1969 No. 903

ROAD TRAFFIC

The Heavy Goods Vehicles (Drivers' Licences) Regulations 1969

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The Minister of Transport in exercise of his powers under sections 20, 21 and 29 of, and paragraph 20(3) of Schedule 1 to, the Road Safety Act 1967(a) and section 19 of the said Act of 1967 as amended by section 16(5) of the Vehicle and Driving Licences Act 1969(b), and sections 194 and 196 of the Road Traffic Act 1960(c) and paragraph 1 of Schedule 15 to the said Act of 1960 as amended by section 16(2) of, and paragraph 13 of Schedule 2 to, the said Act of 1969, and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with the provisions of section 29(6) of the said Act of 1967 and section 260(2) of the said Act of 1960, hereby makes the following Regulations:—

(a) 1967 c. 30. (b) 1969 c. 27.
(c) 8 & 9 Eliz. 2. c. 16.

PART I—PRELIMINARY

Commencement and citation

1. These Regulations shall come into operation on the 4th August 1969 and may be cited as the Heavy Goods Vehicles (Drivers' Licences) Regulations 1969.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act of 1960" means the Road Traffic Act 1960 as amended by the Act of 1967 and by the Vehicle and Driving Licences Act 1969;

"the Act of 1967" means the Road Safety Act 1967 as amended by the Vehicle and Driving Licences Act 1969;

"articulated vehicle" means a motor car or heavy motor car as defined in section 253(2) and (3) of the Act of 1960 so constructed that a trailer may by partial superimposition be attached thereto in such a manner as to cause a substantial part of the weight of the trailer to be borne thereby and which has a trailer so attached;

"clerk to the traffic commissioners" means the clerk to the traffic commissioner for the Metropolitan Traffic Area or the clerk to the traffic commissioners for any other traffic area;

"full licence" means a hgv driver's licence other than a provisional hgv driver's licence;

"hgv driver's licence" means a heavy goods vehicle driver's licence;

"licensing authority" has the same meaning as in section 193(1) of the Act of 1960;

"test" means a test of competence to drive heavy goods vehicles of any class conducted under section 19(2) of the Road Safety Act 1967.

"vehicle with automatic transmission" shall mean a vehicle in which the driver is not provided with any means whereby he may, independently of the use of the accelerator or the brakes, vary gradually the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle.

(2) In these Regulations, unless the context otherwise requires—

(*a*) any reference to a class or classes of heavy goods vehicles is a reference to one of the classes or to the classes of heavy goods vehicles specified in Schedule 1 to these Regulations;

(*b*) any reference to a numbered class of such vehicles is a reference to the class of that number specified in that Schedule; and

(*c*) any reference to additional classes, in relation to a class of heavy goods vehicles, is a reference to the classes specified in the column in that Schedule headed "additional classes" in relation to that class.

(3) In these Regulations any reference to any enactment or instrument shall be construed, unless the context otherwise requires, as a reference to that enactment or instrument as amended, re-enacted or replaced by any subsequent enactment or instrument.

(4) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(a) 52 & 53 Vict. c. 63.

PART II—LICENCES

Applications for licences

3.—(1) A person who desires to obtain the grant of a hgv driver's licence shall—

(*a*) furnish to the appropriate licensing authority all relevant particulars and make any relevant declaration specified in such form as the Minister of Transport may require,

(*b*) submit his application not more than two months before the date on which the licence is to have effect,

(*c*) if he is a person to whom paragraph 3(*a*) of Schedule 15 to the Act of 1960 applies, submit his application not more than six months prior to the time of expiry of his licence granted under Part II of the Act of 1960 which, at the beginning of the appointed day, authorised him to drive a heavy goods vehicle, and

(*d*) send with his application—

(i) if required by the licensing authority, a certificate in such form as the Minister of Transport may require signed by a registered medical practitioner as that expression is construed by section 5(2) of the Medical Act 1956(a) not more than three months prior to the date on which the licence is to have effect,

(ii) if he is an applicant for a hgv driver's licence under paragraph 1 of Schedule 15 to the Act of 1960, a certificate in such form as the Minister of Transport may require,

(iii) his licence granted under Part II of the Act of 1960,

(iv) the fee for the hgv driver's licence, and

(v) a pass certificate showing that he has passed the test within the relevant period for the class of heavy goods vehicles which the hgv driver's licence applied for will authorise him to drive except in the case of an application for a provisional licence or a hgv driver's licence under paragraph 1 of Schedule 15 to the Act of 1960 or where he has held a full hgv driver's licence authorising him to drive such vehicles within the relevant period.

In this sub-sub-paragraph "relevant period" means the period specified in section 19(2) of the Act of 1967 ending on the date of the coming into force of the hgv driver's licence applied for.

(2) Any application for a hgv driver's licence which does not comply with the foregoing paragraph may be treated by the licensing authority as of no effect, but where the licensing authority so treats such an application or refuses the grant of a licence any fee and any documents required by sub-paragraph (*d*) of that paragraph to be sent with the application shall be returned to the applicant.

