

2021 No. 1154

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment) (No. 3)
Regulations 2021**

Made - - - - at 9.20 a.m. on 18th October 2021

Laid before Parliament at 1.00 p.m. on 18th October 2021

Coming into force - - at 1.00 a.m. on 15th November 2021

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 89(3)(a), (4)(b), (5)(c), and (5ZA)(d), 98(4)(e), 105(1), (2)(a)(f), (ee)(g), (f)(h) and (g), and (3), and 141(i) of the Road Traffic Act 1988(j) (“the 1988 Act”).

Representative organisations have been consulted in accordance with section 195(2) of the 1988 Act.

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021.

(2) These Regulations come into force at 1.00 a.m. on 15th November 2021.

(3) These Regulations extend to England and Wales and Scotland.

Amendments to the Motor Vehicles (Driving Licences) Regulations 1999

2. The Motor Vehicles (Driving Licences) Regulations 1999(k) are amended as follows.

3. In regulation 3 (interpretation)—

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- (a) Section 89(3) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 63, and by the Road Safety Act 2006 (c. 49), section 36(1) and 2(a), (b) and (c).
 - (b) Section 89(4) was amended by the Road Safety Act 2006 (c. 49), section 36(1), (3)(a), (b), (c) and (d), and S.I. 1996/1974, Schedule 1, paragraph 2(5), and by the Immigration Act 2014 (c. 22) Schedule 9, Part 6, paragraph 63(c).
 - (c) Section 89(5) was amended by the Road Safety Act 2006 (c. 49), section 36(4) and Schedule 7, paragraph 9.
 - (d) Section 89(5ZA) was inserted by the Road Safety Act 2006 (c. 49), section 36(5).
 - (e) Section 98(4) was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), section 7 and Schedule 3, paragraph 11(d).
 - (f) Section 105(2)(a) was amended by the Crime (International Co-operation) Act 2003 (c. 32), Schedule 5, paragraphs 17 and 23(a)(i) and the Road Safety Act 2006 (c. 49), Schedule 3, paragraphs 2 and 13(1) and (2)(a).
 - (g) Section 105(2)(ee) was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), section 7 and Schedule 3, paragraph 14 and amended by the Road Traffic Act 1991 (c. 40), section 83 and Schedule 8.
 - (h) Section 105(2)(f) was amended by the Road Traffic Act 1991 (c. 40), section 83 and Schedule 8, the Crime (International Co-operation) Act 2003 (c. 32), section 91 and Schedule 5, paragraph 23(a)(iv) and S.I. 1996/1974.
 - (i) Section 141 was amended by the Road Safety Act 2006 (c. 49), section 42 and Schedule 6, paragraph 24.
 - (j) 1988 c. 52.
 - (k) S.I. 1999/2864; relevant amending instruments are S.I. 2005/2717, 2010/1203, 2012/977, 2014/613, 2014/3190, 2020/663, 2021/1128, 2021/[] and 2021/[].

- (a) after the definition of “incomplete large vehicle” insert—
- ““large vehicle off road manoeuvres test” means a test consisting of the activities and manoeuvres specified in Schedule 8B and includes such a test conducted as part of an extended driving test;
- “large vehicle off road manoeuvres test examiner” means a person approved by the Secretary of State in accordance with paragraph (1ZA) of regulation 24 to conduct large vehicle off road manoeuvres tests;
- “large vehicle off road manoeuvres test pass certificate” means a certificate relating to the passing of the large vehicle off road manoeuvres test in the form specified in Part 1 of Schedule 10E;
- “large vehicle off road manoeuvres test provider” means a body approved by the Secretary of State in accordance with sub-paragraph (a) of paragraph (1ZA) of regulation 24;
- “large vehicle off road manoeuvres test statement of failure” means a statement relating to the failure of the large vehicle off road manoeuvres test in the form specified in Part 2 of Schedule 10E;”;
- (b) for the definition of “practical test” substitute—
- ““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, three or four parts, the part of it consisting of that test; and the term—
- (a) includes such a test conducted as part of an extended driving test;
- (b) excludes the manoeuvres test; and
- (c) excludes the large vehicle off road manoeuvres test;”.

