2002 No. 2640

ROAD TRAFFIC

The Motor Cars (Driving Instruction) (Amendment) Regulations 2002

Made - - - - -	*20th October 2002*
Laid before Parliament	*23rd October 2002*
Coming into force - -	*14th November 2002*

The Secretary of State for Transport, in exercise of the powers conferred by sections 125(3)(a) and 132 of the Road Traffic Act 1988(**a**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 2002 and shall come into force on 14th November 2002.

Amendments to the Motor Cars (Driving Instruction) Regulations 1989

2. The Motor Cars (Driving Instruction) Regulations 1989(**b**) are amended in accordance with regulations 3, 4 and 5.

3. For regulation 3(4) there shall be substituted—

"(4) Subject to the provisions of this regulation, a person shall be regarded as having passed the examination only if the following conditions are fulfilled in his case—

(a) he has on the same day passed both the written examination and the element of the driving ability and fitness test that tests hazard perception;

(b) he has passed the remaining elements of the driving ability and fitness test on his first, second or third attempt after he had passed the written examination and the element of the driving ability and fitness test that tests hazard perception;

(c) within two years after passing the written examination and having passed all of the elements of the driving ability and fitness test he made an application to take the instructional ability and fitness test; and

(d) he has passed the instructional ability and fitness test on his first, second or third attempt after he had passed the written examination and on a date appointed by the Registrar in respect of an application made in accordance with sub-paragraph (c)."

4. In regulation 4—

(1) For paragraph (f) there shall be substituted—

"(f) The fifth edition of the publication entitled "The Official Driving Test" (ISBN 0-11-552254-9) issued by the Department for Transport, Local Government and the Regions and published by the Stationery Office;"

(**a**) 1988 c. 52; to which there are amendments not relevant to these regulations; *see* section 192(1) for the meaning of "prescribed"; *see* section 141 for the meaning of "regulations".

(**b**) S.I. 1989/2057. The relevant amendments are by S.I. 1994/554 and 2000/1805.

[DfT 12934]

(2) For paragraph (j) there shall be substituted—

"(j) The fourth edition of the publication entitled "Driving—the essential skills" (ISBN 0-11-552224-7) issued by the Department for Transport, Local Government and the Regions and published by the Stationery Office;"

5. For regulation 5 there shall be substituted—

"**5.**—(1) The driving ability and fitness test shall consist of tests of hazard perception, eyesight and driving technique.

(2) The candidate must—

(a) take the test of hazard perception immediately after he has completed the written examination;

(b) reach the qualifying standard in respect of the test of hazard perception before he may take the remaining elements of the driving ability and fitness test; and

(c) must reach the qualifying standard in the tests of eyesight and driving technique on the same occasion.

(3) The test of hazard perception shall—

(a) be conducted by means of the exhibition of film clips that take the perspective of the driver of a motor vehicle and show, at some point during each film clip, one or more hazards to traffic occurring on or near the road; and

(b) require the candidate (using electronic equipment provided for the purpose and capable of recording the exact moment of each response) to indicate during each film clip the moment he observes a hazard relating to traffic on the road.

And for the purposes of this paragraph "film clip" means a sequence of visual images displayed electronically.

(4) A candidate taking the test of hazard perception must satisfy the examiner that his performance in the test of hazard perception demonstrates an ability to perceive hazards on the road.

(5) The test of eyesight shall be a test of the candidate's ability to read in good daylight (with the aid of glasses or contact lenses if worn), a motor vehicle registration mark containing letters and figures—

(a) 79 millimetres in height and 50 millimetres wide at a distance of 27 metres; or

(b) 79 millimetres in height and 57 millimetres wide at a distance of 27.5 metres.

(6) A candidate taking the test of driving technique must satisfy the examiner on—

(a) his expert handling of controls;

(b) his use of correct road procedure;

(c) his anticipation of the actions of other road users and taking of appropriate action;

(d) his sound judgement of distance, speed and timing; and

(e) his consideration for the convenience and safety of other road users.

(7) A candidate taking the test of driving technique must satisfy the person conducting the test of his ability to meet the requirements specified in Schedule A1 to these Regulations."

Signed by authority of the Secretary of State for Transport

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

20th October 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Cars (Driving Instruction) Regulations 1989 ("the principal Regulations") as follows.

Regulations 3 and 5 amend, respectively, regulations 3 and 5 of the principal Regulations by adding a new element to the test of driving ability and fitness. The new element is a requirement to take a test of hazard perception as part of the test of driving ability and fitness, this test is to be taken and passed on the same day as the written examination and before the remaining elements of the driving ability and fitness test. Regulation 5 also inserts, as regulation 5(5)(a) of the principal Regulations, a revised eyesight test, based on modern registration mark dimensions.

Regulation 4 makes minor amendments to the content of the written examination.

Copies of the "Official Driving Test" and "Driving—the essential skills" can be obtained from Driving Standards Agency Publications, The Training Centre, Harrowden Lane, Cardington, Bedfordshire MK44 3ST.

A Regulatory Impact Assessment for this Instrument has been prepared and copies can be obtained from the Policy Branch of the Driving Standards Agency, Stanley House, 56 Talbot Street, Nottingham NG1 5GU. A copy of the Regulatory Impact Assessment has been placed in the library of both Houses of Parliament.

STATUTORY INSTRUMENTS

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