(3) A person shall not apply for a hgv driver's licence if—

(*a*) he holds a hgv driver's licence which has been suspended,

(*b*) he is disqualified for holding or obtaining a hgv driver's licence,

(*c*) he is disqualified by a court for holding or obtaining a licence to drive a motor vehicle granted under Part II of the Act of 1960, or

(*d*) in the event of the application being granted he would hold more than one hgv driver's licence.

(a) 4 & 5 Eliz. 2. c. 76.

(4) In this Regulation "appropriate licensing authority" means the licensing authority to whom the application for a licence is required to be made in accordance with section 193 of the Act of 1960 or Regulation 25 of these Regulations, as the case may be.

Qualifications of applicants

4. An applicant for a hgv driver's licence shall have the following qualifications, experience and knowledge:—

(*a*) he must not be a person to whom paragraph (3) of the last preceding Regulation applies;

(*b*) he shall not suffer from any disease or physical disability likely to cause the driving by him of a heavy goods vehicle to be a source of danger to the public;

(*c*) he shall on the date of commencement of the hgv driver's licence applied for be aged 21 years or over in the case of an applicant for a hgv driver's licence for class 1, 1A, 2, 2A, 3, or 3A, of heavy goods vehicles (except in the case of an applicant for a hgv driver's licence to drive motor vehicles, owned by the Secretary of State for Defence and used for naval, military or air force purposes, or motor vehicles so used while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown) or 17 years or over in the case of an applicant for a hgv driver's licence for class 4 or 4A of such vehicles; and

(*d*) he shall hold a licence granted under Part II of the Act of 1960 authorising him to drive a vehicle or vehicles in the class of heavy goods vehicles in respect of which he desires to obtain the grant of a licence.

Issue of licences

5. If the licence held by the applicant under Part II of the Act of 1960 contains a provision under section 100(4) of that Act limiting the applicant to the driving of vehicles of a particular construction or design only, any full licence granted to the applicant to drive a heavy goods vehicle shall contain a corresponding limitation.

Form of licences

6.—(1) hgv drivers' licences shall be issued in the form of a book containing:—

(*a*) in the case of a full licence, particulars in the form set out in Part I of Schedule 2 to these Regulations,

(*b*) in the case of a provisional licence, particulars in the form set out in Part II of that Schedule.

(2) Where an applicant for a hgv driver's licence is already a holder of a hgv driver's licence the licensing authority may, instead of issuing him with a new book, issue the appropriate hgv driver's licence by affixing in the book already held a page or pages containing such particulars as would fall to be included in any new book issued to the applicant.

Signature of licences

7. Every person to whom a hgv driver's licence is granted shall forthwith sign it in ink with his usual signature.

Fees for licences

8. The fee for the grant of a full licence shall be £1 and the fee for the grant of a provisional licence shall be 10s. 0d.:

Provided that the fee for a full licence granted for a period less than three years by virtue of paragraph 4 of Schedule 15 to the Act of 1960 shall be reduced proportionately.

Provisional licences

9.—(1) A full licence to drive any class of heavy goods vehicles shall also be treated for the purposes of Part V of the Act of 1960 as a provisional licence to drive heavy goods vehicles of any other class which the holder is not prohibited under section 97 of the Act of 1960 by reason of his age from driving.

(2) Subject to paragraph (3) of this Regulation, a provisional licence, including a full licence which is treated as a provisional licence under the foregoing paragraph, shall be subject to the following conditions, that is to say the holder shall not drive a heavy goods vehicle of any class which he may drive by virtue of the provisional licence—

(*a*) otherwise than under the supervision of a person who is present with him in the vehicle and who either holds a full licence to drive that class of vehicle or is a person who by virtue of paragraph 3(*a*) of Schedule 15 to the Act of 1960 is the holder of a licence issued under Part II of that Act, other than a provisional licence, authorising him to drive heavy goods vehicles of that class;

(*b*) unless there is clearly displayed in a conspicuous manner on the front and on the back of the vehicle a distinguishing mark in the form set out in Schedule 3 to these Regulations;

(*c*) which is being used to draw a trailer, except where the trailer is part of an articulated vehicle being driven by the holder.

(3) The condition specified in paragraph 2(*a*) of this Regulation shall not apply whilst the holder of a provisional licence is undergoing a test.

Suspension or revocation

10.—(1) The holder of a hgv driver's licence which has been suspended or revoked by a licensing authority shall on receipt of notice either delivered to the holder personally or sent by the recorded delivery service to the holder's last known address of the decision of the licensing authority to suspend or revoke the licence forthwith deliver it to the licensing authority for endorsement or cancellation.

(2) A licensing authority who suspends a hgv driver's licence shall endorse particulars of the suspension on the hgv driver's licence and shall return it to the holder at the end of the period of suspension on a demand in writing being made by that person.

Removal of disqualification

11.—(1) A licensing authority may remove a disqualification under paragraph (*a*) of section 19(3) of the Act of 1967 if the application for the removal of the disqualification is made after the expiration of whichever is relevant of the following periods from the commencement of the disqualification, that is to say—

(*a*) two years, if the disqualification is for less than four years;

(*b*) one half of the period of the disqualification, if it is for less than ten years but not less than four years;

(*c*) five years in any other case, including disqualification for an indefinite period.