4. In regulation 22 (interpretation of Part III)—

- (a) in the definition of “appointed person”—
- (i) in sub-paragraph (a), omit “and”,
- (ii) in sub-paragraph (b), after “regulation 23;” insert “and”,
- (iii) after sub-paragraph (b), insert—
- “(c) in the case of a large vehicle off road manoeuvres test, a large vehicle off road manoeuvres test examiner;”;
- (b) in the definition of “DVSA examiner”, after “conduct manoeuvres tests,” insert “large vehicle off road manoeuvres tests,”.

5. In regulation 24 (persons by whom manoeuvres, practical and unitary tests may be conducted)—

- (a) for the heading, substitute “Persons by whom manoeuvres tests, large vehicle off road manoeuvres tests, practical tests and unitary tests may be conducted”;
- (b) in paragraph (1), in the first line, for “manoeuvres test, practical test” substitute “manoeuvres test, large vehicle off road manoeuvres test, practical test”;
- (c) after paragraph (1), insert—
- “(1ZA) A large vehicle off road manoeuvres test other than a large vehicle off road manoeuvres test conducted in the circumstances specified in paragraph (2) or (2A) may, subject to the following provisions of this regulation, be conducted by—
- (a) a person appointed by a body which has been approved by the Secretary of State for the purpose of conducting large vehicle off road manoeuvres tests, and
- (b) such person must also be approved in writing by the Secretary of State for the purpose of testing a class of persons specified in the instrument of appointment, and such appointment—

- (i) may be made subject to such conditions as are, in the opinion of the Secretary of State, reasonably necessary in the general interests of candidates, and
 - (ii) where a person so approved breaks such a condition, the Secretary of State may approve another person to carry out large vehicle off road manoeuvres tests in substitution for that person notwithstanding that the first approval has not been revoked.”;
- (d) in paragraph (2), for “manoeuvres test, practical test” substitute “manoeuvres test, large vehicle off road manoeuvres test, practical test”;
 - (e) in paragraph (2A), for “manoeuvres test or a practical test” substitute “manoeuvres test, a large vehicle off road manoeuvres test or a practical test”;
 - (f) in paragraph (3)—
 - (i) for “manoeuvres tests, practical tests” substitute “manoeuvres tests, large vehicle off road manoeuvres tests, practical tests”,
 - (ii) after “paragraph (1)”, insert “, paragraph (1ZA)”;
 - (g) in paragraph (5), after “paragraph (1)”, insert “, under paragraph (1ZA)”.
- 6. In regulation 25 (revocation of authority to conduct tests)—**
- (a) in paragraph (1)—
 - (i) in sub-paragraph (a), after “24(1)(a)”, insert “, (1ZA)”;
 - (ii) in sub-paragraph (b), after “(1)(cf)(ii)” insert “, (1ZA)(a), (3)”;
 - (iii) after the first occurrence of “theory tests”, insert “or large vehicle off road manoeuvres tests”;
 - (iv) after “manoeuvres tests,”, insert “large vehicle off road manoeuvres tests,”;
 - (b) in paragraph (2), after “(1)(cf)(ii)”, insert “, 24(1ZA)”.
- 7. In regulation 31 (applications for manoeuvres, practical and unitary tests: applicants in person)—**
- (a) for the heading, substitute “Applications for manoeuvres tests, large vehicle off road manoeuvres tests, practical tests and unitary tests: applicants in person”;
 - (b) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (c) after paragraph (1) insert—

“(1A) An applicant in person wishing to take a large vehicle off road manoeuvres test to be conducted by a large vehicle off road manoeuvres test examiner shall—

 - (a) apply for an appointment for such a test to a large vehicle off road manoeuvres test provider,
 - (b) provide the large vehicle off road manoeuvres test provider with such details relating to themselves, the licence which they hold, the preferred location of the test, the nature of the test and the vehicle on which the test is to be taken as the large vehicle off road manoeuvres test provider may reasonably require, and
 - (c) pay such fee as may be specified in regulation 35.”;
 - (d) in paragraph (2), after “Secretary of State”, insert “or a large vehicle off road manoeuvres test provider, as the case may be,”;
 - (e) in paragraph (3), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
 - (f) after paragraph (3), insert—

“(4) For the purposes of paragraph (1A), no application may be made for a large vehicle off road manoeuvres test which can or will be conducted by a large vehicle off road

manoeuvres test examiner that has provided any form of instruction in any capacity to the applicant in person.”.

