

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Transport Act 2000, SCHEDULE 29 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 29

Section 260.

DRIVER TRAINING AND DRIVING INSTRUCTORS: MINOR AND CONSEQUENTIAL AMENDMENTS

Introductory

1 The ^{M1}Road Traffic Act 1988 has effect subject to the following amendments.

Marginal Citations

M1 1988 c. 52.

Consequential amendments about driver training

PROSPECTIVE

2 In section 89(6) (vehicles which may be driven by virtue of licence authorised by passing of test), for “For” substitute “ Subject to regulations under section 99ZA of this Act, for ”.

PROSPECTIVE

3 In section 97(1) (grant of licences), for “the following provisions of this section and section 92 of this Act” substitute “ subsection (2) below, section 92 of this Act and regulations under section 99ZA of this Act ”.

PROSPECTIVE

4 In section 98(2) (effect of full licence), after “below” insert “ and to regulations under section 99ZA of this Act ”.

PROSPECTIVE

5 (1) Section 164 (power of constables to require production of evidence) is amended as follows.

(2) For subsection (4A) substitute—

“(4A) If regulations make provision for the evidencing of the successful completion of driver training courses or of a person’s being within the exemption specified in subsection (2), or any exemption provided by virtue

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of subsection (3), of section 99ZA of this Act, a person driving on a road a motor vehicle which he—

- (a) is not authorised so to drive without having successfully completed such a course, or
 - (b) would not be authorised so to drive apart from the exemption, may be required by a constable to produce prescribed evidence of the successful completion by him of such a course or of his being within the exemption.”
- (3) In subsection (6), for “his certificate of completion of a training course for motor cyclists” substitute “ prescribed evidence of the successful completion by him of a driver training course or of his being within an exemption ”.
- (4) In subsection (8A), for “a certificate of completion of a training course for motor cyclists” substitute “ prescribed evidence of the successful completion of a driver training course or of being within an exemption ”.
- (5) In subsection (11), for the words from “ “counterpart,” to “completion”” substitute “ “counterpart” and “provisional licence” ”.

6 In section 194 (index of expressions) insert at the appropriate place—

“Driver training course	Section 99ZA”.
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Tests of continued ability and fitness to give driving instruction

- 7 In section 125(5) (continuing registration conditional on undergoing tests of continued ability and fitness to give instruction), for the words from “undergo” to the end substitute “ submit himself for such test of continued ability and fitness to give instruction in the driving of motor cars (which may consist of practical and other means of assessment) as may be prescribed by regulations. ”
- 8 In section 125B(6)(b) (similar provision in relation to disabled instructors), after “cars” insert “ (which may consist of practical and other means of assessment) ”.
- 9 (1) Section 132 (regulations about examinations and tests) is amended as follows.
- (2) In subsection (1), for “such instruction” substitute “ instruction in the driving of motor cars (or appropriate motor cars) ”.
- (3) In subsection (2)—
- (a) in paragraph (a) (obligation to provide vehicle)—
 - (i) for “to any” substitute “ for any ”,
 - (ii) for “such a test of continued ability and fitness” substitute “ any part of such a test of continued ability and fitness which consists of practical assessment ”, and
 - (iii) for “the test” substitute “ the practical test or assessment ”,
 - (b) in paragraph (b) (fees)—
 - (i) after “examination” insert “ , or required to submit himself for such a test, ”, and
 - (ii) after “that part” insert “ or such tests, ”, and
 - (c) in paragraph (c) (particulars), after “examination” insert “ , or is required to submit himself for such a test ”.

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Disabled instructors: emergency control assessments

- 10 In section 133A (assessments of disabled person’s ability to control a motor car in an emergency), after subsection (4) insert—

“(4A) Regulations may require a person who applies to undergo an emergency control assessment (or a part of such an assessment), or is required to submit himself for such an assessment, to pay a fee to the Secretary of State.”

Review by magistrates’ court of examinations of instructors

- 11 (1) Section 133 (review of examinations) is amended as follows.

- (2) In subsection (1) (application to magistrates’ court)—

- (a) for “submitted himself for any part of an examination of ability to give instruction in the driving of motor cars” substitute “undergone a relevant examination, or a part of such an examination”, and
(b) for “that part of the examination was properly conducted in accordance with regulations” substitute “the examination or part was properly conducted”.

- (3) In subsection (2) (order for repayment of fees etc.)—

- (a) for “that part of the examination was not so” substitute “the examination or part was not properly”, and
(b) for “that part” substitute “the examination or part”.

- (4) After subsection (3) insert—

“(4) In this section “a relevant examination” means—

- (a) an examination of ability to give instruction in the driving of motor cars,
(b) a test of continued ability and fitness to give instruction in the driving of motor cars (or appropriate motor cars), or
(c) an emergency control assessment.”

Respondent in appeals about instructors

- 12 In section 131 (appeals against decisions of registrar), insert at the end—

“(4G) On an appeal under this section the respondent is the Registrar.”

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Changes and effects yet to be applied to :

- Sch. 29 para. 7 repealed by [2006 c. 49 Sch. 7\(14\)](#)
- Sch. 29 para. 8 repealed by [2006 c. 49 Sch. 7\(14\)](#)
- Sch. 29 para. 9 repealed by [2006 c. 49 Sch. 7\(14\)](#)
- Sch. 29 para. 11 repealed by [2006 c. 49 Sch. 7\(14\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by [S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\)](#) (as inserted) by [S.I. 2019/1245 reg. 25](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- Sch. 16 para. 34(4)(a)para. 34(4)(b)(c) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)