(2) Where an application under section 19(4) of the Act of 1967 and the preceding paragraph for the removal of a disqualification is refused, a further such application in respect of the same person shall not be entertained if made within three months after the date of refusal.

Withdrawal of licence under Part II of the Act of 1960

12.—(1) If the holder of a hgv driver's licence is disqualified for holding or obtaining a licence under Part II of the Act of 1960, or if such a licence is refused or revoked under section 100 of the Act of 1960, he shall forthwith—

(*a*) notify the licensing authority in whose area he resides of the particulars of the disqualification refusal or revocation, and

(*b*) deliver his hgv driver's licence to that licensing authority.

(2) Where a person who has delivered his hgv driver's licence to a licensing authority in accordance with the foregoing paragraph ceases to be disqualified, unless the hgv driver's licence has been revoked or a period of suspension is still current, the licensing authority on production of that person's licence granted under the said Part II shall return the hgv driver's licence to him if it has not expired.

Lost, defaced and exchanged licences

13.—(1) If the holder of a hgv driver's licence satisfies the licensing authority by whom it was granted that the hgv driver's licence has been lost or defaced the licensing authority shall, on payment of a fee of 5s. 0d. and in the case of a defaced hgv driver's licence on surrender to the licensing authority of the licence, issue to him a duplicate hgv driver's licence and shall endorse thereon particulars of any suspension endorsed upon the original hgv driver's licence and the duplicate so issued shall have the same effect as the original.

(2) If at any time while a duplicate, which was issued in the place of a lost hgv driver's licence, is in force the original hgv driver's licence is found and the person to whom the original hgv driver's licence was issued becomes aware of that fact he shall forthwith inform the licensing authority and, if it is not in his possession, take all reasonable steps to obtain possession of it, and if it is in his possession or he obtains possession of it shall return it as soon as may be to the licensing authority by whom it was issued.

(3) If the holder of a hgv driver's licence surrenders it and applies for a new hgv driver's licence he shall, if he so requires, on payment of a fee of 5s. 0d. be granted a hgv driver's licence to continue in force only for the period for which the surrendered licence would have continued if not surrendered.

Production of licences

14.—(1) Subject to paragraph (5) of this Regulation, any such person as follows, that is to say,—

(*a*) the driver of a heavy goods vehicle on a road, or

(*b*) a person who accompanies the holder of a provisional licence while the holder is driving a heavy goods vehicle on a road,

shall, on being so required by a police constable or an examiner appointed under section 183 of the Act of 1960, produce his hgv driver's licence for examination, so as to enable the constable or examiner to ascertain the name and address of the holder of the hgv driver's licence, the date of issue, and the authority by which it was issued, and shall, on being so required by an examiner as aforesaid, give his name and address and acknowledge that such information as recorded by the examiner on the examiner's record sheet is correct by signing the said record sheet.

(2) Subject to paragraph (5) of this Regulation, any such person as follows, that is to say,—

(*a*) a person whom a police constable has reasonable cause to believe to have been the driver of a heavy goods vehicle at a time when an accident occurred owing to its presence on a road, or

(*b*) a person whom a police constable has reasonable cause to believe to have committed an offence in relation to the use of a heavy goods vehicle on a road,

shall, on being so required by a police constable, produce his hgv driver's licence for examination so as to enable the constable to ascertain the name and address of the holder of the hgv driver's licence, the date of issue, and the authority by whom it was issued.

(3) Subject to paragraph (5) of this Regulation, where a hgv driver's licence has been suspended or revoked by a licensing authority, then if the holder of the hgv driver's licence fails to deliver it to that authority for endorsement or cancellation as required by Regulation 10(1) of these Regulations, a police constable or an examiner appointed under section 183 of the Act of 1960 may require him to produce it, and upon its being produced may seize it and deliver it for endorsement or cancellation to that authority.

(4) Subject to paragraph (5) of this Regulation, where a police constable or an examiner appointed under section 183 of the Act of 1960 has reasonable cause to believe that the person to whom a licence has been granted, or any other person, has knowingly made a false statement for the purpose of obtaining the grant of the hgv driver's licence, the police constable or examiner may require the holder of the hgv driver's licence to produce it to him.

(5) If any person is unable to produce his hgv driver's licence when required to do so in accordance with any of the foregoing paragraphs of this Regulation, it shall be a sufficient compliance with that paragraph if—

(*a*) in a case where the hgv driver's licence was required by a police constable to be produced, within five days after the production of his hgv driver's licence was so required he produces the hgv driver's licence in person for examination for the same purposes at such police station as may have been specified by him at the time its production was required, or

(*b*) in a case where the hgv driver's licence was required by an examiner appointed under section 183 of the Act of 1960 to be produced, within ten days after the production of his hgv driver's licence was so required it is produced for examination for the same purposes at the office of such examiner appointed under section 183 of the Act of 1960 or such licensing authority as may have been specified by him at the time its production was required.

