

2008 No. 419

ROAD TRAFFIC

**The Motor Cars (Driving Instruction) (Amendment) Regulations
2008**

<i>Made</i> - - - -	<i>20th February 2008</i>
<i>Laid before Parliament</i>	<i>22nd February 2008</i>
<i>Coming into force</i> - -	<i>1st April 2008</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 123(2), 125(3)(a), 125A(5)(b), 127(2)(c), 129(5)(d), 132(2)(b)(e) and 141 of the Road Traffic Act 1988(f), makes the following Regulations.

The Secretary of State for Transport, in exercising the powers conferred by sections 125(3), 125A(5), 127(2) and 132(2)(b) of the Road Traffic Act 1988, has taken into account the functions and matters specified in respect of those sections in the Department of Transport (Fees) Order 1988(g).

Citation and commencement

1. These Regulations may be cited as the Motor Cars (Driving Instruction) (Amendment) Regulations 2008 and come into force on 1st April 2008.

Amendment of the Motor Cars (Driving Instruction) Regulations 2005

2.—(1) The Motor Cars (Driving Instruction) Regulations 2005(h) are amended as follows.

(2) In the table in regulation 17(1) (fees), in column (3)—

- (a) in item 1, for “£75” substitute “£80”;
- (b) in items 2 and 3, for “£85” substitute “£99”; and
- (c) in items 4, 6 and 7, for “£200” substitute “£300”.

(3) In regulation 20(2)(b), for “back” substitute “front” and for “front”, where it first appears, substitute “back”.

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- (a) Section 125(3) was substituted by the Motor Cars (Driving Instruction) (Admission of Community Licence Holders) Regulations 1999 (S.I. 1999/357).
 - (b) Section 125A was inserted by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c.31) (“the 1993 Act”), section 1.
 - (c) Section 127(2) was amended by the Schedule to the 1993 Act.
 - (d) Section 129(5) was amended by section 2 of the 1993 Act.
 - (e) Section 132(2)(b) was amended by the Transport Act 2000 (c.38) (paragraph 9 of Schedule 29).
 - (f) 1988 c. 52.
 - (g) S.I. 1988/643; relevant amending instruments are S.I. 1995/1684 and 2003/1094. The functions and matters are specified in columns (2) and (3) respectively of items 8, 9, 10 and 12 in Table III (Road Traffic Act 1988) in Schedule 1 to the Order.
 - (h) S.I. 2005/1902; S.I. 2007/697 is the relevant amending instrument.

(4) In Schedules 4 (forms of licence) and 5 (forms of certificate of registration), for “the Department of the Environment, Transport and the Regions” in each case where it appears substitute “the Department for Transport”.

Signed by the authority of the Secretary of State

20th February 2008

Jim Fitzpatrick
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 2005 (“the principal regulations”).

Regulation 2(2) increases the fees for an application for—

- (a) submission to the written examination provided for in regulation 5 of the principal regulations;
- (b) submission to the driving ability and fitness test provided for in regulation 6;
- (c) submission to the instructional ability and fitness test provided for in regulation 7;
- (d) retention of a person’s name in the register of approved instructors under section 127(1) of the 1988 Act;
- (e) entry to the register following the passing of the examination under section 125 (the register of approved instructors) or 125A (registration of disabled persons) of the Act; and
- (f) entry to the register without passing the examination.

Regulation 2(3) changes the prescribed manner of fixing to and exhibiting on a motor car a certificate or a licence for the purposes of section 123(2) of the Road Traffic Act 1988 (driving instruction for payment to be given only by registered or licensed persons).

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Driving Standards Agency, Stanley House, Talbot Street, Nottingham NG1 5GU. The impact assessment may also be accessed on the Office of Public Information website (www.opsi.gov.uk) and on the Driving Standards Agency’s website (www.dsa.gov.uk).

£3.00

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E1984 2/2008 181984T 19585