

## 1977 No. 1309

## ROAD TRAFFIC

**The Heavy Goods Vehicles (Drivers' Licences)  
Regulations 1977**

*Made - - - - -*                      *28th July 1977*  
*Laid before Parliament*              *9th August 1977*  
*Coming into Operation*              *30th August 1977*

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The Secretary of State for Transport, in exercise of the powers conferred by sections 114(1) and (3), 115(1A), 119, 120(1), 121, 124, 125(3) and (4) and 188(7)

of the Road Traffic Act 1972(a), as amended by section 15 of the Road Traffic Act 1974(b) and by section 1(2) of, and paragraphs 10 and 11 of Schedule 1 to, the Road Traffic (Drivers' Ages and Hours of Work) Act 1976(c), and of the powers conferred by section 1(4) of, and paragraph 3(4) to (6) of Schedule 2 to, the said Act of 1976, and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of the said Act of 1972, hereby makes the following Regulations:—

#### PART I—PRELIMINARY

##### *Commencement, citation and revocation*

1.—(1) These Regulations shall come into operation on 30th August 1977 and may be cited as the Heavy Goods Vehicles (Drivers' Licences) Regulations 1977.

(2) The Regulations specified in Schedule 1 are hereby revoked.

(3) In so far as any application, appointment or requirement made, notice or approval given, licence, certificate or other document granted or issued or other thing done under the Regulations revoked by paragraph (2) above could have been made, given, granted, issued or done under a corresponding provision of these Regulations, it shall not be invalidated by the said revocation but shall have effect as if made, given, granted, issued or done under that corresponding provision.

(4) Any reference in any such application, appointment, requirement, notice, approval, licence, certificate or other document as is mentioned in paragraph (3) above to any provision of the Regulations revoked by these Regulations, whether specifically or by means of a general description, shall, unless the context otherwise requires, be construed as a reference to the corresponding provision of these Regulations.

(5) Paragraphs (3) and (4) above shall have effect without prejudice to the operation of section 38 of the Interpretation Act 1889(d) (which relates to the effect of repeals) as it applies for the purposes of these Regulations by virtue of Regulation 2(5) below.

##### *Interpretation*

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act of 1972” means the Road Traffic Act 1972;

“the Act of 1976” means the Road Traffic (Drivers' Ages and Hours of Work) Act 1976;

“articulated vehicle combination” means a motor vehicle which is so constructed that a trailer designed to carry goods may by partial superimposition be attached thereto in such a manner as to cause a substantial part of the weight of the trailer to be borne by the motor vehicle and to which a trailer is so attached;

“clerk to the traffic commissioners” means the clerk to the traffic commissioners for any traffic area constituted for the purposes of Part III of the Road Traffic Act 1960(e);

(a) 1972 c. 20.

(b) 1974 c. 50.

(c) 1976 c. 3.

(d) 1889 c. 63.

(e) 1960 c. 16.

“full licence” means a hgv driver’s licence other than a provisional hgv driver’s licence;

“hgv driver’s licence” means a heavy goods vehicle driver’s licence;

“hgv trainee driver’s licence” means a hgv driver’s licence which—

- (i) is a licence to drive heavy goods vehicles of class 1, 1A, 2, 2A, 3 or 3A,
- (ii) is applied for by a person under the age of 21 on the date of the application,
- (iii) has effect for a period during the whole or a part of which the holder is under the age of 21, and
- (iv) is not a restricted standard licence;

and “hgv trainee driver’s full licence” and “hgv trainee driver’s provisional licence” shall be construed accordingly;

“licensing authority” has the same meaning as in section 113(1) of the Act of 1972;

“Northern Ireland (ordinary) driving licence” means a licence to drive a motor vehicle granted under the law for the time being in force in Northern Ireland that corresponds to Part III of the Act of 1972, not being a licence granted under any Order in Council under section 1(3) of and Schedule 1 to the Northern Ireland Act 1974(a), a Measure of the Northern Ireland Assembly, or any enactment passed by the Parliament of Northern Ireland, in consequence of a dispensation from passing a test of competence to drive by reason of the applicant’s residence outside the United Kingdom;

“Northern Ireland hgv driver’s licence” means a licence to drive heavy goods vehicles granted under the law for the time being in force in Northern Ireland that corresponds to Part IV of the Act of 1972, not being a licence granted under any Order in Council under section 1(3) of, and Schedule 1 to, the Northern Ireland Act 1974, a Measure of the Northern Ireland Assembly, or any enactment passed by the Parliament of Northern Ireland, in consequence of a dispensation from passing a test of competence to drive by reason of the applicant’s residence outside the United Kingdom;

“Northern Ireland restricted licence” means a Northern Ireland hgv driver’s licence which, by virtue of provisions of the law of Northern Ireland corresponding to paragraphs 2 and 3 of Schedule 2 to the Act of 1976, restricts the person to whom it is granted to the driving of heavy goods vehicles of a permissible maximum weight not exceeding 10 tonnes falling within class 3 or 3A;

“ordinary driving licence” means a licence to drive a motor vehicle granted under Part III of the Act of 1972;

“registered”, in relation to, or to matters arising in connection with, the training scheme, a hgv trainee driver’s licence, or an application for such a licence, means registered for the time being by the Training Committee in accordance with the relevant provisions of the training scheme;

“relevant maximum weight” has the same meaning as in section 110 of the Act of 1972;

“restricted standard licence” means a hgv driver’s licence for vehicles of class 3 or 3A which is restricted by virtue of—

- (i) paragraph 3(3) and (5) of Schedule 2 to the Act of 1976, or
- (ii) paragraph (1) or (2) of Regulation 31,

to vehicles having a maximum permissible weight not exceeding 10 tonnes;

“standard hgv driver’s licence” means a hgv driver’s licence which is not a hgv trainee driver’s licence, and “standard” in relation to a full licence or a provisional licence, shall be construed accordingly;

“test” means a test of competence to drive heavy goods vehicles of any class, being a test for which provision is made under section 119(1) of the Act of 1972;

“training agreement”, in relation to an individual who is undergoing, or is to undergo, hgv driver training, means his agreement therefor with his registered employer in pursuance of the training scheme;

“the Training Committee” means the Committee which has been established by the employers’ associations and the trade unions in the road goods transport industry with a constitution approved by the Secretary of State and which is known as the National Joint Training Committee for Young HGV Drivers in the Road Goods Transport Industry;

“the training scheme” means the scheme which has been established by the Training Committee with the approval of the Secretary of State (given for the purpose of regulations under section 119 of the Act of 1972) for training young drivers of heavy goods vehicles and which provides for—

- (i) the registration by the Training Committee of employers who are willing and able to provide hgv driver training for persons employed by them,
- (ii) the registration by the Training Committee of persons operating establishments for providing hgv driver training,
- (iii) a syllabus for hgv driver training, and
- (iv) the registration by the Training Committee of individual employees who are undergoing, or are to undergo, hgv driver training in the service of a registered employer in accordance with a form of agreement approved by the Training Committee;

“vehicle with automatic transmission” means a vehicle in which the driver is not provided with any means whereby he may, independently of the use of the accelerator or the brakes, vary gradually the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle.

(2) In these Regulations, unless the context otherwise requires—

- (a) any reference to a class or classes of heavy goods vehicles is a reference to one of the classes or to the classes of heavy goods vehicles specified in Schedule 2;
- (b) any reference to a numbered class of such vehicles is a reference to a class of that number specified in that Schedule; and
- (c) any reference to an additional class, in relation to a class of heavy goods vehicles, is a reference to a class specified in the column in that Schedule headed “Additional Classes” in relation to that class.

(3) Any reference in these Regulations to any enactment or instrument shall be construed, unless the context otherwise requires, as a reference to that enactment or instrument as amended, re-enacted or replaced by any subsequent enactment or instrument.

(4) Any reference in these Regulations to a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations except where otherwise expressly provided.

(5) The Interpretation Act 1889 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purpose of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 1(2) were Acts of Parliament thereby repealed.