8. In regulation 33 (applications for practical tests: large vehicle instructors)—

- (a) for the heading, substitute “Applications for large vehicle off road manoeuvres tests or practical tests: large vehicle instructors”;
- (b) in paragraph (1), after “make an appointment for a”, insert “large vehicle off road manoeuvres test or a”;
- (c) in paragraph (2), for “practical or unitary tests”, substitute “large vehicle off road manoeuvres tests, practical tests or unitary tests”;
- (d) in paragraph (5), after “practical test”, insert “or a large vehicle off road manoeuvres test”.

9. After regulation 33 (applications for practical tests: large vehicle instructors), insert—

“Applications for large vehicle off road manoeuvres tests conducted by large vehicle off road manoeuvres test examiners: large vehicle instructors

33A.—(1) A large vehicle instructor who wishes to make an appointment for a large vehicle off road manoeuvres test prescribed in respect of category or sub-category B + E, C, C1, C + E, C1 + E, D, D1, D + E or D1 + E which is to be conducted by a large vehicle off road manoeuvres test examiner and taken by a person who has, or will have, received from that instructor instruction in the driving of a class of vehicle included in any of those categories shall—

- (a) apply for such an appointment to a large vehicle off road manoeuvres test provider, specifying the date and time for the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to—
 - (i) the instructor,
 - (ii) the instructor’s establishment,
 - (iii) the vehicle on which the test is to be taken, and
 - (iv) the nature of the test, as the large vehicle off road manoeuvres test provider may reasonably require, and
- (c) pay such fee (recoverable from the person nominated under paragraph (4)) as may be specified in regulation 35.

(2) The large vehicle off road manoeuvres test provider may refuse to accept an application from a large vehicle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where an appointment specified in the application is unavailable.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the large vehicle off road manoeuvres test provider shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the large vehicle off road manoeuvres test provider receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving instruction from that instructor who will at the appointment submit themselves for that test,
- (b) the licence which that person holds,
- (c) the nature of the test, and
- (d) the vehicle on which the test is to be taken, as the large vehicle off road manoeuvres test provider may reasonably require,

the large vehicle off road manoeuvres test provider shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a large vehicle instructor pursuant to paragraph (4) for a large vehicle off road manoeuvres test in respect of any class of vehicle may neither be so nominated nor apply under regulation 31 for a further appointment for a test in respect of a motor vehicle of a class included in the same category unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or
- (b) the test due on that appointment does not take place for any reason other than cancellation, or
- (c) they have kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period expiring at 16.00 hours on the day which allows one clear working day to elapse between that day and the day for which the appointment is made.

(7) For the purposes of paragraph (1), no application may be made for a large vehicle off road manoeuvres test which can or will be conducted by a large vehicle off road manoeuvres test examiner that has provided any form of instruction in any capacity to the applicant in person.”.

10. In regulation 34 (eligibility to reapply for manoeuvres, practical or unitary tests)—

- (a) for the heading, substitute “Eligibility to reapply for manoeuvres tests, large vehicle off road manoeuvres tests, practical tests or unitary tests”;
- (b) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (c) in paragraph (3)—
 - (i) after sub-paragraph (za), insert—

“(zb) in the case where the first test is a large vehicle off road manoeuvres test conducted by a large vehicle off road manoeuvres test examiner, 1 clear calendar day,”;
 - (ii) in sub-paragraph (a), before “in the case of”, insert “subject to sub-paragraph (zb),”.

11. In regulation 35 (fees in respect of manoeuvres, practical or unitary tests)—

- (a) for the heading, substitute “Fees in respect of manoeuvres tests, large vehicle off road manoeuvres tests, practical tests or unitary tests”;
- (b) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (c) in paragraph (2), for “practical or unitary test”, substitute “large vehicle off road manoeuvres test, practical test or unitary test”;
- (d) in paragraph (3), for “practical or unitary test”, substitute “large vehicle off road manoeuvres test, practical test or unitary test”;
- (e) in paragraph (4), for “practical test,”, substitute “large vehicle off road manoeuvres test or practical test”.

12. In regulation 36 (cancellation of tests)—

- (a) in sub-paragraph (a), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (b) after sub-paragraph (a), insert—

“(ab) for a large vehicle off road manoeuvres test to be conducted by a large vehicle off road manoeuvres test examiner must be given to the large vehicle off road manoeuvres test provider not less than three clear working days before the day for which the appointment is made;”.

