Draft Regulations laid before Parliament under paragraphs 2(2) and 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

The Secretary of State makes these Regulations in exercise of the powers conferred by section 101(2) of the Road Traffic Act 1988 ("the 1988 Act")(**a**) and sections 14(2) and 20(1)(a) of the Retained EU Law (Revocation and Reform) Act 2023 ("the 2023 Act")(**b**).

The Secretary of State has consulted such representative organisations as the Secretary of State thinks fit in accordance with section 195(2) of the 1988 Act.

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

In accordance with paragraphs 2(2) and 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 twenty-first day after the day on which they are made.

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

(**a**) 1988 c. 52. Section 101 was amended by paragraph 15 of Schedule 1 to S.I. 1996/1974.
(**b**) 2023 c. 28.
(**c**) See section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023 for the definition of "relevant national authority".

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2. In the Motor Vehicles (Driving Licences) Regulations 1999(**a**), in regulation 7 (competence to drive classes of vehicle: special cases), for paragraphs (11) and (12) substitute—

"(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 of a class that would be included within category B but for its maximum authorised mass exceeding 3.5 tonnes, provided that it is not a mobile project vehicle and 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;

(c) a zero-emission vehicle of a class included in sub-category D1 and which has a maximum authorised mass 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 not exceeding 5 tonnes otherwise, provided—

(i) that person has held that licence for an aggregate period of not less than 2 years,

(ii) that person is aged 21 or over,

(iii) that person, if aged 70 or over, is not suffering from a relevant disability in respect of which the Secretary of State would be bound to refuse to grant them a Group 2 licence,

(iv) that person is driving the zero-emission vehicle on behalf of a non-commercial body for social purposes but not for hire or reward,

(v) that person receives no consideration for so doing, other than out-of-pocket expenses,

(vi) that the zero-emission vehicle has no trailer attached, and

(vii) if the person is by that licence authorised to drive only vehicles having automatic transmission, that person shall be deemed competent to drive only such zero-emission vehicles in sub-category D1 as conform to the above specification and have automatic transmission.

(12) For the purposes of this regulation—

(a) when a person drives a zero-emission vehicle of a kind specified in paragraph (11)(a) or (b) which is a "medium-sized goods vehicle" or "other motor vehicle" for the purposes of section 101 of the Traffic Act (disqualification of persons under age), that section has effect as if, for the ages specified in the Table in that section in respect of "medium sized goods vehicle" and "other motor vehicle", there were substituted the age "17", and

(**a**) S.I. 1999/2864, amended by S.I. 2018/784; there are other amending instruments but none is relevant.

(b) "zero-emission vehicle" means a vehicle without an internal combustion engine, or with an internal combustion engine that has emissions of CO2 of zero grams per kilometre.".

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 vehicle in special cases. Regulation 7(11) and (12) of the 1999 Regulations is secondary assimilated law within the meaning of section 12(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, that permit the driving of an "alternatively fuelled vehicle" in certain circumstances in excess of the maximum authorised mass that would otherwise apply, with alternative provision that achieves the same or similar objectives.

Regulation 2 amends regulation 7 of the 1999 Regulations to provide that a category B licence holder may drive in Great Britain a "zero-emission vehicle" designed and constructed for the carriage of no more than 8 passengers in addition to the driver with a maximum authorised mass not exceeding 4.25 tonnes, or 5 tonnes for a zero-emission vehicle fitted with specialist equipment intended for the carriage of disabled passengers. A trailer allowance with a maximum authorised mass not exceeding 3.5 tonnes is also provided for such zero-emission vehicles, to align with the category B+E entitlement for category B licence holders. The zero-emission vehicle and trailer combination must not exceed a maximum authorised mass of 7 tonnes.

Regulation 2 further provides that a category B licence holder may, provided certain conditions are met, drive a zero-emission vehicle of a class included in sub-category D1 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 not exceeding 5 tonnes otherwise.

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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