## PART II—LICENCES

### *Applications for licences*

3.—(1) A person who desires to obtain the grant of a hgv driver's licence shall—

- (a) furnish to the appropriate licensing authority all relevant particulars and make any relevant declaration specified in such form as the Secretary of State may require;
- (b) submit his application not more than two months before the date on which the licence is to have effect; and
- (c) send with his application—
  - (i) if required by the licensing authority, a certificate in such form as the Secretary of State may require signed by a registered medical practitioner (as that expression is construed by section 52(2) of the Medical Act 1956(a)) not more than three months prior to the date on which the licence is to have effect,
  - (ii) his ordinary driving licence or his Northern Ireland (ordinary) driving licence,
  - (iii) the fee for the hgv driver's licence,
  - (iv) a pass certificate showing that he has passed the test within the relevant period for the class of heavy goods vehicles which the hgv driver's licence applied for will authorise him to drive, except in the case of an application for a provisional licence or where he has held a full hgv driver's licence authorising him to drive such vehicles within the relevant period, that is to say, the period specified in section 114(1) of the Act of 1972 ending on the date of the coming into force of the hgv driver's licence applied for,
  - (v) if the application is an application for a hgv trainee driver's licence, the Training Committee's certificate as to his registration as a trainee hgv driver, as to his employer's registration under the training scheme, as to the class of heavy goods vehicles for which he is, or is to undergo, training and as to any registered hgv driver training establishment whose vehicles he may drive, and
  - (vi) if the application is an application for a standard hgv driver's licence or a hgv trainee driver's licence by a person who holds a current hgv trainee driver's licence, that licence.

(2) Any application for a hgv driver's licence which does not comply with paragraph (1) above may be treated by the licensing authority as of no effect, but where the licensing authority so treats such an application or refuses the grant of a licence any fee and any documents required by sub-paragraph (c) of that paragraph to be sent with the application shall be returned to the applicant.

- (3) A person shall not apply for a hgv driver's licence if—
- (a) he holds a hgv driver's licence which has been suspended or a Northern Ireland hgv driver's licence which has been suspended, whether (in either case) the suspension has effect under section 115 of the Act of 1972 or under the provision of the law for the time being in force in Northern Ireland that corresponds to that section;
  - (b) he is disqualified for holding or obtaining a hgv driver's licence or a Northern Ireland hgv driver's licence, whether (in either case) the disqualification has effect under section 116(1)(a) of the Act of 1972 or under the provision of the law for the time being in force in Northern Ireland that corresponds to that section;
  - (c) he is disqualified by a court for holding or obtaining an ordinary driving licence or by a court in Northern Ireland for holding or obtaining a Northern Ireland (ordinary) licence;
  - (d) he is disqualified by reason of his age for holding or obtaining an ordinary driving licence to drive any of the vehicles in the class of heavy goods vehicles to which the hgv driver's licence is to relate; or
  - (e) in the event of the application being granted he would hold more than one hgv driver's licence or would hold a hgv driver's licence and a Northern Ireland hgv driver's licence.

(4) In this Regulation "appropriate licensing authority" means the licensing authority to whom the application for a licence is required to be made in accordance with section 113 of the Act of 1972 or, as the case may be, Regulation 26.

#### *Qualifications of applicants*

4. An applicant for a hgv driver's licence shall have the following qualifications, experience and knowledge:—

- (a) he must not be a person to whom paragraph (3) of Regulation 3 applies;
- (b) he shall not—
  - (i) at any time since he attained the age of three years, have had an epileptic attack, or
  - (ii) suffer from any disease or disability likely to cause the driving by him of a heavy goods vehicle to be a source of danger to the public;
- (c) he shall hold an ordinary driving licence or a Northern Ireland (ordinary) driving licence in either case authorising him to drive a vehicle or vehicles in the class of heavy goods vehicles in respect of which he desires to obtain the grant of a licence;
- (d) in the case of an applicant for a hgv trainee driver's licence—
  - (i) the licence referred to in sub-paragraph (c) above shall be free from the endorsement, under section 101 of the Act of 1972 or under that provision of the law for the time being in force in Northern Ireland that corresponds to that section, of particulars of any conviction, and
  - (ii) he shall be a person who is a registered employee of a registered employer; and
- (e) in the case of an applicant for a hgv trainee driver's licence to drive heavy goods vehicles of a class shown in column (1) of the Table in this sub-paragraph, a period of one year shall have expired since the date on

which he passed the test to drive heavy goods vehicles of the class or classes specified in relation thereto in column (2) of that Table.

TABLE

(1) Class for which licence applied for	(2) Class for which applicant has passed the test
Class 2 Class 2A Class 1 Class 1A	Class 3 Class 3 or 3A Class 2 Class 2 or 2A

*Grant of licences subject to a limitation*

5. Where an applicant for a hgv driver's licence—

(a) holds an ordinary driving licence which contains a provision under section 87(4) or 88(2)(bb) of the Act of 1972 limiting the applicant to the driving of vehicles of a particular construction or design only; or

(b) holds a Northern Ireland (ordinary) licence which contains a similar provision under the law for the time being in force in Northern Ireland that corresponds to the said section 87(4), or 88(2)(bb)

any full licence granted to the applicant to drive a heavy goods vehicle shall contain a corresponding limitation.

*Form of licences*

6.—(1) Standard hgv drivers' licences shall be issued in the form of a book containing—

(a) in the case of a full licence, particulars in the form set out in Part I of Schedule 3; and

(b) in the case of a provisional licence, particulars in the form set out in Part II of that Schedule.

(2) Hgv trainee drivers' licences shall contain—

(a) in the case of a full licence, particulars in the form set out in Part I of Schedule 4; and

(b) in the case of a provisional licence, particulars in the form set out in Part II of Schedule 4.

(3) Where an applicant for a hgv driver's licence is already a holder of a hgv driver's licence the licensing authority may, instead of issuing him with a new book, issue the appropriate hgv driver's licence by affixing in the book already held a page or pages containing such particulars as would fall to be included in any new book issued to the applicant.

*Signature of licences*

7. Every person to whom a hgv driver's licence is granted shall forthwith sign it in ink with his usual signature.



*Fees for licences*

8. The fee for the grant of a full licence shall be £3 and the fee for the grant of a provisional licence shall be £1.50.

*Provisional standard licences*

9.—(1) A full standard licence to drive heavy goods vehicles of any class shall also be treated for the purposes of Part IV of the Act of 1972 as a provisional standard licence to drive heavy goods vehicles of any other class in respect of which the holder is not by reason of his age disqualified under section 96(1) of the Act of 1972 for holding or obtaining an ordinary driving licence.

(2) In applying the provisions of paragraph (1) above the effect of Regulation 4(1)(d) of the Motor Vehicles (Driving Licences) Regulations 1976(a) shall be disregarded.

(3) Subject to paragraph (4) below, a provisional standard licence, including a full standard licence which is treated as a provisional standard licence under paragraph (1) above, shall be subject to the following conditions, that is to say, the holder shall not drive a heavy goods vehicle of any class which he may drive by virtue of the provisional standard licence—

- (a) otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard licence to drive a vehicle of that class;
- (b) unless there is clearly displayed in a conspicuous manner on the front and on the back of the vehicle a distinguishing mark in the form set out in Schedule 5;
- (c) if the vehicle is one to which a trailer is attached, except where the trailer is part of an articulated vehicle combination being driven by the holder, or where the relevant maximum weight of the drawing vehicle does not exceed 7.5 tonnes.

(4) The condition specified in paragraph (3)(a) above shall not apply whilst the holder of a provisional standard licence is undergoing a test and none of the conditions specified in the said paragraph (3) shall apply in relation to the driving of a heavy goods vehicle of any class where the holder of the standard licence has passed a test for a vehicle of that class.

*Hgv trainee drivers' licences*

10.—(1) Subject to paragraph (8) below, every hgv trainee driver's licence shall be subject to the following condition, namely, that the holder shall not drive a heavy goods vehicle of any class for which the licence is issued (other than a vehicle of class 4 or 4A), or for which by virtue of paragraph (3) below the licence is treated as a provisional licence, unless—

- (a) the holder is the registered employee of a registered employer named in the licence;
- (b) the vehicle is a heavy goods vehicle of a class to which his training agreement applies and which is stated in the licence; and
- (c) the vehicle is owned by that registered employer or by a registered hgv driver training establishment named in the licence.