13. In regulation 37 (test vehicles)—

- (a) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (b) in paragraph (2), for “manoeuvres test or”, substitute “manoeuvres test, large vehicle off road manoeuvres test or”;
- (c) in paragraph (4), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (d) in paragraph (7), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (e) in paragraph (7A), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (f) in paragraph (8), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (g) in paragraph (10), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (h) in paragraph (10A), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (i) in paragraph (10B), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (j) in paragraph (10C), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”;
- (k) in paragraph (10D), after “submitting himself for a,”, insert “large vehicle off road manoeuvres test or”.

14. In regulation 38 (further requirements of tests)—

- (a) in paragraph (1), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (b) in paragraph (4), after “manoeuvres test”, insert “, large vehicle off road manoeuvres test”;
- (c) in paragraph (4A)—
 - (i) in sub-paragraph (a), after “manoeuvres test”, insert “, large vehicle off road manoeuvres test”,
 - (ii) in sub-paragraph (b), after “manoeuvres test”, insert “, large vehicle off road manoeuvres test”;
- (d) in paragraph (5), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (e) in paragraph (5A), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (f) in paragraph (7), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”;
- (g) in paragraph (9), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”.

15. In regulation 39 (examiner’s right to refuse to conduct test), in paragraph (2)(b), after “manoeuvres test,”, insert “large vehicle off road manoeuvres test,”.

16. In regulation 40 (nature of tests other than extended tests)—

- (a) for paragraph (3), substitute—
 - “(3) Subject to paragraphs (3A) and (4), the test for a licence authorising the driving of a motor vehicle of a class included in category C, C + E, D or D + E shall be conducted in four parts, namely—
 - (a) the large vehicle test of driving theory,

- (b) the large vehicle test of hazard perception,
 - (c) the large vehicle off road manoeuvres test, and
 - (d) a practical test of driving skills and behaviour,
- and a person taking such a test must pass all four parts.”;

(b) after paragraph (3), insert—

“(3A) Where a large vehicle off road manoeuvres test and practical test are to be conducted by a DVSA examiner, such tests may be conducted concurrently and the requirements of regulation 40A(2)(c) shall not apply.”;

(c) in paragraph (4)—

- (i) in sub-paragraph (a), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”,
- (ii) in sub-paragraph (ab), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”,
- (iii) in sub-paragraph (ac), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”,
- (iv) in sub-paragraph (ad), after “specified requirements prescribed in respect of the”, insert “large vehicle off road manoeuvres test and”,
- (v) in sub-paragraph (b), after “shall consist of”, insert “a large vehicle off road manoeuvres test and”.

17. In regulation 40A (nature of tests other than extended tests), for paragraph (2), substitute—

“(2) Where a test is required to be conducted in four parts pursuant to regulation 40(3), a person—

- (a) must pass the large vehicle test of driving theory and the large vehicle test of hazard perception or have passed, within the last 2 years, those parts of a Northern Ireland test concerning the theory of driving vehicles in category C, C + E, D or D + E (including hazard perception), before they take the large vehicle off road manoeuvres test or practical test;
- (b) shall not be entitled to apply for an appointment (or, as the case may be, be nominated pursuant to regulation 33(4) or regulation 33A(4)) for a large vehicle off road manoeuvres test or a practical test in respect of a motor vehicle of a class included in category C, C + E, D or D + E until they have been furnished with—
 - (i) a valid large vehicle theory test pass certificate in respect of that category; or
 - (ii) a certificate or certificates relating to the passing of those parts of the Northern Ireland test referred to in sub-paragraph (a); and
- (c) shall not be entitled to apply for an appointment (or, as the case may be, be nominated pursuant to regulation 33(4)) for a practical test in respect of a motor vehicle of a class included in category C, C + E, D or D + E until they have been furnished with—
 - (i) a valid large vehicle off road manoeuvres test pass certificate in respect of that category; or
 - (ii) a certificate or certificates relating to the passing of those parts of the Northern Ireland test referred to in sub-paragraph (a); and
- (d) must, before taking a practical test in relation to a vehicle in category C, C + E, D or D + E, or in sub-category C1, C1 + E, D1 or D1 + E, have passed the large vehicle off road manoeuvres test in respect of a vehicle in the same category or sub-category and transmission as that in respect of which the practical test is to be taken within the last six months.”.