(6) The holder of a hgv driver's licence shall, upon being required to do so by a licensing authority cause his hgv driver's licence or his licence granted under Part II of the Act of 1960 to be produced to that authority within ten days after the day on which the requirement was made.

PART III—TESTS

Applications for tests

15.—(1) A person who desires to take a test to be conducted by an examiner appointed under Regulation 17(1)(*a*) of these Regulations shall apply for an appointment for a test to the clerk to the traffic commissioners for the area in which the driving test centre at which the applicant wishes to be tested is situated.

(2) An applicant for such an appointment shall, when making the application, specify the class of goods vehicles in respect of which he desires to take the test and pay to the said clerk the fee for the test prescribed by Regulation 22.

(3) Upon receipt of an application and fee for a test in accordance with this Regulation from a person qualified in accordance with the next following Regulation to take the test applied for the said clerk shall make arrangements for the taking of the test and offer the applicant an appointment.

(4) A person who has previously submitted himself for a test and failed to pass shall not submit himself for a test before the expiration of one month from the date of the previous test, except under an order of a court or sheriff under section 20(3) of the Act of 1967.

Qualifications of applicants for a test of competence

16. An applicant for a test shall hold licences granted under Part II and Part V of the Act of 1960 entitling him to drive a vehicle or vehicles in the class of heavy goods vehicles in respect of which he desires to take the test:

Provided that this Regulation shall not require an applicant to hold a licence under Part V of the Act of 1960 if he is a person to whom paragraph 3(*a*) of Schedule 15 to the Act of 1960 applies.

Persons who may conduct tests

17.—(1) Tests may be conducted by—

(*a*) examiners appointed for that purpose by the Minister of Transport,

(*b*) examiners appointed for that purpose by the Secretary of State, in so far as concerns the testing of persons subject to the Naval Discipline Act 1957(**a**), to military law or to air force law, or of persons employed in the driving of motor vehicles for the purposes of the naval, military or air forces of Her Majesty raised in the United Kingdom,

(*c*) in England and Wales, by the chief officer of any fire brigade maintained in pursuance of the Fire Services Act 1947(**b**) or, in Scotland by the fire-master of such a brigade, in so far as concerns the testing of members of any such brigade or of persons employed in the driving of motor vehicles for the purposes of any such brigade,

(**a**) 1957 c. 53. (**b**) 10 & 11 Geo. 6. c. 41.

(*d*) any chief officer of police in so far as concerns the testing—

(i) of members of a police force, or

(ii) of persons employed in the driving of vehicles for police purposes by a police authority, or by the Receiver for the Metropolitan Police District or by the Commissioner of Police for the Metropolis.

(2) Any person authorised by virtue of sub-paragraph (*c*) or (*d*) of the preceding paragraph of this Regulation to conduct tests may, subject to the approval of the Minister of Transport, authorise suitable persons to act as examiners of those who submit themselves for a test.

Nature of tests

18. The nature of the test shall be that the candidate shall satisfy the examiner that—

(*a*) he is fully conversant with the contents of the Highway Code,

(*b*) he has sufficient knowledge of the mechanical operation of the vehicle on which he is tested, including at the discretion of the examiner the effect of distribution of load on the performance of the vehicle, to enable him to drive it safely,

(*c*) he is competent to drive without danger to and with due consideration for other users of the road, the vehicle on which he is tested,

(*d*) he is able to perform safely and competently the operations specified in Schedule 4 to these Regulations.

Results of tests

19. A person who has passed a test to drive a class of heavy goods vehicles shall be deemed for the purposes of Part V of the Act of 1960 to have passed in addition the test for any additional classes of heavy goods vehicles relating to that class.

Evidence of results of tests

20.—(1) A person who passes a test shall be furnished with a certificate to that effect in the form (adapted as the case may require) set out in Part I of Schedule 5 to these Regulations.

(2) A person who fails to pass a test shall be furnished with a statement to that effect in the form (adapted as the case may require) set out in Part II of Schedule 5 to these Regulations.

Production of vehicle for test, etc.

21.—(1) A person submitting himself for a test shall—

(*a*) provide for the purpose of the test a vehicle which:—

(i) is a vehicle of the class in respect of which he requires to be tested and in the case of a test in respect of class 2, 2A, 3 or 3A not be an articulated vehicle or the tractive unit thereof;

(ii) is suitable for the purpose of the test;

(iii) is not carrying any goods or burden of any description;

(iv) is fitted with a seat which is firmly secured to the vehicle and in such a position that the examiner may properly conduct the test from it and afford adequate protection from bad weather to the examiner when conducting the test;

(v) is not a vehicle in respect of which any person is required to be employed as a driver or attendant in addition to the applicant under section 72 of the Act of 1960; and

(vi) is not fitted with a device designed to permit a person other than the driver to operate the accelerator, unless any pedal or lever by which the device is operated and any other parts which it may be necessary to remove to make the device inoperable by such a person during the test have been removed; and

(*b*) produce to the examiner who is to conduct the test his driving licence granted under Part II of the Act of 1960 and his licence granted under Part V of that Act and shall sign the examiner's attendance record:

Provided that this sub-paragraph shall not require him to produce a licence under Part V of the Act of 1960 if he is a person to whom paragraph 3(*a*) of Schedule 15 to the Act of 1960 applies.

