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STATUTORY INSTRUMENTS

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**2018 No. 1251**

**The Driving Licences (Amendment)  
(EU Exit) Regulations 2018**

**PART 2**

Amendment of primary legislation

**Amendment of the Road Traffic Act 1988**

2.—(1) The Road Traffic Act 1988 is amended as follows.

(2) In section 88(1B)(aa) (exceptions) <sup>M1</sup>, omit “(other than the United Kingdom)”.

(3) In section 89(2)(a)(iii) (tests of competence to drive) <sup>M2</sup>, omit “other than the United Kingdom”.

(4) In section 97(1)(d)(ii) (grant of licences) <sup>M3</sup>, omit “(other than the United Kingdom)”.

(5) In section 108 (interpretation) <sup>M4</sup>—

(a) in subsection (1), in the definition of “Community licence”, in the words before paragraph (a) omit—

(i) “other than the United Kingdom”;

(ii) “(including the United Kingdom)”;

(b) in subsection (1B)(b)—

(i) for “another place in the EEA” substitute “an EEA state or Northern Ireland”;

(ii) for “other place” substitute “EEA state or Northern Ireland”;

(c) after subsection (1B) insert—

“(1BA) In order to be normally resident in Great Britain by virtue of subsection (1B)

(b) a person must return there regularly, except where the person is living in the EEA state or Northern Ireland in order to carry out a task of a definite duration.”;

(d) in subsection (1C)(b)—

(i) for “another place in the EEA” substitute “an EEA state”;

(ii) for “other place” substitute “EEA state”;

(e) in subsection (1D)—

(i) omit “Great Britain or”;

(ii) omit “(1B)(b) or”;

(iii) for “another place in the EEA” substitute “the EEA state”.

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**Commencement Information**

- I1** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(2\)](#)
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**Marginal Citations**

- M1** Section 88(1B) was inserted by the [Road Traffic \(Driver Licensing and Information Systems\) Act 1989](#) (c. 22), **section 3**. Paragraph (aa) was inserted by S.I. 1996/1974, **Schedule 1**, paragraph 1.
- M2** Section 89(2) was substituted by the [Road Traffic \(Driver Licensing and Information Systems\) Act 1989](#) (c. 22), **section 4(3)**. Paragraph (a) was substituted by S.I. 1996/1974, **Schedule 1**, paragraph 2(4).
- M3** Section 97(1)(d)(ii) inserted by S.I. 2012/977, **Schedule 1**, paragraphs 1, 2(1) and (2)(b).
- M4** The definition of “community licence” in section 108(1) was amended by S.I. 1996/1974, **Schedule 1**, [paragraph 19\(2\)](#). Section 108(1B), (1C) and (1D) were inserted by S.I. 2014/3190, **regulation 10(1)** and (4).

**Changes to legislation:**

There are currently no known outstanding effects for the The Driving Licences (Amendment) (EU Exit) Regulations 2018, Section 2.