(2) Insofar as a hgv trainee driver's full licence is not at the same time a full licence to drive heavy goods vehicles of classes 4 and 4A, it shall also be treated

(a) S.I. 1976/1076 (1976 II, p. 2852).

for the purposes of Part IV of the Act of 1972 as a hgv driver's provisional licence to drive heavy goods vehicles of those classes.

(3) The holder of a hgv trainee driver's full licence to drive heavy goods vehicles of a class shown in column (1) of the Table in this paragraph may, on or after the expiration of one year from the date on which he passed the test to drive heavy goods vehicles of that class and on surrendering that licence in accordance with Regulation 14(3) and paying the fee prescribed thereby, be granted a hgv trainee driver's licence which will be a full licence to drive heavy goods vehicles of the class to which the surrendered licence relates and will also be treated for the purposes of Part IV of the Act of 1972 as a hgv trainee driver's provisional licence to drive heavy goods vehicles of the class or classes specified in relation thereto in column (2) of that Table.

TABLE

(1) Class for which full licence is held	(2) Class for which licence is to be treated as a provisional licence
Class 3 Class 3A Class 2 Class 2A	Classes 2 and 2A Class 2A Classes 1 and 1A Class 1A

(4) Subject to paragraphs (5), (6) and (8) below, a hgv trainee driver's provisional licence, including a hgv trainee driver's full licence which is treated as a hgv trainee driver's provisional licence under paragraph (2) or (3) above, shall be subject to the following conditions (additional to that required by paragraph (1) above), that is to say, that the holder shall not drive a heavy goods vehicle of any class which he may drive by virtue of the provisional licence—

- (a) otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard licence to drive a vehicle of that class;
- (b) unless there is clearly displayed in a conspicuous manner on the front and on the back of the vehicle a distinguishing mark in the form set out in Schedule 5;
- (c) if the vehicle is being used to draw a trailer, unless the trailer is part of an articulated vehicle combination being driven by the holder.

(5) The condition specified in paragraph (4)(a) above shall not apply while the holder of a hgv trainee driver's provisional licence is undergoing a test.

(6) Where the holder of a hgv trainee driver's provisional licence (including a full licence which is treated as a provisional licence as mentioned above) has passed a test for a heavy goods vehicle of a class for which the licence is a provisional licence—

- (a) the condition specified in paragraph (4)(a) above—
  - (i) shall not apply in any case so far as regards the driving of a vehicle of class 4 or 4A if the test is, or by virtue of Regulation 20 has effect as, a test for a vehicle of that class,

- (ii) shall not apply so far as regards the driving of a vehicle of class 2, 2A, 3 or 3A if the test is, or by virtue of Regulation 20 has effect as, a test for a vehicle of that class, except in a case where the vehicle is being used to draw a trailer which is not part of an articulated vehicle combination being driven by the holder and the holder is under the age of 21,
  - (iii) shall not apply so far as regards the driving of a vehicle of class 1 or 1A, if the test is, or by virtue of Regulation 20 has effect as, a test for a vehicle of that class, except in a case where the holder is under the age of 21,  
but shall remain applicable in the excepted cases mentioned in (ii) and (iii) above; and
  - (b) the conditions specified in paragraph (4)(b) and (c) above shall not apply so far as regards the driving of any vehicle of a class for which the test has been, or is by virtue of Regulation 20 deemed to have been, passed.
- (7) Subject to paragraph (8) below, a hgv trainee driver's full licence to drive heavy goods vehicles—
- (a) of class 1 or 1A, shall be subject to the condition that the holder, when under the age of 21, shall not drive any such vehicle otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard licence to drive a vehicle of that class;
  - (b) of class 2, 2A, 3 or 3A, shall be subject to the condition that the holder, when under the age of 21 and when the vehicle is being used to draw a trailer which is not a part of an articulated vehicle combination being driven by the holder, shall not drive any such vehicle otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full standard licence to drive a vehicle of that class.
- (8) Paragraphs (1), (4) and (7) above shall have effect subject to Regulation 31(5) in a case where the holder of a hgv trainee driver's full or provisional licence to drive heavy goods vehicles of class 3 or 3A has held a restricted standard licence or a Northern Ireland restricted licence.

*Suspension or revocation*

**11.**—(1) The holder of a hgv driver's licence which has been suspended or revoked by a licensing authority shall, on receipt of notice, either delivered to the holder personally or sent by the recorded delivery service to the holder's last known address, of the decision of the licensing authority to suspend or revoke the licence, forthwith deliver it to the licensing authority for endorsement or cancellation.

(2) A licensing authority who suspends a hgv driver's licence shall endorse particulars of the suspension on the hgv driver's licence and shall return it to the holder at the end of the period of suspension on a demand in writing being made by that person.

(3) The holder of a Northern Ireland hgv driver's licence which has been suspended or revoked by a licensing authority shall, on receipt of notice, delivered or sent to the holder as mentioned in paragraph (1) above, of the decision of the licensing authority to suspend or revoke the licence, forthwith deliver the licence to the licensing authority who shall send it to the authority in Northern Ireland by whom it was issued together with particulars of the suspension or, as the case may be, of the revocation.

(4) The circumstances referred to in section 115(1A) of the Act of 1972 (obligatory revocation of hgv driver's licence when the holder is under the age of 21) are that the holder's ordinary driving licence or Northern Ireland (ordinary) driving licence bears more than one relevant endorsement. In this paragraph "relevant endorsement" means endorsement of particulars of a conviction in pursuance either of section 101 of the Act of 1972 (endorsement of licences) or of that provision of the law for the time being in force in Northern Ireland that corresponds to the said section 101.

*Removal of disqualification*

**12.**—(1) A licensing authority may remove a disqualification under paragraph (a) of section 116(1) of the Act of 1972 if the application for the removal of the disqualification is made after the expiration of whichever is relevant of the following periods from the commencement of the disqualification, that is to say—

- (a) two years, if the disqualification is for less than four years;
- (b) one half of the period of the disqualification, if it is for less than ten years, but not less than four years;
- (c) five years in any other case, including disqualification for an indefinite period.

(2) Where an application under paragraph (1) above for the removal, under section 116(2) of the Act of 1972, of a disqualification is refused, a further such application in respect of the same person shall not be entertained if made within three months after the date of refusal.

*Withdrawal of ordinary driving licence or of Northern Ireland (ordinary) driving licence*

**13.**—(1) If the holder of a hgv driver's licence is disqualified for holding or obtaining an ordinary driving licence, or if such a licence is refused or revoked under section 87 of the Act of 1972, or if he is disqualified under the law for the time being in force in Northern Ireland for holding or obtaining a Northern Ireland (ordinary) driving licence, or if such a licence is refused or revoked under any provision of that law that corresponds to the said section 87, he shall forthwith—

- (a) notify the licensing authority in whose area he resides of the particulars of the disqualification, refusal or revocation; and
- (b) deliver his hgv driver's licence to that licensing authority.

(2) Where a person who has delivered his hgv driver's licence to a licensing authority in accordance with paragraph (1) above ceases to be disqualified, unless the hgv driver's licence has been revoked or a period of suspension is still current, the licensing authority on production of that person's ordinary driving licence or, as the case may be, of his Northern Ireland (ordinary) driving licence, shall return the hgv driver's licence to him if it has not expired.

*Lost, defaced and exchanged licences*

**14.**—(1) If the holder of a hgv driver's licence satisfies the licensing authority by whom it was granted that the hgv driver's licence has been lost or defaced the licensing authority shall, on payment of a fee of 75p and in the case of a defaced hgv driver's licence on surrender to the licensing authority of the licence, issue to him a duplicate hgv driver's licence and shall endorse thereon particulars of any suspension endorsed upon the original hgv driver's licence, and the duplicate so issued shall have the same effect as the original.