(2) Where a person submitting himself for a test provides a vehicle which does not comply with the foregoing paragraph or fails to produce his licences as aforesaid or fails to sign the examiner's attendance record the examiner may refuse to conduct the test.

Fees for tests

22. The fee payable in respect of a test to be conducted by an examiner appointed under Regulation 17(1)(*a*) of these Regulations shall be £6.

Refund of fees

23. The fee paid in pursuance of Regulations 15 and 22 on application for an appointment for a test may be repaid in the following cases and not otherwise, that is to say:—

(*a*) if no such appointment is made, or an appointment made is subsequently cancelled by or on behalf of the Minister of Transport;

(*b*) if the person for whom the appointment is made gives notice cancelling the appointment to the clerk to the traffic commissioners by whom the appointment was made of not less than three clear days (excluding Saturdays, Sundays, any bank holiday, Christmas Day or Good Friday) before the date of the appointment.

For the purposes of this Regulation "bank holiday" means a day which is, or is to be observed as, a bank holiday, or a holiday, under the Bank Holidays Act 1871(a) or the Holidays Extension Act 1875(b), either generally or in the locality in which is situated the office of the clerk to the traffic commissioners to whom notice cancelling an appointment for a test falls to be given;

(*c*) if the person for whom the appointment is made keeps the appointment but the test does not take place, or is not completed, for reasons attributable neither to him nor to any vehicle provided by him for the purposes of the test; or

(a) 34 & 35 Vict. c. 17. (b) 38 & 39 Vict. c. 13.

(*d*) if an order for repayment of the fee is made by a court or sheriff under section 20(3) of the Act of 1967 pursuant to a finding that the test was not properly conducted in accordance with these Regulations.

Additional qualification

24.—(1) A person who passes a test shall be treated as having passed the test of competence prescribed under section 99(2) of Part II of the Act of 1960 to drive:—

(*a*) if he is under the age of 21 years:—

(i) motor cars, if the vehicle on which he passes the test is not a vehicle with automatic transmission, or

(ii) motor cars with automatic transmission, if the vehicle on which he passes the test is a vehicle with automatic transmission; or

(*b*) if he is 21 years of age or over:—

(i) vehicles in group 1A of Schedule 5 to the Motor Vehicles (Driving Licences) Regulations 1963(**a**), as amended by the Motor Vehicles (Driving Licences) (Amendment) Regulations 1969(**b**), if the vehicle on which he passes the test is not a vehicle with automatic transmission, or

(ii) vehicles in group 1B of Schedule 5 to the said Regulations of 1963, as so amended, if the vehicle on which he passes the test is a vehicle with automatic transmission;

if-(*a*) at the time he takes the test he is the holder of a provisional licence granted under the said Part II, and

(*b*) at that time he does not hold and is not entitled to be granted a full licence under the said Part II in respect of any such vehicle:

Provided that if the test proves his competence to drive vehicles of a particular construction or design only he shall be treated as having passed the said test of competence to drive such vehicles in that group only.

(2) A person who is treated as having passed the test of competence prescribed under section 99(2) of Part II of the Act of 1960 under paragraph (1) of this Regulation shall be furnished with a certificate to that effect in the form (adapted as the case may require) set out in Part III of Schedule 5 to these Regulations.

PART IV—SUPPLEMENTARY

Service personnel

25. The function of issuing licences under Part V of the Act of 1960 to persons subject to the Naval Discipline Act 1957, to military law or to air force law to drive such vehicles and of revoking and suspending such licences shall be exercisable by the licensing authority for the South Eastern Traffic Area.

Northern Irish licences

26.—(1) The licensing authority for the North Western Traffic Area is hereby prescribed for the purposes of section 19(8) and (9) of the Act of 1967 (suspension, revocation and disqualification in respect of Northern Ireland licences as respects Great Britain).

(**a**) S.I. 1963/1026 (1963 II, p. 1730). (**b**) S.I. 1969/252 (1969 I, p. 640).

(2) For the purposes of section 19(9) of the Act of 1967 (appeals in respect of a Northern Ireland licence against suspension, revocation or disqualification) the holder of a Northern Ireland licence may appeal for a reconsideration of his case to:—

(i) a magistrates' court which he may nominate at the time he puts down his appeal, or

(ii) in the absence of a nomination of a particular court under (i), the magistrates' court in whose area the office of the licensing authority for the North Western Traffic Area is located.

Offences

27. It is hereby declared that a contravention of or failure to comply with Regulation 3(3), 7, 9(2), 10(1), 12(1), 13(2), 14 or 15(4) is an offence, and accordingly by virtue of section 20(2) of the Act of 1967 a person who contravenes or fails to comply with such a Regulation is liable on summary conviction to a fine not exceeding £20.

