Draft Regulations laid before Parliament under paragraph 13(1) of Schedule 8 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2022 No. 0000

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) (Amendment) Regulations 2022

Made - - - -	*2022*
Coming into force - -	*2022*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 89(3) and (4)(a), 105(1), (2)(a), (ee) and (3) of the Road Traffic Act 1988(**a**).

The Secretary of State has consulted with representative organisations in accordance with section 195(2) of the Road Traffic Act 1988.

In accordance with paragraph 13(1) of Schedule 8 to the European Union (Withdrawal) Act 2018(**b**), a draft of this instrument has been laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations 2022 and come into force on the 22nd day after the day on which they are made.

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

Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

2. The Motor Vehicles (Driving Licences) Regulations 1999(**c**) are amended in accordance with the following regulations.

(**a**) 1988 c. 52. Section 89(3)(a) was amended by the Road Traffic Act 1991 (c. 40) ("the 1991 Act"), Schedule 4, paragraph 63 and the Road Safety Act 2006 (c. 49) ("the 2006 Act"), section 36(1) and (2)(a). Section 89(4)(a) was amended by the 2006 Act, section 36(1) and (3)(a)-(c). Section 105(2)(a) was substituted by S.I. 1996/1974 and amended by the Crime (International Co-operation) Act 2003 (c. 32), Schedule 5, paragraphs 17 and 23(a)(i) and the 2006 Act, section 10(12), Schedule 3, paragraphs 2, 13(1), (2)(a). Section 105(2)(ee) was inserted by the Road Traffic Driver Licensing and Information Systems Act 1989 (c. 22) and amended by the 1991 Act, Schedule 8.

(**b**) 2018 c. 16. Paragraph 13(1) has been amended by the European Union (Withdrawal Agreement) Act 2020 (c. 1), Schedule 5, paragraph 54.

(**c**) S.I. 1999/2864. Regulation 37 was amended by S.I. 2003/2003, S.I. 2006/524, S.I. 2009/788, S.I. 2012/977, S.I. 2013/1753, S.I. 2014/613, and S.I. 2018/1251. Regulation 45 was amended by S.I. 2012/977, S.I. 2014/613 and S.I. 2014/3190. Schedule 9 was amended by S.I. 2014/3190.

3. In regulation 37 (test vehicles), in Table 1, for the entry in column (2) (specification or description) corresponding to sub-category A2 in column 1 (category or sub-category), for "395 cubic centimetres" substitute "245 cubic centimetres".

4. In regulation 45 (upgrading of entitlements by virtue of passing second test), omit paragraph (7).

5. In Schedule 9 (upgraded entitlements on passing second test), for Table B substitute the table set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Transport

Name
Parliamentary Under Secretary of State
Department for Transport

Date

SCHEDULE

Regulation 5

"TABLE B

	Manual test pass in category (or sub-category):-									
(A) Automatic test pass	(1) B	(2) B + E	(3) C1	(4) C	(5) C1+E	(6) C+E	(7) D1	(8) D	(9) D1+E	(10) D+E
B+E	B+E	–	B+E	B+E	B+E	B+E	B+E	B+E	B+E	B+E
C1	C1	C1	–	C1	C1	C1&C1+E	C1	C1	C1	C1
C	C	C	C	–	C	C	C1&C	C	C1&C	C
C1+E	C1+E	C1+E	C1+E	C1+E	–	C1+E	C1+E	C1+E	C1+E	C1+E
C+E	C+E	C+E	C+E	C+E	C+E	–	C+E	C+E&D+E	C+E	C+E
D1	D1	D1	D1	D1	D1	D1	–	D1	D1	D1&D1+E
D	D	D	D	D	D	D&D+E	D	–	D	D
D1+E	D1+E	D1+E	D1+E	D1+E	D1+E	D1+E	D1+E	D1+E	–	D1+E
D+E	D+E	D+E	D+E	D+E	D+E	D+E	D+E	D+E	D+E	–"

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" and make provision for changes to the specification requirements for category A2 motorcycles used for practical driving tests, and the upgrading of entitlements where a second driving test is passed in an automatic transmission vehicle.

Regulation 3 reduces the minimum test vehicle requirement for the engine size of a motorcycle used on the A2 motorcycle test from 395 cubic centimetres to 245 cubic centimetres.

Regulation 4 omits a paragraph in Regulation 45 which is no longer relevant because all references to "(a)" in Table B were removed when Table B was substituted by the Road Traffic Act 1988 and Motor Vehicles (Driving Licences) (Amendment) Regulations 2014 (S.I. 2014/3190).

Regulation 5 introduces a new Table B in Schedule 9 to the 1999 Regulations which is to be read with Regulation 45 (upgrading of entitlements by virtue of passing a second test) of those Regulations. Table B indicates that passing a driving test in an automatic transmission vehicle of a category listed in column A will result in the candidate being granted a manual transmission vehicle driving entitlement for that category too, if they have already passed a driving test in a manual transmission vehicle of a category listed in one or more corresponding columns (1) to (10). The new Table re-states the existing Table but adds some new entries to provide for such manual driving entitlement to be granted in respect of vehicle categories B+E (car and trailer), C1 (medium-sized lorries), D1 (mini buses), C1+E (medium sized lorry + trailer), and D1+E (mini bus + trailer).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is available alongside the instrument at www.legislation.gov.uk.

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