STATUTORY INSTRUMENTS

1975 No. 2037

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 1975

Made - - - -	*8th December* 1975
Laid before Parliament	*10th December* 1975
Coming into Operation	*1st January* 1976

The Secretary of State for the Environment in exercise of the powers conferred by section 87(1) of the Road Traffic Act 1972(**a**), section 87A(2)(*b*) of that Act as amended by section 13(1) of and paragraph 3 of Schedule 3 to the Road Traffic Act 1974(**b**), section 89(1)(*c*) of the said Act of 1972 as amended by section 13(1) of, and paragraph 5(1) of Schedule 3 to, the said Act of 1974 and section 107 of the said Act of 1972 and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of the said Act of 1972, hereby makes the following Regulations:—

1. These Regulations shall come into operation on the 1st January 1976 and may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 4) Regulations 1975.

2.—(1) The Motor Vehicles (Driving Licences) Regulations 1971(**c**), as amended (**d**), shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

(2) A person who has submitted himself for, and failed to pass a test on, a vehicle of a class or description included in group A, B or C specified in Schedule 3 to those Regulations before amendment by Regulation 5 of these Regulations shall be treated for the purposes of Regulation 19 of those Regulations as having failed to pass a test on a vehicle of a class included in group A, B or C as so amended.

3. After Regulation 5 (Fees for licences) there shall be inserted the following Regulation:—

"*Duration of provisional licences*

5A. For the purposes of section 89(1)(*c*) of the Road Traffic Act 1972, the period during which a provisional licence shall, unless previously revoked or surrendered, remain in force shall be one year.".

(**a**) 1972 c. 20. (**b**) 1974 c. 50.
(**c**) S.I. 1971/451 (1971 I, p. 1338).
(**d**) The relevant amending instrument is S.I. 1975/521 (1975 I, p. 1722).

4. In Regulation 20 (Disabilities)—

(*a*) in paragraph (1), sub-paragraphs (*b*), (*c*) and (*f*) shall be deleted and for sub-paragraph (*e*) there shall be substituted the following sub-paragraph:—

"(*e*) mental deficiency such that the applicant for the licence or, as the case may be, the holder of the licence is incapable of living an independent life or of guarding himself against serious exploitation as a result of which he is—

(i) liable to be detained under the Mental Health (Scotland) Act 1960(**a**) or the Criminal Procedure (Scotland) Act 1975(**b**), or

(ii) receiving treatment as an inpatient in a hospital within the meaning of the said Act of 1960, or

(iii) subject to guardianship under the said Acts of 1960 or 1975, or

(iv) resident in accommodation provided by arrangement with a local authority under section 27 of the National Health Service (Scotland) Act 1947(**c**) as read with section 1(4) of the Social Work (Scotland) Act 1968(**d**), or

(v) otherwise receiving care from a local authority under that section;"; and

(*b*) there shall be added at the end, the following paragraph:—

"(4) The disability described in paragraph (1)(*h*) of this Regulation is prescribed for the purposes of section 87A(2)(*b*) of the Road Traffic Act 1972.".

5. For Schedule 3 (Groups of motor vehicles for driving test purposes) there shall be substituted the following Schedule:—

"SCHEDULE 3 (See Regulation 16)

GROUPS OF MOTOR VEHICLES FOR DRIVING TEST PURPOSES

Group	Class of vehicle included in the group	Additional requirements	Additional groups covered
A	A vehicle without automatic transmission, of any class not included in any other group	1, 2, 3, 4, 5, 6, 7, 8, 9 and 10	B, C, E, F, K and L
B	A vehicle with automatic transmission, of any class not included in any other group	1, 2, 3, 4, 5, 6, 7, 8, 9 and 10	E, F, K and L
C	Motor tricycle weighing not more than 410 Kg unladen, but excluding any vehicle included in group E, J, K or L	1, 2, 3, 4, 5, 6, 9 and 10 and if fitted with a means for reversing 7 and 8	E, K and L
D	Motor bicycle (with or without side-car) but excluding any vehicle included in group E, K or L	1, 2, 3, 4, 5, 6, 9 and 10	C, E and motor-cycles in group L

(**a**) 1960 c. 61.
(**b**) 1975 c. 21.
(**c**) 1947 c. 27.
(**d**) 1968 c. 49.

Group	Class of vehicle included in the group	Additional requirements	Additional groups covered
E	Moped	1, 2, 3, 4, 5, 6, 9 and 10	—
F	Agricultural tractor, but excluding any vehicle included in group H	1, 2, 3, 4, 5, 6, 7, 9 and 10	K
G	Road roller	1, 2, 3, 4, 5, 6, 7, 9 and 10	—
H	Track-laying vehicle steered by its tracks	1, 2, 3, 4, 5, 6, 9, 10 and 12	—
J	Invalid carriage	1, 2, 3, 4, 5, 6, 9 and 10	—
K	Mowing machine or pedestrian controlled vehicle	1, 2, 3, 4, 5 and 6	—
L	Vehicle propelled by electrical power, but excluding any vehicle included in group J or K	1, 2, 3, 4, 5, 6, 9 and 10 and if fitted with a means of reversing 7 and 8	K
M	Trolley vehicle	1, 2, 3, 4, 5, 6, 9, 10 and 11	—
N	Vehicle exempted from duty under section 7(1) of the Vehicles (Excise) Act 1971	1, 2, 3, 4, 5 and 6	—

Signed by the authority of
the Secretary of State.
8th December 1975.

John Gilbert,
Minister for Transport,
Department of the Environment.

EXPLANATORY NOTE

(*This note is not part of the Regulations.*)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations 1971 so as to—

(*a*) prescribe the period of one year for the duration of a provisional driving licence (Regulation 3);

(*b*) prescribe the eyesight disability specified in Regulation 20(1)(*h*) of those Regulations as the disability in respect of which the Secretary of State may in pursuance of section 87A(2)(*b*) of the Road Traffic Act 1972 require a person to submit to examination by an officer nominated by him;

(*c*) simplify the descriptions of groups A and B in Schedule 3 to those Regulations and express group C in metric terms;

(*d*) modify the requirements as to disabilities prescribed for the purposes of section 87(1) of the Road Traffic Act 1972.

SI 1975/2037
ISBN 0-11-052037-8