Exemptions

28.—(1) Part V of, and paragraph 1 of Schedule 15 to, the Act of 1960 shall not apply to heavy goods vehicles of the following classes:—

(*a*) track laying vehicles;

(*b*) vehicles propelled by steam;

(*c*) road rollers;

(*d*) road construction vehicles used or kept on the road solely for the conveyance of built-in road construction machinery (with or without articles or materials used for the purpose of that machinery);

(*e*) engineering plant;

(*f*) works trucks;

(*g*) an industrial tractor, that is to say a tractor, not being a land tractor, having an unladen weight not exceeding 3½ tons, designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement or implements designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load), and which is so constructed as to be incapable of exceeding a speed of 20 miles per hour on the level under its own power.

(*h*) land locomotives and land tractors;

(*i*) digging machines;

(*j*) vehicles exempted from excise duty by virtue of section 6(6) of the Vehicles (Excise) Act 1962(a) (vehicles used less than a certain distance on public roads);

(*k*) any motor car as defined in section 253(2) of the Act of 1960 so constructed that a trailer may by partial superimposition be attached thereto in such a manner as to cause a substantial part of the weight of the trailer to be borne thereby, but which has no trailer attached;

(*l*) vehicles used as public service vehicles as defined in sections 117 and 118 of the Act of 1960;

(a) 10 & 11 Eliz. 2. c. 13.

(*m*) vehicles used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;

(*n*) vehicles registered before 1st January 1940 used unladen and not drawing a laden trailer;

(*o*) vehicles in the service of a visiting force or headquarters;

(*p*) wheeled armoured vehicles being the property of, or for the time being under the control of, the Secretary of State for Defence;

(*q*) a vehicle driven by a police constable for the purpose of removing or avoiding obstruction to other road users or danger to other road users or members of the public, for the purpose of safeguarding property, including the heavy goods vehicle and its load, or for other similar purposes; and

(*r*) any articulated vehicle, the tractive unit of which does not exceed 15 cwt unladen weight.

(2) Paragraph 1 of Schedule 15 to the Act of 1960 shall not apply in a case to which section 192(3) of that Act applies, or to heavy goods vehicles to which section 192(4) of that Act applies.

(3) In this Regulation:—

(*a*) "track laying", in relation to a vehicle, means that the vehicle is so designed and constructed that the weight thereof is transmitted to the road surface either by means of continuous tracks or by a combination of wheels and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle;

(*b*) "road construction vehicle" and "road construction machinery" have the meanings given thereto by section 6(8) of the Vehicles (Excise) Act 1962;

(*c*) "works truck" has the meaning given thereto in Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1968(**a**);

(*d*) "engineering plant," "land locomotive" and "land tractor" have the meanings given thereto in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1969(**b**);

(*e*) "digging machine" has the meaning given thereto in Schedule 3 to the Vehicles (Excise) Act 1962;

(*f*) expressions used in sub-paragraph (*n*) of paragraph (1) have the same meaning as in the Visiting Forces and International Headquarters (Application of Law Order) 1965(**c**).

Transitional licences

29.—(1) Any hgv driver's licence granted under paragraph 1 of Schedule 15 to the Act of 1960 to an applicant who has been in the habit of driving, during any period or periods referred to in the said paragraph 1, a heavy goods vehicle or vehicles of any class shall be granted in respect of each class of heavy goods vehicles which he has been in the habit of driving during the said period or periods and in respect of such additional classes relating to that class.

(2) Any hgv driver's licence granted under paragraph 1 of the said Schedule 15 to an applicant, who is unable to satisfy the licensing authority that he qualifies under the preceding paragraph but who can satisfy the licensing authority

(**a**) S.I. 1968/601 (1968 I, p. 1372). (**b**) S.I. 1969/321 (1969 I, p. 829).

(**c**) S.I. 1965/1536 (1965 II, p. 4462).

that during periods referred to in the said paragraph 1 and amounting in aggregate to six months he has been in the habit of driving heavy goods vehicles of a combination of classes, shall be restricted to the lowest class of heavy goods vehicles comprised in that combination and such additional classes (if any) relating to that class.

In construing for the purposes of this paragraph the reference to the lowest class of heavy goods vehicles, class 1 in column 1 of Schedule 1 to these Regulations shall be treated as the highest class and each succeeding class in that column shall be treated as lower than any preceding class.

Revocations

30. The Heavy Goods Vehicles (Drivers' Licences) Regulations 1936(**a**) and the Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations 1938(**b**), each as having effect by virtue of section 267(2) of, and paragraph 1 of Schedule 19 to, the Road Traffic Act 1960, are hereby revoked.

Given under the Official Seal of the Minister of Transport the 1st July 1969.

(L.S.)

Richard Marsh,
Minister of Transport.

(**a**) S.R. & O. 1936/1244 (Rev. XX, p. 478: 1936 II, p. 2185).

(**b**) S.R. & O. 1938/451 (Rev. XX, p. 478, 1938 II, p. 3017).