(2) If at any time while a duplicate hgv driver's licence (being a licence issued in the place of a lost hgv driver's licence) is in force the original licence is found and the person to whom the original licence was granted becomes aware of that fact he shall forthwith inform the licensing authority and, if the original licence is not in his possession, he shall forthwith take all reasonable steps to obtain possession of it, and if it is in his possession or if he obtains possession of it, he shall forthwith return it as soon as may be to the licensing authority by whom it was granted.

(3) If the holder of a hgv driver's licence surrenders it and applies for a new hgv driver's licence he shall, if he so requires and on payment of a fee of 75p, be granted a hgv driver's licence to continue in force only for the period for which the surrendered licence would have continued if it had not been surrendered.

*Production of licences*

15.—(1) Subject to paragraph (6) below, any such person as follows, that is to say,—

- (a) the driver of a heavy goods vehicle on a road; or
- (b) a person who supervises the holder of a provisional licence (including a full licence which is treated as a provisional licence under Regulation 9(1) or 10(2) or (3)) or the holder of a hgv trainee driver's full licence to drive heavy goods vehicles of class 1 or 1A, or heavy goods vehicles of class 2, 2A, 3 or 3A (when being used to draw a trailer which is not part of an articulated vehicle combination), while the holder is driving a heavy goods vehicle on a road,

shall, on being so required by a constable or an examiner, produce his hgv driver's licence or, as the case may be, his Northern Ireland hgv driver's licence for examination so as to enable the constable or examiner to ascertain the name and address of the holder of the licence, the date of its issue, and the authority by whom it was granted, and shall, on being so required by an examiner as aforesaid, give his name and address and acknowledge that such information as may be recorded by the examiner on the examiner's record sheet is correct by signing the said record sheet.

(2) Subject to paragraph (6) below, any such person as follows, that is to say—

- (a) a person whom a constable has reasonable cause to believe to have been the driver of a heavy goods vehicle at a time when an accident occurred owing to its presence on a road; or
- (b) a person whom a constable has reasonable cause to believe to have committed an offence in relation to the use of a heavy goods vehicle on a road; or
- (c) a person whom a constable has reasonable cause to believe was supervising the holder of a provisional licence (including a full licence which is treated as a provisional licence under Regulation 9(1) or 10(2) or (3)) or the holder of a hgv trainee driver's full licence to drive heavy goods vehicles of class 1 or 1A, or heavy goods vehicles of class 2, 2A, 3 or 3A (when being used to draw a trailer which is not part of an articulated vehicle combination), while driving a heavy goods vehicle at a time when an accident occurred owing to the presence of the vehicle on a road or at a time when an offence is suspected of having been committed by the said holder in relation to the use of the vehicle on a road,

shall, on being so required by a constable, produce his hgv driver's licence or, as the case may be, his Northern Ireland hgv driver's licence for examination so as to enable the constable to ascertain the name and address of the holder of the licence, the date of its issue, and the authority by whom it was issued.

(3) Subject to paragraph (6) below, where a hgv driver's licence has been suspended or revoked by a licensing authority, then if the holder of the licence fails to deliver it to that authority for endorsement or cancellation as required by Regulation 11(1), a constable or an examiner may require him to produce it, and upon its being produced may seize it and deliver it for endorsement or cancellation to that authority.

(4) Subject to paragraph (6) below, where a Northern Ireland hgv driver's licence has been suspended or revoked by a licensing authority, then if the holder of the licence fails to deliver it to that authority as required by Regulation 11(3), a constable or an examiner may require him to produce it and, upon its being produced may seize it and deliver it to that authority.

(5) Subject to paragraph (6) below, where a constable or an examiner has reasonable cause to believe that the person to whom a licence has been granted, or any other person, has knowingly made a false statement for the purpose of obtaining the grant of the hgv driver's licence, the constable or examiner may require the holder of the hgv driver's licence to produce it to him.

(6) If any person is unable to produce his hgv driver's licence or, as the case may be, his Northern Ireland hgv driver's licence when required to do so in accordance with any of the foregoing paragraphs of this Regulation, it shall be a sufficient compliance with that paragraph if—

- (a) in a case where the licence was required by a constable to be produced, within five days after the production of the licence was so required he produces it in person for examination for the same purposes at such police station as may have been specified by him at the time its production was required; or
- (b) in a case where the licence was required by an examiner to be produced, within ten days after the production of the licence was so required it is produced for examination for the same purposes at the office of such examiner or such licensing authority as may have been specified by him at the time its production was required.

(7) The holder of a hgv driver's licence or of a Northern Ireland hgv driver's licence shall, upon being required to do so by a licensing authority, cause the licence or his ordinary driving licence or, as the case may be, his Northern Ireland (ordinary) driving licence to be produced to that authority within ten days after the day on which the requirement was made.

(8) In this Regulation, "examiner" means an examiner appointed under section 56 of the Act of 1972.

### PART III—TESTS OF COMPETENCE

#### *Application for tests*

**16.—(1)** A person who desires to take a test to be conducted by an examiner appointed under Regulation 18(1)(a) shall apply for an appointment for a test to the clerk to the traffic commissioners for the traffic area in which the driving test centre at which the applicant wishes to be tested is situated.

(2) An applicant for such an appointment shall, when making the application, specify the class of heavy goods vehicles in respect of which he desires to take the test and pay to the said clerk the fee prescribed by Regulation 23.

(3) Upon receipt of an application and fee in accordance with this Regulation from a person qualified in accordance with Regulation 17 to take the test for which the application is made the said clerk shall make arrangements for the taking of the test and offer the applicant an appointment therefor.

*Qualifications of applicants for tests*

17.—(1) An applicant for a test shall be a person who is—

- (a) entitled to drive a vehicle or vehicles in the class of heavy goods vehicles in respect of which he desires to take the test by holding an ordinary driving licence or a Northern Ireland (ordinary) driving licence and a hgv driver's licence or a Northern Ireland hgv driver's licence, or
- (b) entitled to drive such a vehicle or vehicles by virtue of section 84(4) of the Act of 1972 or by virtue of regulations under section 107(1)(g) of the Act of 1972 and by holding a hgv driver's licence or a Northern Ireland hgv driver's licence.

(2) Subject to paragraph (3) below, an applicant for a test in respect of a heavy goods vehicle of class 3 or 3A who is under the age of 21 when the test is taken shall, in addition to complying with the requirements of paragraph (1) above, be a person who—

- (a) has held a hgv trainee driver's provisional licence for, and has been regularly driving heavy goods vehicles of that class for at least the 3 months immediately preceding the taking of the test; or
- (b) has held an ordinary driving licence or a Northern Ireland (ordinary) driving licence authorising him to drive, and has been regularly driving, motor cars, small goods vehicles or small passenger vehicles for at least one year immediately preceding the taking of the test.

(3) Paragraph (2) above shall not apply to an applicant for a test who holds a restricted standard licence or a Northern Ireland restricted licence.

(4) In this Regulation "small goods vehicle" and "small passenger vehicle" have the same meaning as in section 110 of the Act of 1972.

*Persons who may conduct tests*

18.—(1) Tests may be conducted—

- (a) by examiners appointed for that purpose by the Secretary of State;
- (b) by examiners appointed for that purpose by the Secretary of State, insofar as concerns the testing of persons subject to the Naval Discipline Act 1957(a), to military law or to air force law, or of persons employed in the driving of motor vehicles for the purposes of the naval, military or air forces of Her Majesty raised in the United Kingdom;
- (c) in England and Wales, by the chief officer of any fire brigade maintained in pursuance of the Fire Services Act 1947(b), or, in Scotland by the fire-master of such a brigade, insofar as concerns the testing of members of any such brigade or of persons employed in the driving of motor vehicles for the purposes of any such brigade;
- (d) by any chief officer of police in so far as concerns the testing—
  - (i) of members of a police force, or

(a) 1957 c. 53.

(b) 1947 c. 41.

- (ii) of persons employed in the driving of motor vehicles for police purposes by a police authority, or by the Receiver for the Metropolitan Police District or by the Commissioner of Police for the Metropolis.

(2) Any person authorised by virtue of paragraph (1)(c) or (d) above to conduct tests may, subject to the approval of the Secretary of State, authorise suitable persons to act as examiners of those who submit themselves for a test.

