Draft Regulations laid before Parliament under paragraph 5(5) of Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No.

RETAINED EU LAW REFORM

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2025

Made - - - - ***

Coming into force in accordance with regulation 1(2)

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 14(2) and (7) and 20(1)(a) of the Retained EU Law (Revocation and Reform) Act 2023 ("the 2023 Act")(**a**).

The Secretary of State is a relevant national authority for the purposes of section 14(2) of the 2023 Act(**b**).

In accordance with paragraph 5(5) of Schedule 5 to the 2023 Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2025.

(2) These Regulations come into force on the day after the day on which they are made.

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

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2.—(1) The Motor Vehicles (Driving Licences) Regulations 1999(**c**) are amended as follows.

(2) In regulation 7 (competence to drive classes of vehicle: special cases)—

(a) for paragraph (11) substitute—

(**a**) 2023 c. 28.
(**b**) See section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023 for the definition of "relevant national authority".
(**c**) S.I. 1999/2864, amended by S.I. 2018/784; there are other amending instruments but none is relevant.

"(11) A person who holds a relevant full licence authorising the driving of vehicles included in category B, other than vehicles in former sub-category B1, sub-category B1 or sub-category B1 (invalid carriages), may drive—

(a) a zero-emission vehicle which has a maximum authorised mass—

(i) not exceeding 4.25 tonnes, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers, and

(ii) not exceeding 5 tonnes otherwise;

(b) a zero-emission vehicle and trailer combination which has a maximum authorised mass not exceeding 7 tonnes, comprising—

(i) a zero-emission vehicle referred to in sub-paragraph (a), and

(ii) a trailer which has a maximum authorised mass not exceeding 3.5 tonnes.";

(b) for paragraph (12) substitute—

"(12) For the purposes of this regulation, "zero-emission vehicle" means a vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1g CO2/kWh.".

Signed by authority of the Secretary of State for Transport

Name
Parliamentary Under Secretary of State
Date Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace regulation 7(11) and (12) of the Motor Vehicles (Driving Licences) Regulations 1999 (S.I. 1999/2864) ("the 1999 Regulations") which relates to the competence to drive classes of vehicles in special cases. Regulation 7(11) and (12) of the 1999 Regulations is secondary assimilated law within the meaning of section 11(2) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28).

Regulation 2 revokes and replaces provisions within regulation 7 of the 1999 Regulations allowing category B licence holders to drive a zero-emission vehicle that exceeds the maximum authorised mass of a category B vehicle. In particular, regulation 2 amends regulation 7(11) and (12) of the 1999 Regulations to:

(a) replace the reference to "an alternatively fuelled vehicle" with "zero-emission vehicle", narrowing the scope of vehicles able to benefit from the increased weight allowance;

(b) remove the restriction that prevented the towing of a trailer;

(c) remove the additional five hour training requirement;

(d) remove the requirement that any such vehicles are to be driven exclusively for the purpose of transporting goods;

(e) replace the definition of "an alternatively fuelled vehicle" with a definition of "zero-emission vehicle"; and

(f) remove the reference to the requirement that a zero-emission vehicle is not to be driven outside the territory of Great Britain. Although that express provision has been removed, the weight uplift permitted by these Regulations still applies to Great Britain only as the extent of the 1999 Regulations is Great Britain.

Regulation 2 also amends regulation 7(11) of the 1999 Regulations to provide that a category B licence holder may drive a zero-emission vehicle with a maximum authorised mass not exceeding 4.25 tonnes, or 5 tonnes for a zero-emission vehicle fitted with specialist equipment for disabled passengers, in Great Britain. A trailer allowance with a maximum authorised mass not exceeding 2.75 tonnes is also provided to align with the category B+E entitlement for standard (category B) licence holders. The vehicle and trailer combination must not exceed a maximum authorised mass of 7 tonnes.

A full impact assessment has not been produced for this instrument as there is no, or no significant, impact on the private, public or voluntary sectors. However, a de minimis assessment has been produced in respect of this instrument and is published alongside these Regulations on www.legislation.gov.uk.

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

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