(See Regulations 2, 3, 4, 9, 19, 21 and 29)

SCHEDULE 1

Classes of heavy goods vehicles

1 Class	2 Definition	3 Additional Classes
Class 1	an articulated vehicle not with automatic transmission, other than a vehicle coming within class 4.	Classes 1A, 2, 2A, 3, 3A, 4 and 4A
Class 1A	an articulated vehicle with automatic transmission, other than a vehicle coming within class 4A.	Classes 2A, 3A and 4A
Class 2	a heavy goods vehicle not with automatic transmission, other than an articulated vehicle, designed and constructed to have more than four wheels in contact with the road surface.	Classes 2A, 3 and 3A
Class 2A	a heavy goods vehicle with automatic transmission, other than an articulated vehicle, designed and constructed to have more than four wheels in contact with the road surface.	Class 3A
Class 3	a heavy goods vehicle not with automatic transmission, other than an articulated vehicle, designed and constructed to have not more than four wheels in contact with the road surface.	Class 3A
Class 3A	a heavy goods vehicle with automatic transmission, other than an articulated vehicle, designed and constructed to have not more than four wheels in contact with the road surface.	
Class 4	an articulated vehicle not with automatic transmission, the tractive unit of which does not exceed two tons unladen weight.	Class 4A
Class 4A	an articulated vehicle with automatic transmission, the tractive unit of which does not exceed two tons unladen weight.	

For the purposes of the above definitions where a vehicle is fitted with two wheels in line transversely and the distance between the centres of their respective areas of contact with the road is less than 18 inches they shall be regarded as only one wheel,

(See Regulation 6)

SCHEDULE 2

PART I

Form of heavy goods vehicle full driver's licence.

Road Traffic Act 1960
Road Safety Act 1967
HEAVY GOODS VEHICLE
DRIVER'S LICENCE

Issued by the Licensing Authority for
[
Space for name and address of holder
]

is hereby authorised to drive heavy goods vehicles of Classes
1, 1A, 2, 2A, 3, 3A, 4, 4A
.....
.....
.....

from .....until .....inclusive.

PROVISIONAL LICENCE

This licence has effect as a provisional licence in respect of the classes of heavy goods vehicles for which it is not a full licence. Such heavy goods vehicles may be driven subject to the conditions applying to provisional licence holders and the minimum age requirements being satisfied.

Usual signature of licensee.....

PART II

Form of heavy goods vehicle provisional driver's licence.

Road Traffic Act 1960
Road Safety Act 1967
HEAVY GOODS VEHICLE
PROVISIONAL DRIVER'S LICENCE

Issued by the Licensing Authority for
[
Space for name and address of holder
]

is hereby authorised to drive heavy goods vehicles of [all Classes] [Classes 4 and 4A] subject to the conditions prescribed in Regulation 9 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 1969

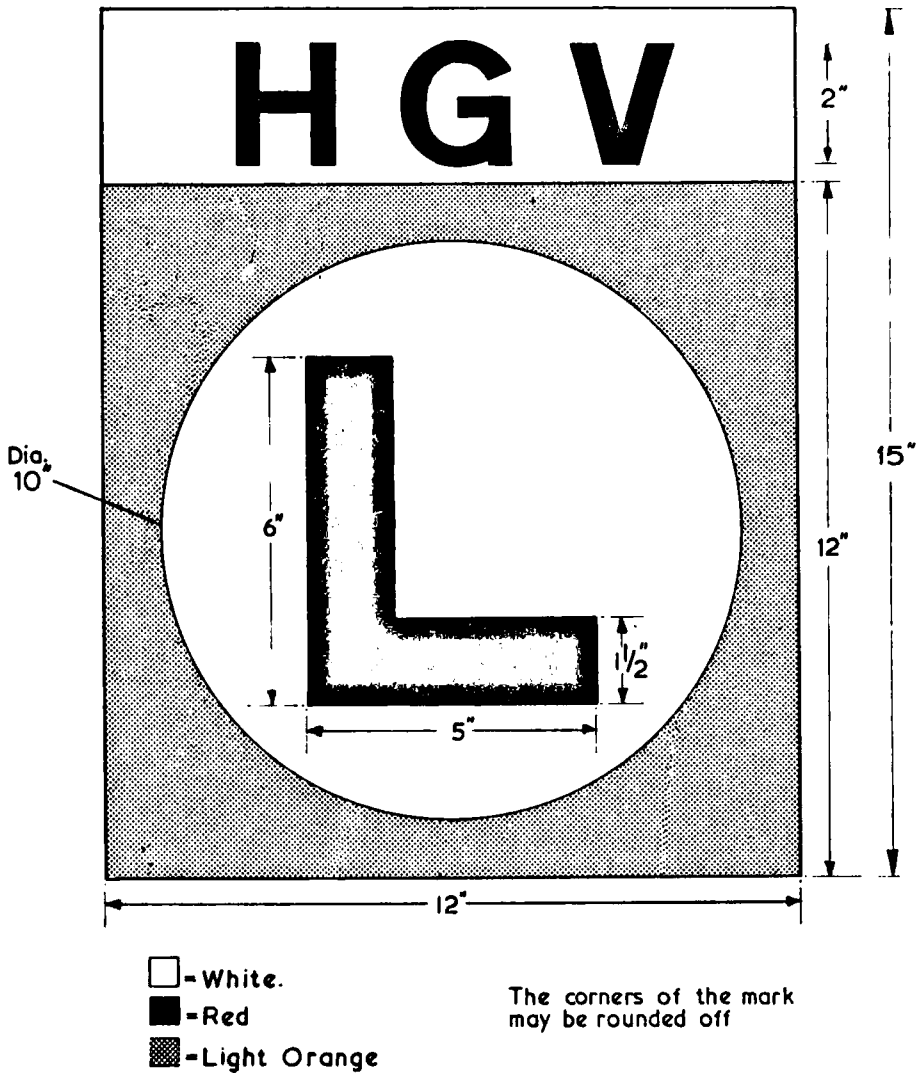
from .....until .....inclusive.