*Nature of tests*

**19.** The test which a person is required to pass before a full licence can be granted to him authorising him to drive a heavy goods vehicle of a particular class shall be a test carried out on a vehicle of that class, being a test which satisfies the examiner—

- (a) that the candidate is fully conversant with the contents of the Highway Code;
- (b) that he has sufficient knowledge of the mechanical operation of the vehicle on which he is tested, including at the discretion of the examiner the effect of distribution of load on the performance of the vehicle, to enable him to drive it safely;
- (c) that he is competent to drive without danger to, and with due consideration for, other users of the road, the vehicle on which he is tested; and
- (d) that he is able to perform safely and competently the operations specified in Schedule 6.

*Additional classes of vehicles covered by tests*

**20.** A person who has passed a test to drive heavy goods vehicles of a particular class shall be deemed for the purposes of Part IV of the Act of 1972 also to have passed the test to drive heavy goods vehicles of any additional class.

*Evidence of results of tests*

**21.—(1)** A person who passes a test shall be furnished with a certificate to that effect in the form (adapted as the case may require) set out in Part I of Schedule 7.

(2) A person who fails to pass a test shall be furnished with a statement to that effect in the form (adapted as the case may require) set out in Part II of Schedule 7.

*Production of vehicle for test, etc.*

**22.—(1)** A person submitting himself for a test shall—

- (a) provide for the purpose of the test a vehicle which—
  - (i) is suitable for the purpose of the test and, in the case of a test in respect of a vehicle of class 2, 2A, 3 or 3A, is not an articulated vehicle combination or the tractive unit thereof,
  - (ii) is not carrying goods or burden of any description,
  - (iii) is fitted with a seat which is firmly secured to the vehicle and in such a position that the examiner is able properly to conduct the test from it and is afforded adequate protection from bad weather when conducting the test,



- (iv) is not a vehicle in respect of which any person is required to be employed as a driver or attendant in addition to the applicant by virtue of section 34 of the Act of 1972, and
  - (v) is not fitted with a device designed to permit a person other than the driver to operate the accelerator, unless any pedal or lever by which the device is operated and any other parts which it may be necessary to remove to make the device inoperable by such a person during the test have been removed; and
- (b) sign the examiner's attendance record.
- (2) Where a person submitting himself for a test provides a vehicle which does not comply with paragraph (1) above or fails to sign the examiner's attendance record the examiner may refuse to conduct the test.

*Fees for tests*

**23.** The fee payable by a person who applies for a test to be conducted by an examiner appointed under Regulation 18(1)(a) shall be £24.

*Refund of fees*

**24.** The fee paid in pursuance of Regulations 16 and 23 on application for an appointment for a test may be repaid in the following cases and not otherwise, that is to say—

- (a) if no such appointment is made, or an appointment made is subsequently cancelled by or on behalf of the Secretary of State;
- (b) if the person for whom the appointment is made gives notice cancelling the appointment to the clerk to the traffic commissioners by whom the appointment was made of not less than three clear days (excluding Saturdays, Sundays, any bank holidays, Christmas Day or Good Friday) before the date of the appointment;
- (c) if the person for whom the appointment is made keeps the appointment but the test does not take place, or is not completed, for reasons attributable neither to him nor to any vehicle provided by him for the purposes of the test; or
- (d) if an order for repayment of the fee is made by a court or sheriff under section 117 of the Act of 1972 pursuant to a finding that the test was not properly conducted in accordance with these Regulations.

For the purposes of this Regulation "bank holiday" means a day which is a bank holiday by or under the Banking and Financial Dealings Act 1971(a) either generally or in the locality in which is situated the office of the clerk to the traffic commissioners to whom notice cancelling an appointment for a test falls to be given.

*Additional qualification*

**25.—(1)** Subject to paragraph (3) below, a person who passes a test prescribed by these Regulations shall be treated as having passed a test of competence to drive prescribed under section 85(2) of the Act of 1972—

- (a) for vehicles of any class comprised in Group A of the groups set out in the relevant version of Schedule 3 to the Motor Vehicles (Driving Licences) Regulations, if the vehicle on which he passes the test is not a vehicle with automatic transmission, or
- (b) for vehicles of any class comprised in group B of the groups set out in the relevant version of that Schedule, if the vehicle on which he passes the test is a vehicle with automatic transmission,

if at the time he takes the test he is the holder of an ordinary driving licence (being a provisional licence within the meaning of Part III of the Act of 1972) or of a Northern Ireland (ordinary) driving licence (being a licence corresponding to such a provisional licence), or is entitled to drive by virtue of section 84(4) of the Act of 1972 or by virtue of regulations under section 107(1)(g) of the Act of 1972, and at that time he does not hold and is not entitled to be granted an ordinary driving licence (other than such a provisional licence) or a Northern Ireland (ordinary) driving licence (other than a licence corresponding to such a provisional licence) authorising him to drive any such vehicle:

Provided that if the test prescribed by these Regulations proves his competence to drive vehicles of a particular construction or design only he shall be treated for the purposes of this Regulation as having passed the test of competence to drive prescribed under the said section 85(2) only so far as relates to vehicles of that construction or design.

(2) In paragraph (1) above the reference to the relevant version of Schedule 3 to the Motor Vehicles (Driving Licences) Regulations is—

- (a) where the test was passed before 1st January 1976, a reference to that Schedule to the Motor Vehicles (Driving Licences) Regulations 1971(a) as it stood before amendment by the Motor Vehicles (Driving Licences (Amendment) (No. 4) Regulations 1975(b),
- (b) where the test was passed on or after 1st January 1976 but before 1st August 1976, a reference to that Schedule to the said Regulations of 1971 as amended by the said (No. 4) Regulations of 1975, and
- (c) where the test is passed on or after the 1st August 1976, a reference to that Schedule to the Motor Vehicles (Driving Licences) Regulations 1976(c).

(3) A person who is treated as having passed the test of competence prescribed under the said section 85(2) by virtue of paragraph (1) above shall be furnished with a certificate to that effect in the form (adapted as the case may require) set out in Part III of Schedule 7.

#### PART IV—SUPPLEMENTARY

##### *Service personnel*

**26.** The licensing authority for the South Eastern Traffic Area is hereby prescribed for the purposes of section 188(7) of the Act of 1972 (issuing, suspension and revocation of hgv drivers' licences for service personnel).

##### *Northern Ireland licences*

**27.—(1)** The licensing authority for the North Western Traffic Area is hereby prescribed for the purposes of section 125(3) and (4) of the Act of 1972 (suspension, revocation and disqualification in respect of Northern Ireland licences as respects Great Britain).

(2) The magistrates' court or sheriff to whom an appeal shall lie by the holder of a Northern Ireland licence, being a person who is not resident in Great Britain and who is aggrieved by the suspension or revocation of the licence or by

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(a) S.I. 1971/451 (1971 I, p. 1338).

(b) S.I. 1975/2037 (1975 III, p. 7478).

(c) S.I. 1976/1076 (1976 II, p. 2852).

the ordering of disqualification for holding or obtaining a hgv driver's licence, shall be—

- (i) such a magistrates' court or sheriff as he may nominate at the time he puts down his appeal, or
- (ii) in the absence of a nomination of a particular court under subparagraph (i) above, the magistrates' court in whose area the office of the licensing authority for the North Western Traffic Area is situated.

#### *Offences*

**28.** It is hereby declared that a contravention of or failure to comply with any provision of Regulation 3(3), 7, 11(1), 13(1), 14(2) or 15 is an offence.

#### *Exemptions*

**29.**—(1) Part IV of the Act of 1972 shall not apply to heavy goods vehicles of the following classes, that is to say—

- (a) track laying vehicles;
- (b) vehicles propelled by steam;
- (c) road rollers;
- (d) road construction vehicles used or kept on the road solely for the conveyance of built-in road construction machinery (with or without articles or materials used for the purpose of that machinery);
- (e) engineering plant;
- (f) works trucks;
- (g) any industrial tractor, that is to say a tractor, not being a land tractor, which has an unladen weight not exceeding  $3\frac{1}{2}$  tons, is designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement or implements designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load) and is so constructed as to be incapable of exceeding a speed of 20 miles per hour on the level under its own power;
- (h) land locomotives and land tractors;
- (i) digging machines;
- (j) vehicles exempted from excise duty by virtue of section 7(1) of the Vehicle (Excise) Act 1971(a) (vehicles used less than a certain distance on public roads);
- (k) any motor car as defined in section 190(2) of the Act of 1972 which is so constructed that a trailer designed to carry goods may by partial superimposition be attached thereto in such a manner as to cause a substantial part of the weight of the trailer to be borne thereby, but to which no trailer is attached;
- (l) vehicles used as public service vehicles as defined in sections 117 and 118 of the Road Traffic Act 1960;
- (m) vehicles used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;

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(a) 1971 c. 10.