18. In regulation 40B (contents of the test), after paragraph (5A), insert—

“(5B) The large vehicle off road manoeuvres test may be conducted on a special testing ground or on roads.”.

19. In regulation 40C (passing the test)—

- (a) In paragraph (3), for “manoeuvres test or”, substitute “manoeuvres test, large vehicle off road manoeuvres test or”;
- (b) after paragraph (7), insert—

“(8) The specified requirements for the large vehicle off road manoeuvres test are those specified in Schedule 8B.”.

20. In regulation 43 (entitlement upon passing a test other than an appropriate driving test)—

- (a) in paragraph (2)—
 - (i) in sub-paragraph (a), after “the test,”, insert “large vehicle off road manoeuvres test,”,
 - (ii) in sub-paragraph (b), after the first occurrence of “the test,”, insert “large vehicle off road manoeuvres test,”;
- (b) in paragraph (3)—
 - (i) in sub-paragraph (a), after “the test,”, insert “large vehicle off road manoeuvres test,”,
 - (ii) in sub-paragraph (b), after the first occurrence of “the test,”, insert “large vehicle off road manoeuvres test,”.

21. In regulation 48 (evidence of the result of manoeuvres, practical or unitary test)—

- (a) for the heading, substitute “evidence of the result of manoeuvres test, large vehicle off road manoeuvres test, practical test or unitary test”;
- (b) after paragraph (ZA1), insert—

“(ZB1) A person conducting a large vehicle off road manoeuvres test shall upon completion of the test furnish—

 - (a) a person who passes the test with a large vehicle off road manoeuvres test pass certificate;
 - (b) a person who fails to pass the test with a large vehicle off road manoeuvres test statement of failure.”;
- (c) after paragraph (2), insert—

“(2A) A large vehicle off road manoeuvres test pass certificate is invalid if—

 - (a) the person to whom it is furnished is at that time ineligible, by virtue of an enactment contained in the Traffic Act or these Regulations, to take any test to which the certificate relates, or
 - (b) at the time when it was issued, the large vehicle theory test pass certificate produced to the person conducting the test in accordance with regulation 38(4) is invalid by virtue of regulation 47B(5).

(2B) A large vehicle off road manoeuvres test pass certificate is not valid for the purposes of regulation 40A(2) if—

 - (a) it is furnished in error or with an error in the particulars required to be specified in it, or
 - (b) it is invalid by virtue of paragraph (2A).”;
- (d) in paragraph (3)—
 - (i) for “practical or”, substitute “large vehicle off road manoeuvres tests, practical tests or”,
 - (ii) after “of regulation 24(1)”, insert “or regulation 24(1ZA)”.

22. In Schedule 8 (specified requirements for practical or unitary test)—

- (a) in Part 3, omit—
 - (i) paragraph (4),
 - (ii) paragraph (6) of Section C,
 - (iii) Section F;
- (b) in Part 4, omit—
 - (i) paragraph (4),
 - (ii) paragraph (6) of Section C,
 - (iii) Section F;

23. After Schedule 8A (specified requirements for manoeuvres test), insert the content of Schedule 1 of these Regulations.

24. After Schedule 10D (forms of certificate and statement), insert the content of Schedule 2 of these Regulations.

Review

25.—(1) The Secretary of State must from time to time—

- (a) carry out a review of the regulatory provisions contained in these Regulations; and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of three years beginning with the date on which these Regulations come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015^(a) requires that a report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate;
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Signed by authority of the Secretary of State for Transport

At 9.20 a.m. on 18th October 2021

Vere
Parliamentary Under Secretary of State
Department for Transport

(a) 2015 c. 26.

“ **SCHEDULE 8B** Regulations 3 and 40C(8)

**SPECIFIED REQUIREMENTS FOR LARGE VEHICLE OFF
ROAD MANOEUVRES TEST**

- 1.** The person conducting the test must be satisfied as to the ability of the candidate to—
- (a) carry out properly the activities, and
 - (b) perform competently, without danger to and with due consideration for other road users, the manoeuvres

prescribed in paragraph (2) (3), (4) or (5), as the case may be, in all respects in accordance with this Schedule.

