

2003 No. 3027

ROAD TRAFFIC

**The Motor Cars (Driving Instruction) (Amendment) Regulations
2003**

<i>Made</i> - - - -	<i>24th November 2003</i>
<i>Laid before Parliament</i>	<i>28th November 2003</i>
<i>Coming into force</i> -	<i>19th December 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 125(3)(a) and 132 of the Road Traffic Act 1988(a), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 2003 and shall come into force on 19th December 2003.

Amendments to the Motor Cars (Driving Instruction) Regulations 1989

2. The Motor Cars (Driving Instruction) Regulations 1989(b) are amended as follows.

3. Insert in regulation 3 (general provisions), after paragraph (4)—

“(4A) Where a person has—

- (a) passed the written examination before 14th November 2002;
- (b) passed the elements of the driving ability and fitness test, other than the test of hazard perception, on his first, second or third attempt after he had passed the examination; and
- (c) fulfilled the conditions specified in sub-paragraphs (c) and (d) of regulation 3(4), he shall be regarded as having passed the examination. ”.

4.—(1) Regulation 5 (driving ability and fitness test) is amended as follows.

(2) At the beginning of paragraph (1) insert “Subject to paragraph (7A), ”.

(3) In paragraph (7), for “the person conducting the test” substitute “the examiner”.

(4) At the end of regulation 5, add—

“(7A) Where a candidate has—

- (a) passed the written examination before 14th November 2002;

(a) 1988 c.52; to which there are no amendments relevant to these regulations; see section 192(1) for the meaning of “prescribed”; see section 141 for the meaning of “regulations”.

(b) S.I. 1989/2057. Relevant amendments made by S.I. 1998/2247 and 2002/2640.

- (b) passed the elements of the driving ability and fitness test, other than the test of hazard perception, on his first, second or third attempt after he had passed the examination; and
- (c) fulfilled the conditions specified in sub-paragraphs (c) and (d) of regulation 3(4), the driving ability and fitness test shall consist only of tests of eyesight and driving technique and paragraphs 2(a) and (b), (3) and (4) shall not apply to him.”.

Signed by authority of the Secretary of State for Transport

24th November 2003

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Cars (Driving Instruction) Regulations 1989 (“the principal Regulations”) as follows.

The principal Regulations were amended by the Motor Cars (Driving Instruction) (Amendment) Regulations 2002 (S.I. 2002/2640) on 14 November 2002 to incorporate a hazard perception testing element (“hazard perception test”) into the driving ability and fitness test. These Regulations amend regulations 3 and 4 of the principal Regulations so that a person who passed the written examination before 14 November 2002 is not required to undertake the hazard perception test as part of the driving ability and fitness test.

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