- (n) vehicles manufactured before 1st January 1940 used unladen and not drawing a laden trailer;
- (o) vehicles in the service of a visiting force or headquarters;
- (p) wheeled armoured vehicles being the property of, or for the time being under the control of, the Secretary of State for Defence;
- (q) any vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or danger to other road users or members of the public, for the purpose of safe-guarding property (including the heavy goods vehicle and its load) or for other similar purposes;
- (r) any articulated vehicle combination which has a permissible maximum weight not exceeding 7.5 tonnes, or the tractive unit of which does not exceed 15 cwt unladen weight;
- (s) any vehicle having a relevant maximum weight not exceeding 3.5 tonnes to which a trailer is attached, not being an articulated vehicle combination;
- (t) any vehicle (not being an articulated vehicle combination) having an unladen weight not exceeding 10 tons, being a vehicle which belongs to the holder of public service vehicle licence granted under section 127 of the Road Traffic Act 1960 or is in his possession under an agreement for hire purchase, hire or loan, when driven on his behalf by a person who holds a licence to drive public service vehicles granted under section 144 of that Act for the purpose of—
  - (i) proceeding to or returning from a place where assistance is to be, or has been, rendered to a disabled vehicle, being a vehicle in respect of which, at the time when it became disabled, a public service vehicle licence granted under the said section 127 was in force, or
  - (ii) moving such a disabled vehicle so as to prevent its causing an obstruction or towing it from the place where it has become disabled to a place where it is to be repaired, stored or broken up;
- (u) any vehicle fitted with apparatus designed for raising a disabled vehicle partly from the ground and for drawing a disabled vehicle when so raised (whether by partial superimposition or otherwise) being a vehicle which—
  - (i) is used solely for dealing with disabled vehicles,
  - (ii) is not used for the conveyance of any load other than a disabled vehicle when so raised, water, fuel and accumulators and articles required for the operation of, or in connection with, such apparatus as aforesaid or otherwise for dealing with disabled vehicles, and
  - (iii) has an unladen weight not exceeding 3 tons; and
- (v) play-buses.

(2) In this Regulation—

“digging machine” has the meaning given thereto in Schedule 3 to the Vehicles (Excise) Act 1971;

“engineering plant”, “land locomotive” and “land tractor” have the meanings given thereto in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1973(a);

“play-bus” means a vehicle—

- (a) which was originally constructed to carry passengers but has been adapted to carry goods or burden of any description, and

- (b) which is owned by a person or body of persons who carry on, otherwise than in the course of a trade or business conducted with a view to profit, activities which consist of, or include, the provision of play equipment for children by making it available at different places, when being driven on a road—
- (i) by or on behalf of the owner of the vehicle for the carriage of such equipment, or of such equipment together with not more than two passengers of full age appointed by such owner to supervise the use of the equipment by children, to or from the place where the equipment is to be, or has been, made available for such use, or
  - (ii) for the purpose of proceeding to or from the place where a mechanical defect in the vehicle itself is to be, or has been, remedied, or
  - (iii) in such circumstances that by virtue of section 5 of the Vehicles (Excise) Act 1971 the vehicle is not chargeable with duty in respect of its use on public roads;

“play equipment for children” includes articles required in connection with the use of such equipment by children;

“road construction vehicle” and “road construction machinery” have the meanings given thereto by section 4(2) of the Vehicles (Excise) Act 1971;

“track laying”, in relation to a vehicle, means that the vehicle is so designed and constructed that the weight thereof is transmitted to the road surface either by means of continuous tracks or by a combination of wheels and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle;

“works truck” has the meaning given thereto in Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1971(a); and

expressions used in sub-paragraph (o) of paragraph (1) above have the same meaning as in the Visiting Forces and International Headquarters (Application of Law) Order 1965(b).

*Effect on existing hgv drivers' licences of changes in definitions*

30. The validity of a hgv driver's licence granted before 15th April 1976 shall not be affected by the coming into operation on that date of paragraph 11 of Schedule 1 to the Act of 1976 (which amends the definition of heavy goods vehicle in the Act of 1972), and for the purpose of determining the vehicles which the holder of the licence is thereby authorised to drive on or after that date, or on or after the date of the commencement of the licence, if later, the references in the licence to heavy goods vehicles, or to the classes of such vehicles, or to any one or more numbered classes of such vehicles, shall be construed as embracing (and only embracing) the vehicles which fall within the definition of heavy goods vehicle or, as the case may be, the definition of the vehicles comprised in the classes or the particular numbered class or classes of heavy goods vehicles, as such definitions have effect in these Regulations.

*Special provisions with respect to standard licences affected by the transitional savings in Schedule 2 to the Act of 1976*

31.—(1) A full or provisional standard licence for heavy goods vehicles of class 3 or 3A granted to a person—

(a) S.I. 1971/352 (1971 I, p. 1098).

(b) S.I. 1965/1536 (1965 II, p. 4462).

(a) to whom paragraph 2 of Schedule 2 to the Act of 1976 applies,  
(b) who is under the age of 21 when the licence is granted, and  
(c) whose ordinary driving licence is, by reason of sub-paragraph (3) of that paragraph, restricted as mentioned in that sub-paragraph, shall be restricted to heavy goods vehicles of class 3 or 3A having a permissible maximum weight not exceeding 10 tonnes, and for the purpose of Regulation 3(3)(d) the class of heavy goods vehicles for which the licence is granted shall be class 3 or 3A (as the case may be) restricted as aforesaid, but this restriction, insofar as it is imposed solely by reason of this paragraph, shall cease when the holder of the standard licence attains 21.

(2) Where a full standard licence for heavy goods vehicles of class 3 or 3A, which has been granted, on an application made during 1976, to a person to whom paragraph 3 of Schedule 2 to the Act of 1976 applies, restricts that person, by virtue of sub-paragraphs (3) and (5) of that paragraph, to the driving of heavy goods vehicles having a permissible maximum weight not exceeding 10 tonnes, then the class of vehicle the driving of which is authorised by that licence (as a full licence) shall, for the purpose of these Regulations, be class 3 or 3A (as the case may be) restricted as aforesaid, and accordingly any subsequent full standard licence for heavy goods vehicles of class 3 or 3A granted to that person shall, unless he has in the meantime passed a test which is, or by virtue of Regulation 20 has effect as, a test for a vehicle of class 3 or 3A, be subject to the same restriction.

(3) A restricted standard licence which is a full licence shall (without prejudice to the effect of Regulation 9(1)) be treated for the purposes of Part IV of the Act of 1972 as a provisional standard licence to drive heavy goods vehicles of class 3 or 3A having a permissible maximum weight exceeding 10 tonnes if the holder has attained the age of 21.

(4) The holder of a restricted standard licence which is a full licence shall not, for the purposes of Regulation 9(3)(a), or 10(4)(a) or (7)(b), be regarded as the holder of a full standard licence for heavy goods vehicles of class 3 or 3A, if the vehicle being driven has a permissible maximum weight exceeding 10 tonnes.

(5) Where a person under the age of 21 holds a restricted standard licence and applies for a hgv trainee driver's licence, or holds an hgv trainee driver's licence and applies for a restricted standard licence, he shall send to the licensing authority with his application his restricted standard licence, or hgv trainee driver's licence, as the case may be, and, if his application is granted—

(a) the licensing authority shall issue to him an hgv trainee driver's licence which (without prejudice to its nature as such a licence) shall authorise him to drive heavy goods vehicles of the restricted class 3 or 3A which a restricted standard licence would authorise him to drive, but without complying with the conditions specified in Regulation 10(1)(a), (b) and (c) and, if the restricted standard licence which he held or to which he is entitled is a full licence, also without complying with the conditions specified in Regulation 10(4) and (7)(b), and

(b) any subsequent hgv trainee driver's licence granted to him before he attains the age of 21 shall authorise him similarly.