2. In the case of candidates taking a test for a licence authorising the driving of vehicles included in category B + E, C, C + E, D or D + E, either—

- (a) perform any two of the following manoeuvres—
 - (i) reverse in a straight line and reverse right or left round a corner while keeping within the correct traffic lane;
 - (ii) turn the vehicle to face the opposite way, using forward and reverse gears;
 - (iii) park the vehicle and leave a parking space (parallel, oblique or right-angle) both forwards and in reverse, on the flat, uphill and downhill; or
- (b) reverse in an S-shaped curve.

3. In the case of candidates taking a test for a licence authorising the driving of vehicles included in category C or C + E, park the vehicle at or by a loading ramp or platform (or equivalent installation) in a position which would enable the safe loading or unloading of the trailer.

4. In the case of candidates taking a test for a licence authorising the driving of vehicles included in category D or D + E, park the vehicle in an appropriate place as would enable passengers to alight or board safely.

5. In the case of candidates taking a test for a licence authorising the driving of vehicles included in category C + E or D + E, the following manoeuvres and activities are prescribed—

- (a) uncouple the trailer from the tractor vehicle; then
- (b) park the tractor vehicle parallel to the trailer; then
- (c) drive the tractor vehicle from the parked position to in front of the tractor vehicle so that the tractor vehicle and trailer can be easily coupled; and finally
- (d) re-couple the tractor vehicle and trailer.”

SCHEDULE 2

Regulation 24

“

SCHEDULE 10E

Regulation 3

FORMS OF CERTIFICATE AND STATEMENT OF FAILURE OF LARGE VEHICLE OFF ROAD MANOEUVRES TEST RESULT

PART 1

LARGE VEHICLE OFF ROAD MANOEUVRES TEST PASS CERTIFICATE

Large Vehicle Off Road Manoeuvres Test Pass Certificate

Name of candidate.....

Driver number.....

Date of large vehicle off road manoeuvres test.....

Location.....

I certify that the candidate has been examined and has PASSED the large vehicle off road manoeuvres test prescribed for the purposes of section 89 of the Road Traffic Act 1988 and for the purposes of section 36 of the Road Traffic Offenders Act 1988*.

Category of vehicle used for large vehicle off road manoeuvres test.....

Whether vehicle fitted with automatic transmission.....Y/N

Signature of examiner/assessor.....

*Words in italics to be omitted where inapplicable

PART 2

LARGE VEHICLE OFF ROAD MANOEUVRES TEST STATEMENT OF FAILURE

Large Vehicle Off Road Manoeuvres Test Statement of Failure

(To be endorsed on the front or the reverse of the Driving Test Report Form)

Name of candidate.....

Category/ies of vehicle.....

Driver number.....

Date of test.....

The candidate has been examined and FAILED the large vehicle off road manoeuvres test prescribed for the purposes of section 89 of the Road Traffic Act 1988 *and for the purposes of section 36 of the Road Traffic Offenders Act 1988**.

Words in italics to be omitted where inapplicable

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations 1999 (S.I. 1999/2864, “the 1999 Regulations”) to provide that the off road elements of the practical driving test for large vehicles and those with heavy trailers shall be defined as a separate part of the practical test as the ‘large vehicle off road manoeuvres test’. The large vehicle off road manoeuvres tests can be conducted, in addition to DVSA examiners, by a new category of 3rd party examiners that can be appointed by the Secretary of State, defined as a ‘large vehicle off road manoeuvres test examiner’.

Regulation 3 amends regulation 3 of the 1999 Regulations to introduce definitions necessary to allow for the operation of the manoeuvres test, and clarify that the large vehicle off road manoeuvres test now forms an additional part of the practical test.

Regulation 4 amends regulation 22 of the 1999 Regulations to provide that a large vehicle off road manoeuvres test examiner can now be included in the definition of “appointed person”, and to clarify that a DVSA examiner can conduct large vehicle off road manoeuvres tests.

Regulation 5 amends regulation 24 of the 1999 Regulations to provide for the mechanism by which large vehicle off road manoeuvres test examiners can be appointed.

Regulation 6 amends regulation 25 of the 1999 Regulations to provide for the mechanism by which large vehicle off road manoeuvres test examiners can have their appointment revoked.

Regulation 7 amends regulation 31 of the 1999 Regulations to provide for the requirements for applications for large vehicle off road manoeuvres test conducted by large vehicle off road manoeuvres test examiners made in person, and clarify that no application may be made to a large vehicle off road manoeuvres test provider who has provided any form of instruction in any capacity to the applicant in person.

