STATUTORY INSTRUMENTS

1973 No. 2015

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) (Amendment) Regulations 1973

Made - - - -	30*th November* 1973
Laid before Parliament	11*th December* 1973
Coming into Operation	1*st January* 1974

The Secretary of State for the Environment, in exercise of his powers under sections 87(1) and (3), 88(2) and (5), 107 and 190(11) of the Road Traffic Act 1972(a) and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 1st January 1974 and may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations 1973.

2. The Motor Vehicles (Driving Licences) Regulations 1971(b) shall be amended so as to have effect in accordance with the following provisions of these Regulations.

3. In Regulation 6 (conditions attached to provisional licences), for sub-paragraph (*b*) of paragraph (1) there shall be substituted the following sub-paragraph:—

"(*b*) unless a distinguishing mark in the form set out in Schedule 2 to these Regulations is displayed on the vehicle in such a manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle;".

4. In Regulation 8 (full licences not carrying provisional entitlement), in paragraph (*a*), after the word "design" there shall be inserted the words "whether pursuant to an application in that behalf made by the holder of the licence or".

5. In Regulation 20 (disabilities which operate as a bar to holding a licence)—

(a) 1972 c. 20. (b) S.I. 1971/451 (1971 I, p. 1338).

(*a*) for sub-paragraph (*g*) of paragraph (1) there shall be substituted the following sub-paragraphs:—

"(*g*) liability to sudden attacks of disabling giddiness or fainting, other than such attacks falling within sub-paragraph (*gg*) below;

(*gg*) liability to sudden attacks of disabling giddiness or fainting which are caused by any disorder or defect of the heart as a result of which the applicant for the licence or, as the case may be, the holder of the licence has a device implanted in his body, being a device which, by operating on the heart so as to regulate its action, is designed to correct the disorder or defect; and";

(*b*) after paragraph (2) there shall be inserted the following paragraph:—

"(2A) The disability prescribed in paragraph (1)(*gg*) above is prescribed for the purpose of section 87(3)(*b*) of the Road Traffic Act 1972 and an applicant for a licence suffering from that disability shall satisfy the conditions that—

(*a*) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public; and

(*b*) he has made adequate arrangements to receive regular medical supervision by a cardiologist (being a supervision to be continued throughout the period of the licence) and is conforming to those arrangements.

In this paragraph, the expession "cardiologist" means a registered medical practitioner (as that expression is construed by section 52(2) of the Medical Act 1956**(a)**), being a practitioner who specialises in disorders or defects of the heart and who, in that connection, holds a hospital appointment.".

6. In Regulation 23 (increase of maximum weight of invalid carriages for certain purposes), for the words "eight hundredweight" there shall be substituted the words "ten hundredweight".

Signed by authority of the Secretary of State.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

30th November 1973.

(a) 1956 c. 76.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations amend the Motor Vehicles (Driving Licences) Regulations 1971 to provide as follows:—

(*a*) that the "L" plate required to be displayed on a vehicle when driven by a learner driver shall be clearly visible from within a reasonable distance from the front and the back of the vehicle (Regulation 3);

(*b*) that the restriction on a full driving licence carrying provisional entitlement, where it has effect by virtue of the licence being limited to vehicles of a particular construction or design in pursuance of a notice under section 87(4) of the Road Traffic Act 1972, shall also have effect where the limitation is one applied for by the licence holder himself (Regulation 4);

(*c*) that a liability to sudden attacks of disabling giddiness or fainting caused by a heart disorder, where the person concerned has implanted in his body a heart-regulating device which is designed to correct the disorder, shall be a disability which operates as a bar to holding a driving licence unless the person concerned satisfies certain conditions (Regulation 5); and

(*d*) that for the purposes of Part III of the 1972 Act (which relates to driving licences) and the Regulations thereunder the maximum weight specified in the definition of an invalid carriage shall be 10, instead of 8, hundredweight (Regulation 6).

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