EXPLANATORY MEMORANDUM TO

THE MOTOR VEHICLES (DRIVING LICENCES) (AMENDMENT No. 2) REGULATIONS (NORTHERN IRELAND) 2026

S.R. 2026 No. 119

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Articles 17(2), 19C(2) and 218 of the Road Traffic (Northern Ireland) Order 1981 and is subject to the negative resolution procedure.

2. Purpose

2.1. The purpose of the Regulations covered by this Memorandum is to permit category B (car and light van) licence holders to drive certain zero-emission vehicles in certain circumstances in excess of the maximum authorised mass ("MAM") that would otherwise apply. This will help support the uptake of zero-emission goods vehicles in Northern Ireland.

2.2. The Regulations amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 to provide that a category B licence holder who has held that licence for an aggregate period of not less than two years may drive a "zero-emission vehicle" designed and constructed for the carriage of passengers in addition to the driver with a MAM not exceeding 4.25 tonnes, or 5 tonnes for a zero-emission vehicle fitted with specialist equipment intended for the carriage of disabled passengers.

2.3. As is currently the case those category B licence holders may tow a trailer with a MAM not exceeding 750kgs provided that the zero-emission vehicle and trailer combination does not exceed a MAM of 5 tonnes.

2.4. The Regulations also allow that person to drive a zero-emission vehicle and trailer combination provided that the MAM of the trailer does not exceed 3.5 tonnes and the vehicle and trailer combination does not exceed a MAM of 7 tonnes and provided that he has passed the prescribed test in respect of category B+E.

2.5. To ensure that minimum age requirements are consistent the Regulations modify the minimum age requirements for drivers of the zero-emission vehicles in question so that they are in line with those for category B vehicles while taking into account the requirement to have held the category B licence for an aggregate period of not less than 2 years.

3. Background

3.1. Zero-emission vehicles have an increased mass compared to their petrol and diesel counterparts due to the additional weight of their powertrain, for example the battery, which results in small commercial vans/light commercial vehicles often exceeding the 3.5 tonne threshold permitted to be driven under a category B licence. The increased weight of the powertrain may not necessarily mean that the vehicle exceeds the 3.5 tonne threshold, but it severely reduces the payload of the vehicle making it commercially less favourable. Increasing the permitted mass to 4.25 tonnes allows for this.

3.2. As a result of the additional weight, category B licence holders are prohibited from driving such vehicles and would instead require a category C or C1 licence. This involves increased costs for the user, including licence acquisition and in the case of vehicles intended to be driven for commercial use there are further additional costs resulting from the need for medical examinations and training for a driver certificate of professional competence to be completed.

3.3. Allowing category B licence holders to drive zero-emission vehicles with a MAM over the standard entitlement will help support the uptake of zero-emission goods vehicles and will support the delivery of the commitment to the implementation of the Zero Emission Vehicle Mandate or the target for all new car and van sales to be zero-emission vehicles from 2035 as set out in that Mandate.

4. Consultation

4.1. The Department for Infrastructure carried out a targetted four week consultation exercise on the proposed changes between 10th March and 6th April 2026.

4.2. A total of 26 responses were received, 14 of which represented organisations or interested bodies. Respondents were largely supportive of the changes, recognising the economic and environmental benefits. Some respondents noted general concerns about road safety but no clear evidence was provided, and risks have been assessed as not significant. Many operators noted that their heavier electric vans are no more likely than petrol and diesel equivalents to be involved in an accident.

5. Equality Impact

5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department conducted a screening exercise on the proposals and concluded that they do not not impact on equality of opportunity in any of the groups specified in section 75 of the Act. The changes will not affect any group disproportionately. In light of this the Department considered that a full Equality Impact Assessment was not necessary.

6. Regulatory Impact

6.1. A screening exercise found that a full Regulatory Impact Assessment was not necessary as it is not anticipated that the proposals will result in any significant direct or indirect financial impact on the voluntary sector or businesses.

7. Financial Implications

7.1. There are no financial implications for the Department associated with the Regulations.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department is satisfied that the Regulations are compatible with section 24 of the Northern Ireland Act 1998.

9. European Union Withdrawal and Windsor Framework Implications

9.1. The Regulations do not relate to the withdrawal of the United Kingdom from the European Union.

9.2. There are no implications in relation to the Windsor Framework and the Regulations do not engage Article 2(1) of that Framework.

10. Parity or replicatory measure

10.1 The Statutory Rule is based in part on Statutory Instrument "The Motor Vehicles (Driving Licences)(Amendment) (No. 2) Regulations 2025" (SI 2025 No. 608).

11. Additional information

11.1. None