Regulation 8 amends regulation 33 of the 1999 Regulations to provide for the requirements for applications for large vehicle off road manoeuvres tests conducted by DVSA examiners made in person.

Regulation 9 introduces a new regulation 33A into the 1999 Regulations to provide for the requirements for applications for large vehicle off road manoeuvres tests conducted by large vehicle off road manoeuvres test examiners made by large vehicle instructors, and clarifies that no application may be made to a large vehicle off road manoeuvres test provider who has provided any form of instruction in any capacity to the applicant in person.

Regulation 10 amends regulation 34 of the 1999 Regulations to provide for the minimum length of time a person must wait after failing a large vehicle off road manoeuvres test before they can apply for another large vehicle off road manoeuvres test; one calendar day.

Regulation 11 amends regulation 35 of the 1999 Regulations to provide for large vehicle off road manoeuvres tests to be included in relevant updates to fee arrangements made in future.

Regulation 12 amends regulation 36 of the 1999 Regulations to provide for the amount of notice required to be given by a person to the large vehicle off road manoeuvres test provider where they wish to cancel their large vehicle off road manoeuvres test; three working days.

Regulation 13 amends regulation 37 of the 1999 Regulations to provide for the requirements for the test vehicle used in a manoeuvres test.

Regulation 14 amends regulation 38 of the 1999 Regulations to provide for further requirements that a person must comply with at a large vehicle off road manoeuvres test.

Regulation 15 amends regulation 39 of the 1999 Regulations to provide that an examiner can refuse to conduct a large vehicle off road manoeuvres test, in addition to other tests, in the same types of prescribed circumstances as other tests.

Regulation 16 amends regulation 40 of the 1999 Regulations to provide that the test for a licence authorising the driving of a motor vehicle of a class included in category C, C + E, D or D + E, shall, save for some additional prescribed exceptions, be conducted in four parts, namely: large vehicle test of driving theory, large vehicle test of hazard perception, large vehicle off road manoeuvres test, and a practical test of driving skills and behaviour, and a person taking such a test must pass all four parts.

Regulation 17 amends regulation 40A of the 1999 Regulations to require a person to have passed the large vehicle off road manoeuvres test before they are able to apply and take the remainder of the practical test.

Regulation 18 amends regulation 40B of the 1999 Regulations to clarify where a large vehicle off road manoeuvres test can be taken.

Regulation 19 amends regulation 40C of the 1999 Regulations to specify the manoeuvres and activities that comprise a large vehicle off road manoeuvres test are those that have been listed in the new Schedule 8B.

Regulation 20 amends regulation 43 of the 1999 Regulations to provide that large vehicle off road manoeuvres test passed in vehicles with automatic transmission or adapted on account of a disability can only, once the balance of the test is passed, authorise driving of vehicles with automatic transmission or adaptations on account of a disability respectively.

Regulation 21 amends regulation 48 of the 1999 Regulations to provide for a new pass certificate and statement of failure applicable to a large vehicle off road manoeuvres test, and clarify when such documents are not valid for the purposes of the Road Traffic Act 1988 and/or 1999 Regulations.

Regulation 22 amends Schedule 8 to the 1999 Regulations to remove the necessary off-road elements from the practical test.

Regulation 23 introduces a new Schedule 8B to the 1999 Regulations to reproduce the off-road elements removed from Schedule 8 into a new Schedule 8B applicable to large vehicle off road manoeuvres tests.

Regulation 24 introduces a new Schedule 10E to the 1999 Regulations to provide the form of the pass certificate and statement of failure applicable to a large vehicle off road manoeuvres test.

Regulation 25 provides for the Secretary of State to undertake a review of the regulatory provisions contained in these Regulations firstly after five years, and then on a five yearly basis after that.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is still being prepared because of the urgency with which these measures have been progressed. Once completed, a copy of the impact assessment will be available from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR and on www.legislation.gov.uk.

An Explanatory Memorandum is published alongside these Regulations on www.legislation.gov.uk.

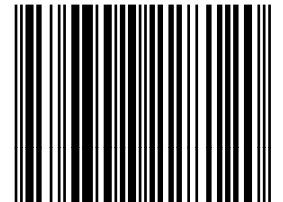
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