle with an engine having a maximum net power output exceeding 25 kilowatts or a power to weight ratio exceeding 9.16 kilowatts per kilogram.
- (2F) For the age of 24 in relation to item 3A in the table in paragraph 2(a) there is substituted—
 - (a) the age of 21 in a case where a person has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles;
 - (b) the age of 17 in a case where—
 - (i) the vehicle is—
 - (aa) owned or operated by the Secretary of State for Defence, or
 - (bb) being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown,and is being used for naval, military or air force purposes; or
 - (ii) the person was, before 19th January 2013, entitled to drive vehicles having three or four wheels and an unladen weight not exceeding 550 kilograms.
- (2G) For the age of 24 as substituted by paragraph 2(b) there is substituted—
 - (a) the age of 21 in the case of a provisional licence for the driving of A3 motorcycles where a person has, for a period of not less than two years, held a full licence which authorises the driving of A2 motorcycles;
 - (b) the age of 19 in the case of a provisional licence which is restricted to the driving of A2 motorcycles;
 - (c) the age of 17 where a person has passed a test before 19th January 2013 in respect of a motor bicycle (other than a motor bicycle with an engine the maximum net power output of which is 11 kilowatts or less) and the standard access period has expired;
 - (d) the age of 17 in the case of a provisional licence which is restricted to the driving of A1 motorcycles; and
 - (e) the age of 17 in a case where the vehicle is—
 - (i) owned or operated by the Secretary of State for Defence; or
 - (ii) being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown,and is being used for naval, military or air force purposes.”;
- (d) after paragraph (3) insert—
 - “(3A) In item 5 (small vehicle) the class of small vehicles except motor tricycles and light quadricycles is substituted for the class of small vehicle.”;
- (e) in paragraph 4 omit “(small vehicles)”;

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- (f) omit paragraph (6);
- (g) after paragraph (7) insert—
 - “(8) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category C or C+E where the vehicle is being used by the fire service or for maintaining public order or is undergoing road tests for repair or maintenance purposes.
 - (8A) In item 7, the age of 18 is substituted for the age of 21 in the case of a motor vehicle and trailer combination which is in sub-category C1+E and the maximum authorised mass of the combination does not exceed 12 tonnes.
 - (8B) Subject to paragraphs (9) and (9B), in item 7 the age of 24 is substituted for the age of 21 in relation to a motor vehicle of a class included in category D or D+E, other than sub-category D1 or D1+E, save—
 - (a) where the vehicle is being used by the fire service or for maintaining public order or is undergoing road tests for repair or maintenance purposes; or
 - (b) in respect of a person under the age of 24 who was entitled to a licence to drive a vehicle of that class before 19th January 2013.”; and
- (h) in paragraph (13) after sub-paragraph (e) insert—
 - “; and
 - (f) in the calculation of the period of time for which a licence has been held there shall be disregarded any deductible period.”.

9. After regulation 15 insert—

“Restrictions on provisional licences: two-wheeled vehicles

15A.—(1) A provisional licence granted in respect of a vehicle in category AM or A shall be restricted to such vehicles as have no more than two wheels save where the applicant declares that they are suffering from a relevant disability of such a nature that they are unable to ride a vehicle which has two wheels.

(2) A provisional licence granted in respect of a vehicle with two wheels shall be restricted to vehicles of a class within category AM or A.”.

10. In regulation 16 (conditions attached to provisional licences)—

- (a) in paragraph (3)—
 - (i) for sub-paragraph (a) substitute—
 - “(a) is driving a motor vehicle constructed to carry only one person which is not adapted to carry more than one person and is a vehicle in sub-category B1 (invalid carriages), a motor tricycle, a motor vehicle having four wheels and an unladen weight not exceeding 550 kilograms or a motor vehicle of a class included in category F, G, H or K;”;
 - (ii) in sub-paragraph (aa), after “included in” insert “former”; and
 - (iii) in sub-paragraph (b), after “side-car” insert “, a category P vehicle or a category Q vehicle”;
- (b) in paragraph (6)—
 - (i) in sub-paragraph (a), omit “or”;
 - (ii) after sub-paragraph (b) add—
 - “(c) a category P vehicle, or

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- (d) a category Q vehicle.”;
- (c) in paragraph (7), for “a learner motor bicycle” substitute “an A1 motorcycle”;
- (d) in paragraph (7A)—
 - (i) for “a learner motor bicycle” substitute “an A1 motorcycle”; and
 - (ii) for sub-paragraph (a) substitute—
 - “(a) present with the person holding the licence on the road while riding a two-wheeled vehicle in category AM or A or a category P vehicle or, if the instructor is suffering from a relevant disability of such a nature that they are unable to ride a two-wheeled vehicle, a three-wheeled vehicle in category AM or A, and”; and
- (e) in paragraph (7B)(a), for “learner motor bicycle” substitute “A1 motorcycle”.

11. In regulation 17 (meaning of “qualified driver”) in paragraph (3)(d) for “vehicles in sub-category B1 or B1 (invalid carriages)” substitute “a quadricycle or vehicles in sub-category B1 (invalid carriages)”.

12. In the heading to regulation 19 (full licences not carrying provisional entitlement) for “not carrying” substitute “and”.

13. In regulation 19 (full licences and provisional entitlement)—

- (a) for paragraph (1) substitute—
 - “(1) Sections 98(2) and 99A(5) of the Traffic Act shall apply in accordance with the following paragraphs.”;
- (b) for paragraph (4) substitute—
 - “(4) Section 98(2) shall not authorise a person who has not passed a test of competence to drive a moped or a motor bicycle to drive a category P vehicle or a category Q vehicle.”;
- (c) after paragraph (4) insert—
 - “(4A) In the case of a full licence granted before 19th January 2013 which authorises the driving of a class of standard motor bicycles, other than motor bicycles with an engine the maximum net power output of which is 11 kilowatts or less, section 98(2) shall not apply so as to authorise the driving of an A3 motorcycle before the expiration of the standard access period.
 - (4B) Section 98(2) shall not apply so as to authorise the driving, as if authorised by a provisional licence, of vehicles of any class included in category B96.”;
- (d) omit paragraph (5);
- (e) in paragraph (9)—
 - (i) after “Community licence” insert “granted before 19th January 2013”;
 - (ii) for “a large motor bicycle” substitute “an A3 motorcycle”;
- (f) in paragraph (10) for “a large motor bicycle” substitute “an A3 motorcycle.”; and
- (g) for the table at the end substitute—

“TABLE

<i>(1) Full licence held</i>	<i>(2) Provisional entitlement included</i>
AM	A, B, F and K
A1	A, B, F and K
A2	A, B, F and K

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<i>(1) Full licence held</i>	<i>(2) Provisional entitlement included</i>
A3	B, F and K
B	A, B+E, G and H
C1	C1+E
C	C1+E, C+E
D1	D1+E
D	D1+E, D+E
F	Q, AM and B
G	H
H	G''