STATUTORY INSTRUMENTS

2009 No. 844

ROAD TRAFFIC

The Motor Cars (Driving Instruction) (Amendment) Regulations 2009

Made - - - -	*1st April 2009*
Laid before Parliament	*3rd April 2009*
Coming into force - -	*24th April 2009*

The Secretary of State for Transport makes these Regulations in exercise of the powers conferred by sections 129(2), 132(2)(b) and 141 of the Road Traffic Act 1988(**a**).

The Secretary of State for Transport, in exercising the powers conferred by sections 129(2) and 132(2)(b) of the 1988 Act, has taken into account the functions and matters specified in respect of those sections in the Department of Transport (Fees) Order 1988(**b**).

Citation and commencement

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 2009 and shall come into force on 24th April 2009.

Amendment of Regulations

2.—(1) The Motor Cars (Driving Instruction) Regulations 2005(**c**) are amended as follows.

(2) In the Table in regulation 17 (fees), in column (3)—

(a) in item 1, for "£80" substitute "£90";

(b) in items 2 and 3, for "£99" substitute "£111"; and

(c) in item 5, for "£125" substitute "£140".

Transitional provision

3.—(1) For the purpose of the grant of a relevant licence under section 129(2) of the Road Traffic Act 1988, £125 shall be treated as being the prescribed fee.

(2) In this regulation "relevant licence" means a licence granted under section 129 of the said Act of 1988 on or after the date these Regulations come into force and for which the applicant applied before that date.

(**a**) 1988 c.52; section 129(2) was substituted by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c.31), section 2(2) and section 132(2)(b) was amended by the Transport Act 2000 (c.38), schedule 29, paragraphs 1, 9(1) and 3(b).

(**b**) S.I. 1988/643; relevant amending instrument is S.I. 2003/1094. The functions and matters are specified in columns (2) and (3) of items 11 and 12 in Table III (Road Traffic Act 1988) of Schedule 1 and in Schedule 2 to the Order.

(**c**) S.I. 2005/1902; relevant amending instruments are S.I. 2007/697, 2008/419.

Signed by authority of the Secretary of State

Jim Fitzpatrick
Parliamentary Under Secretary of State,
Department for Transport

1st April 2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Cars (Driving Instruction) Regulations 2005.

The Regulations—

(a) increase the fees for the following matters—
  (i) written examination in driving instruction ability (by 12.5%, from £80 to £90);
  (ii) driving ability and fitness test (by 12.1%, from £99 to £111);
  (iii) instructional ability and fitness test (by 12.1%, from £99 to £111);
  (iv) licence for trainee instructor (by 12%, from £125 to £140) (*regulation 2*); and

(b) provide that the licence fee increase does not apply in respect of licences granted after the date the Regulations come into force if they were applied for before that date (*regulation 3*).

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Driving Standards Agency, The Axis Building, 112 Parliament Street, Nottingham, NG1 6LP or from the Agency's website, www.dsa.gov.uk and is annexed to the Explanatory Memorandum which is available alongside this instrument on the OPSI website, www.opsi.gov.uk.

A copy of the assessment has been placed in the library of each House of Parliament.

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