(6) In paragraph (5) above the expression "restricted standard licence" includes a Northern Ireland restricted licence.

28th July 1977.

*William Rodgers,*  
Secretary of State for Transport.

## SCHEDULE 1

## REGULATIONS REVOKED BY REGULATION 1(2)

Title	Year and Number
The Heavy Goods Vehicles (Drivers' Licences) Regulations 1975.	S.I. 1975/739 (1975 II, p. 2733)
The Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations 1975	S.I. 1975/1731 (1975 III, p. 5880)
The Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations 1976	S.I. 1976/473 (1976 I, p. 1374)
The Heavy Goods Vehicles (Drivers' Licences) (Amendment) (No. 2) Regulations 1976	S.I. 1976/1075 (1976 II, p. 2850)

(See Regulation 2)

**SCHEDULE 2**  
**CLASSES OF HEAVY GOODS VEHICLES**

1 Class	2 Definition	3 Additional Classes
Class 1	An articulated vehicle combination not with automatic transmission, other than a vehicle combination coming within class 4	Classes 1A, 2, 2A, 3, 3A, 4 and 4A
Class 1A	An articulated vehicle combination with automatic transmission, other than a vehicle combination coming within class 4A	Classes 2A, 3A and 4A
Class 2	A heavy goods vehicle not with automatic transmission, other than an articulated vehicle combination, designed and constructed to have more than four wheels in contact with the road surface	Classes 2A, 3 and 3A
Class 2A	A heavy goods vehicle with automatic transmission, other than an articulated vehicle combination, designed and constructed to have more than four wheels in contact with the road surface	Class 3A
Class 3	A heavy goods vehicle not with automatic transmission, other than an articulated vehicle combination, designed and constructed to have not more than four wheels in contact with the road surface.	Class 3A
Class 3A	A heavy goods vehicle with automatic transmission, other than an articulated vehicle combination, designed and constructed to have not more than four wheels in contact with the road surface	
Class 4	An articulated vehicle combination not with automatic transmission, the tractive unit of which does not exceed 2 tons unladen weight	Class 4A
Class 4A	An articulated vehicle combination with automatic transmission, the tractive unit of which does not exceed 2 tons unladen weight	

For the purposes of the above definitions where a vehicle is fitted with two wheels in line transversely and the distance between the centres of their respective areas of contact with the road is less than 18 inches they shall be regarded as only one wheel.



(See Regulation 6)

SCHEDULE 3

PART I

FORM OF HEAVY GOODS VEHICLE FULL DRIVER'S LICENCE

Road Traffic Act 1972 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976

HEAVY GOODS VEHICLE

DRIVER'S LICENCE

Issued by the Licensing Authority for

[ Space for name and address of holder ]

is hereby authorised to drive heavy goods vehicles of Classes 1, 1A, 2, 2A, 3, 3A, 4, 4A

.....  
.....  
.....

from ..... until ..... inclusive.

PROVISIONAL LICENCE

This licence has effect as a provisional licence in respect of the classes of heavy goods vehicles for which it is not a full licence. Such heavy goods vehicles may be driven subject to the conditions applying to provisional licence holders and the minimum age requirements being satisfied.

Usual signature of licensee.....

PART II

FORM OF HEAVY GOODS VEHICLE PROVISIONAL DRIVER'S LICENCE

Road Traffic Act 1972 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976

HEAVY GOODS VEHICLE

PROVISIONAL DRIVER'S LICENCE

Issued by the Licensing Authority for

[ Space for name and address of holder ]

is hereby authorised to drive heavy goods vehicles of [all Classes] [Classes 4 and 4A] subject to the conditions prescribed in Regulation 9 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 1977.

from ..... until ..... inclusive.

Usual signature of licensee.....

(See Regulation 6)

SCHEDULE 4

PART I

FORM OF HEAVY GOODS VEHICLE TRAINEE DRIVER'S FULL LICENCE

Road Traffic Acts 1972 and 1974 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976

HEAVY GOODS VEHICLE

TRAINEE DRIVER'S LICENCE

Issued by the Licensing Authority for

Space for name and address of holder

[ ]

is hereby authorised, subject to the conditions set out or referred to below, to drive heavy goods vehicles of Classes

[here specify classes]

from ..... until ..... inclusive.

CONDITIONS

Name and address of holder's registered employer .....

Name and address of registered hgv driver .....

training establishment whose vehicles the holder .....

may drive .....

Class of heavy goods vehicle to which holder's .....

training agreement applies .....

1. The holder shall not by virtue of this licence (including the provisional licence below) drive a heavy goods vehicle of class 1, 1A, 2, 2A, 3 or 3A unless—

- (a) he is a registered employee of the registered employer named above,
(b) the vehicle is owned by that registered employer or by a registered hgv driver training establishment named above, and
(c) the vehicle is a heavy goods vehicle of a class which is stated above as being a class to which the holder's training agreement applies.

In this Condition "registered" means registered for the time being by the National Joint Committee for Young HGV Drivers in the Road Goods Transport Industry in accordance with the relevant provisions of their training scheme.

2. The holder shall not by virtue of this licence, while under the age of 21, drive otherwise than under the supervision of a person who is present with him in the vehicle and who holds a full licence (not being a trainee driver's licence) to drive a vehicle of that class—

- (a) a heavy goods vehicle of class 1 or 1A, or
- (b) a heavy goods vehicle of class 2, 2A, 3 or 3A when the vehicle is being used to draw a trailer which is not part of an articulated vehicle combination.

**PROVISIONAL LICENCE**

This licence has effect as a provisional licence in respect of heavy goods vehicles of class [here specify]. Such heavy goods vehicles may be driven subject to the conditions applying to provisional licence holders.

Usual signature of licensee.....

**PART II**

**FORM OF HEAVY GOODS VEHICLE TRAINEE DRIVER'S PROVISIONAL LICENCE**

Road Traffic Acts 1972 and 1974 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976

**HEAVY GOODS VEHICLE**

**TRAINEE DRIVER'S PROVISIONAL LICENCE**

Issued by the Licensing Authority for

Space for name and address of holder

[ ]

is hereby authorised, subject to the conditions set out or referred to below, to drive heavy goods vehicles of Classes

[here specify classes]

from ..... until ..... inclusive.

**CONDITIONS**

Name and address of holder's registered employer .....

Name and address of registered hgv driver .....  
training establishment whose vehicles the holder .....  
may drive .....

Class of heavy goods vehicle to which holder's .....  
training agreement applies .....

1. The holder shall not by virtue of this licence drive a heavy goods vehicle of class 1, 1A, 2, 2A, 3 or 3A unless—

- (a) he is a registered employee of the registered employer named above,
- (b) the vehicle is owned by that registered employer or by a registered hgv driver training establishment named above, and
- (c) the vehicle is a heavy goods vehicle of a class which is stated above as being a class to which the holder's training agreement applies.

In this Condition "registered" means registered for the time being by the National Joint Training Committee for Young HGV Drivers in the Road Goods Transport Industry in accordance with the relevant provisions of their training scheme.

