This Statutory Instrument has been made partly in consequence of defects in S.I. 2021/1154 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 356

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2025

Made - - - -	*at 12:15 p.m. on 17th March 2025*
Laid before Parliament	*at 4:30 p.m. on 17th March 2025*
Coming into force - -	*8th April 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 89(3)(**a**), (4)(**b**), and (5)(**c**), 91(b)(**d**), 105(1), (2)(a)(**e**), (ee)(**f**), (f)(**g**) and (g), and (3) of the Road Traffic Act 1988(**h**).

Representative organisations have been consulted in accordance with section 195(2) of that Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2025.

(2) These Regulations come into force on 8th April 2025.

(3) 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(**i**) are amended as follows.

(**a**) Section 89(3) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 63, and by the Road Safety Act 2006 (c. 49), section 36(1) and 2(a), (b) and (c).
(**b**) Section 89(4) was amended by the Road Safety Act 2006 (c. 49), section 36(1), (3)(a), (b), (c) and (d), and S.I. 1996/1974, Schedule 1, paragraph 2(5), and by the Immigration Act 2014 (c. 22), Schedule 9, Part 6, paragraph 63(c).
(**c**) Section 89(5) was amended by the Road Safety Act 2006 (c. 49), section 36(4) and Schedule 7, paragraph 9.
(**d**) Section 91 was amended by the Road Safety Act 2006 (c. 49), section 36(6).
(**e**) Section 105(2)(a) was amended by the Crime (International Co-operation) Act 2003 (c. 32), Schedule 5, paragraphs 17 and 23(a)(i) and the Road Safety Act 2006 (c. 49), Schedule 3, paragraphs 2 and 13(1) and (2)(a).
(**f**) Section 105(2)(ee) was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), section 7 and Schedule 3, paragraph 14 and amended by the Road Traffic Act 1991 (c. 40), section 83 and Schedule 8.
(**g**) Section 105(2)(f) was amended by the Road Traffic Act 1991 (c. 40), section 83 and Schedule 8, the Crime (International Co-operation) Act 2003 (c. 32), section 91 and Schedule 5, paragraph 23(a)(iv) and S.I. 1996/1974.
(**h**) 1988 c. 52.
(**i**) S.I. 1999/2864; relevant amending instruments are S.I. 2005/2717, 2008/508, 2009/788, 2010/1203, 2012/977, 2014/480, 2014/613, 2014/3190, 2021/1128, and 2021/1154.

3. In regulation 24 (persons by whom manoeuvres, practical and unitary tests may be conducted)—

(a) for paragraph (1ZA), substitute—

"(1ZA) Subject to paragraphs (3), (3A) and (5), a large vehicle off road manoeuvres test, other than a large vehicle off road manoeuvres test conducted in the circumstances specified in paragraph (2) or (2A), may be conducted by a person who—

(a) has been appointed by a body approved by the Secretary of State for the purpose of conducting large vehicle off road manoeuvres tests, and

(b) has the prior written approval of the Secretary of State for the purpose of testing a class of persons specified in the instrument of appointment.

(1ZB) An appointment made under paragraph (1ZA) may be made subject to such conditions as are, in the opinion of the Secretary of State, reasonably necessary in the general interests of candidates, and where a person breaks such a condition, the Secretary of State may approve another person to carry out large vehicle off road manoeuvres tests in substitution for that person notwithstanding that the first approval has not been revoked.";

(b) in paragraph (3), before "paragraph (1ZA)", insert "under".

4. In regulation 25 (revocation of authority to conduct tests), in paragraph (2), for "24(1ZA)" substitute "(1ZA)".

5. In regulation 33 (applications for large vehicle off road manoeuvres tests or practical tests: large vehicle instructors), in paragraph (1), for sub-paragraph (b) substitute—

"(b) provide such details relating to—

(i) the instructor,

(ii) the instructor's establishment,

(iii) the vehicle on which the test is to be taken, and

(iv) the nature of the test,

as the Secretary of State may reasonably require, and".

6. In regulation 33A (applications for large vehicle off road manoeuvres test conducted by large vehicle off road manoeuvres test examiners: large vehicle instructors)—

(a) in paragraph (1), for sub-paragraph (b) substitute—

"(b) provide such details relating to—

(i) the instructor,

(ii) the instructor's establishment,

(iii) the vehicle on which the test is to be taken, and

(iv) the nature of the test,

as the large vehicle off road manoeuvres test provider may reasonably require, and";

(b) for paragraph (4), substitute—

"(4) If, before the expiration of the qualifying period, the large vehicle off road manoeuvres test provider receives from the large vehicle instructor the name and such further details relating to—

(a) the person receiving instruction from that instructor who will at the appointment submit themselves for that test,

(b) the licence which that person holds,

(c) the nature of the test, and

(d) the vehicle on which the test is to be taken,

as the large vehicle off road manoeuvres test provider may reasonably require, the large vehicle off road manoeuvres test provider must make the arrangements necessary for the taking of the appropriate test.".

7. In regulation 36 (cancellation of tests)—

(a) in paragraph (a), at the beginning, insert "subject to paragraph (ac),",

(b) after paragraph (ab) insert—

"(ac) for a practical test for a licence authorising the driving of a vehicle of a class included in category B to be conducted by a DVSA examiner must be given to the Secretary of State not less than ten clear working days before the day for which the appointment is made;".

8. In regulation 40A (nature of tests other than extended tests), after paragraph (2)(b)(ii), omit "and".

Review

9.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in regulation 7; and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of five years beginning with the date on which these Regulations come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015(**a**) requires that a report published under this regulation must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);

(b) assess the extent to which those objectives are achieved;

(c) assess whether those objectives remain appropriate;

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Signed by authority of the Secretary of State for Transport

Lilian Greenwood
Parliamentary Under Secretary of State
Department for Transport

At 12.15 p.m. on 17th March 2025

(**a**) 2015 c. 26.

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") to make provision for changes to the cancellation notice periods for category B (car) practical driving tests (regulation 7). These Regulations also correct minor drafting errors made by the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1154), which had themselves amended the 1999 Regulations. The corrections make no substantive changes to the 1999 Regulations.

Regulation 3 amends regulation 24 of the 1999 Regulations to clarify that where the Secretary of State removes an examiner's approval, a second person can be approved and then appointed in their place.

Regulation 4 corrects a minor drafting error made to regulation 25 of the 1999 Regulations.

Regulation 5 amends regulation 33 of the 1999 Regulations to ensure consistency with regulation 33A of the 1999 Regulations.

Regulation 6 corrects minor drafting errors made to regulation 33A of the 1999 Regulations.

Regulation 7 amends regulation 36 of the 1999 Regulations to provide for the amount of notice required to be given by a person where they wish to cancel their appointment for a category B (car) practical driving test; ten clear working days.

Regulation 8 corrects a minor drafting error made to regulation 40A of the 1999 Regulations.

Regulation 9 requires the Secretary of State to review the operation and effect of regulation 7 and publish a report at the end of the period of five years beginning with the date on which regulation 7 come into force and at intervals not exceeding five years after that. Following a review, it will fall to the Secretary of State to consider whether regulation 7 should remain as it is, or be amended or revoked. A further instrument would be needed to amend or revoke the regulation.

A full Impact Assessment in relation to the changes to notice periods for category B (car) practical tests has not been produced for this instrument because the measure does not directly impose or amend requirements for business and is, therefore, exempt from the provisions contained in the Better Regulation Framework.

An Explanatory Memorandum is published alongside these Regulations on www.legislation.gov.uk.

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