Usual signature of licensee.....

(See Regulation 9)

SCHEDULE 3

Diagram of distinguishing mark to be displayed on a vehicle driven under a provisional licence



(See Regulation 18)

SCHEDULE 4

Nature of tests—operations

A. Start the engine of the vehicle.

B. Move off straight ahead and at an angle.

C. Maintain a proper position in relation to a vehicle immediately in front.

D. Overtake and take an appropriate course in relation to other vehicles.

E. Turn right and left.

F. Make an emergency stop.

G. Manoeuvre the vehicle both forwards and backwards, including steering the vehicle along a predetermined course; make it enter a narrow opening and bring it to rest at a predetermined position.

H. Give by mechanical means, if fitted to the vehicle, and by arm, except in the case of a vehicle with a left-hand drive or a disabled driver for whom it is impracticable or undesirable to give signals by arm, appropriate signals in clear and unmistakable manner at appropriate times to indicate his intended actions.

I. Act correctly and promptly in response to all signals given by traffic signs and persons regulating road traffic and take appropriate action on signs given by other road users.

(See Regulations 20 and 24)

SCHEDULE 5

PART I

Form of certificate of passing a test of competence to drive a heavy goods vehicle

Road Safety Act 1967
HEAVY GOODS VEHICLE DRIVING TEST
Pass Certificate

I certify that.....
.....
.....
has been examined and has passed the test of competence to drive a heavy goods vehicle of class
as prescribed for the purposes of section 19(2) of the Road Safety Act 1967.
.....
.....
.....

PART II

Form of statement of failure to pass a test of competence to drive a heavy goods vehicle.

Road Safety Act 1967
HEAVY GOODS VEHICLE DRIVING TEST
Statement of Failure
Name .....
Address .....
.....
has this day been examined on a heavy goods vehicle of Class.....and has failed to pass the test of competence to drive prescribed for the purposes of section 19(2) of the Road Safety Act 1967.

PART III

Form of certificate of being treated as having passed a Part II test of competence to drive

Road Traffic Act 1960
Road Safety Act 1967
HEAVY GOODS VEHICLE DRIVING TEST
Pass certificate for ordinary driving test

.....

has been examined and has passed a test of competence conducted under section 19(2) of the Road Safety Act 1967, and shall be treated under Regulation 24 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 1969 as having passed the test of competence prescribed under section 99(2) of the Road Traffic Act 1960 to drive

.....
.....
.....

prescribed for the purposes of section 99(2) of the Road Traffic Act 1960.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

On or after 2nd February 1970, the day appointed by the Minister of Transport in the Heavy Goods Vehicles (Drivers' Licences) (Commencement) Order 1969 (S.I. 1969/902) for the purposes of section 192(1) of the Road Traffic Act 1960 as substituted by section 19(1) of the Road Safety Act 1967 it will generally—subject to the transitional provisions of para. 3(*a*) of Schedule 15 to the Road Traffic Act 1960—be an offence to drive a heavy goods vehicle, or to employ another person to drive a heavy goods vehicle, unless the driver has a heavy goods vehicle driver's licence authorising him to drive heavy goods vehicles of that class.

These Regulations make provision for the issue of licences to drive heavy goods vehicles, and for the conduct of tests of competence to drive such vehicles.

Regulation 2(2) and Schedule 1 define the classes of heavy goods vehicles.

Part II of the Regulations deals with heavy goods vehicle drivers' licences. Regulations 3 to 8 and Schedule 2 deal with applications for licences, their issue, their form, and the fee for them. Regulation 9 deals with provisional licences, and Schedule 3 prescribes the distinguishing mark to be displayed on a vehicle driven under a provisional licence. Regulations 10 to 14 deal with licences which have been suspended, revoked, lost, defaced or exchanged, disqualification of holders of licences, and the production of licences.

Part III of the Regulations deals with tests of competence to drive heavy goods vehicles. The Regulations in this Part deal with applications for tests, appointment of examiners, nature of tests, production of a vehicle for the test and the fee for a test. Regulation 20 and Schedule 5 prescribe the form of the 'pass' and 'fail' certificates.

Part IV of the Regulations deals with various supplementary matters including the appointment of licensing authorities for Navy, Army and Air Force personnel, and for Northern Irish licences, a declaration of the Regulations contravention of which is to be an offence, and a list of certain heavy goods vehicles, drivers of which are exempt from any need for a heavy goods vehicle driver's licence.