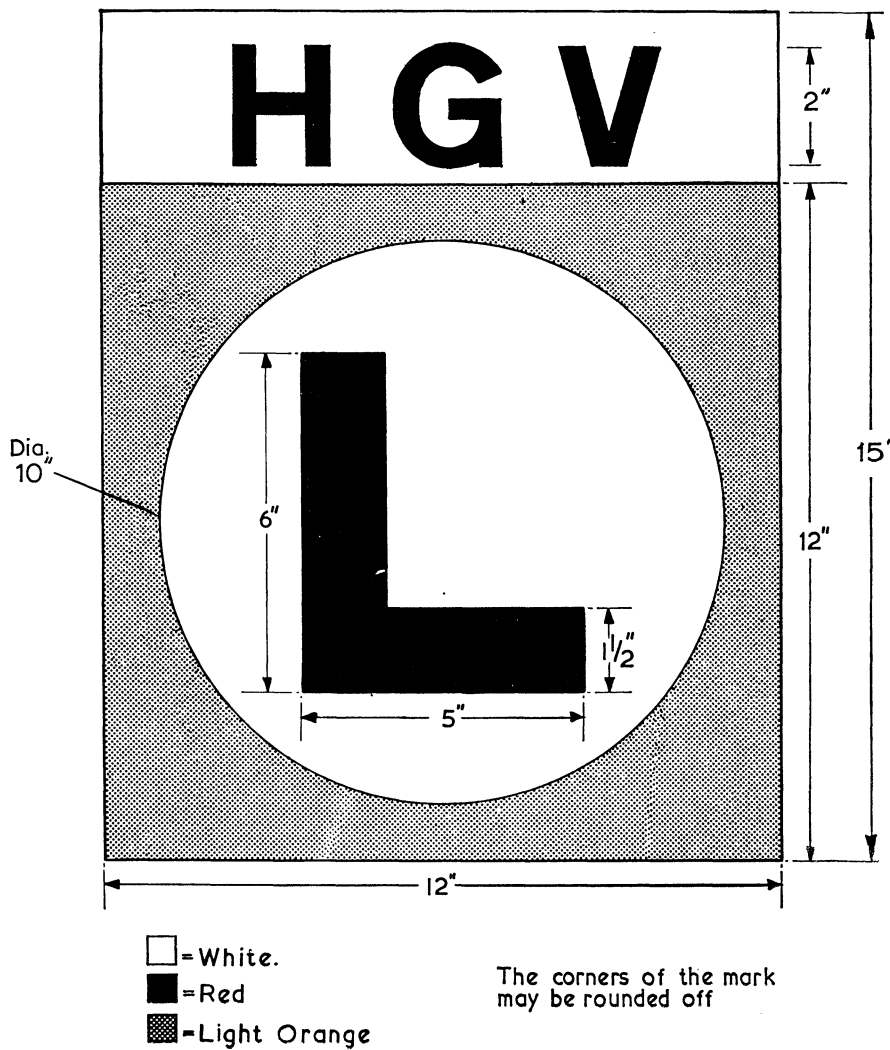
2. This licence is subject also to the special conditions applying to hgv trainee drivers' provisional licences set out in Regulation 10 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 1977.

Usual signature of licensee.....

(See Regulations 9 and 10)

SCHEDULE 5

Diagram of distinguishing mark to be displayed on a vehicle driven under a provisional licence.



(See Regulation 19)

SCHEDULE 6

NATURE OF TESTS—OPERATIONS

- A. Start the engine of the vehicle.
- B. Move off straight ahead and at an angle.
- C. Maintain a proper position in relation to a vehicle immediately in front.
- D. Overtake and take an appropriate course in relation to other vehicles.
- E. Turn right and left.
- F. Make an emergency stop.
- G. Manoeuvre the vehicle both forwards and backwards, including steering the vehicle along a predetermined course; make it enter a narrow opening and bring it to rest at a predetermined position.
- H. Indicate his intended actions by appropriate signals at appropriate times in a clear and unmistakable manner.
- I. Act correctly and promptly in response to all signals given by traffic signs and persons regulating road traffic and take appropriate action on signs given by other road users.

(See Regulations 21 and 25)

SCHEDULE 7

PART I

FORM OF CERTIFICATE OF PASSING A TEST OF COMPETENCE TO DRIVE A HEAVY GOODS VEHICLE

Road Traffic Act 1972 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976  
HEAVY GOODS VEHICLE DRIVING TEST

Pass Certificate

I certify that.....

.....

.....

has been examined and has passed the test of competence to drive a heavy goods vehicle of class

as prescribed for the purposes of section 114(1) of the Road Traffic Act 1972.

.....

.....

.....

PART II

FORM OF STATEMENT OF FAILURE TO PASS A TEST OF  
COMPETENCE TO DRIVE A HEAVY GOODS VEHICLE

Road Traffic Act 1972 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976  
HEAVY GOODS VEHICLE DRIVING TEST

Statement of Failure

Name .....

Address .....

.....

has this day been examined on a heavy goods vehicle of Class ..... and has failed to pass the test of competence to drive prescribed for the purposes of section 114(1) of the Road Traffic Act 1972.

PART III

FORM OF CERTIFICATE OF BEING TREATED AS HAVING PASSED  
AN ORDINARY DRIVING TEST

Road Traffic Act 1972 and Road Traffic (Drivers' Ages and Hours of Work) Act 1976  
HEAVY GOODS VEHICLE DRIVING TEST

Pass certificate for ordinary driving test

.....

has been examined and has passed a test of competence for the purposes of section 114(1) of the Road Traffic Act 1972, and shall be treated under Regulation 25 of the Heavy Goods Vehicles (Drivers' Licences) Regulations 197 as having passed the test of competence prescribed under section 85(2) of that Act to drive .....

.....

.....

.....

EXPLANATORY NOTE

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

These Regulations consolidate, with further amendments, the Heavy Goods Vehicles (Drivers' Licences) Regulations 1975 ("the 1975 Regulations") as amended by the other Regulations specified in Schedule 1 to these Regulations. The effect of the principal further amendments is as follows.

The provision in Regulation 4(c) of the Regulations of 1975, as amended, for minimum ages for qualifying to apply for hgv drivers' licences, is removed. That provision duplicated section 96(1) of the Act of 1972, as amended by section 1 of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976 and Regulation 4 of the Motor Vehicles (Driving Licences) Regulations 1976

(S.I. No. 1076). The Requirements as to minimum ages of the said section 96 as amended or the corresponding Northern Ireland provision are applied to applicants for hgv drivers' licences in these Regulations by the requirement in Regulation 3(3)(d) that the applicant must not be disqualified by reason of his age in respect of any vehicle in the class of heavy goods vehicles to which the licence is to relate and in Regulation 4(c) that the applicant must hold an ordinary driving licence or the equivalent Northern Ireland licence authorising him to drive a vehicle or vehicles in the class of heavy goods vehicles to which the licence is to relate.

New provision is made in Regulation 31, together with the new definition of "restricted standard licence" in Regulation 2(1) and amendments in Regulations 10 and 17, to take account of the issue of hgv drivers' licences which, in consequence of paragraph 3 of Schedule 2 to the Road Traffic (Drivers' Ages and Hours of Work) Act 1976, are restricted to vehicles not exceeding 10 metric tons permissible maximum weight (as defined in section 110 of the Act of 1972 as amended by paragraph 5 of Schedule 1 to the Act of 1976) in class 3 or 3A, and to apply a similar restriction to renewals of such licences (Regulation 31(2)) and to hgv drivers' licences issued to holders of ordinary driving licences which are restricted to vehicles not exceeding 10 metric tons permissible maximum weight under paragraph 2 of Schedule 2 to that Act, while they are under 21 years of age (Regulation 31(1)).

The requirement in Regulation 21(2)(b) of the 1975 Regulations that a person submitting himself for a test shall produce to the examiner his ordinary driving licence, Northern Ireland (ordinary) driving licence or evidence that he has applied for but not received such a licence and his hgv driver's licence or Northern Ireland hgv driver's licence, is removed.

Two exemptions from heavy goods vehicle licensing are introduced in Regulation 29(1)(r) and (s). They preserve the exemption in Regulation 28(1)(r) of the 1975 Regulations for any articulated vehicle combination (as defined in Regulation 2(1)) the tractive unit of which does not exceed 15 cwt. unladen weight, and also exempt:—

- (i) any articulated vehicle combination which has a permissible weight not exceeding 7.5 metric tons (Regulation 29(1)(r)), and
- (ii) any vehicle having a relevant maximum weight (as defined in section 110 of the Act of 1972 as amended by paragraph 5 of Schedule 1 to the Act of 1976) not exceeding 3.5 metric tons to which a trailer is attached, which is not an articulated vehicle combination (Regulation 29(1)(s)).

SI 1977/1309  
ISBN 0-11-071309-5



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