

**ภาคผนวก ง**  
**Road Traffic Act 1988**

### ภาคผนวก ง Road Traffic Act 1988

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Section 87 Drivers of motor vehicles to have driving licences.

(1) It is an offence for a person to drive on a road a motor vehicle of any class a licence authorising him to drive a motor vehicle of that class.

(2) It is an offence for a person to cause or permit another person to drive on a road a motor vehicle of any class to drive a motor vehicle of that class.

Section 88 Exceptions.

(1) Notwithstanding section 87 of this Act, a person may drive or cause or permit another person to drive a vehicle of any class if—

(a) the driver has held—

(i) a licence under this Part of this Act to drive vehicles of that or a corresponding class, or licence to drive vehicles of that or a corresponding class, or

(ii) a Northern Ireland licence to drive vehicles of that or a corresponding class, or

(iii) a British external licence or British Forces licence to drive vehicles of that or a corresponding class, or

(iv) an exchangeable licence to drive vehicles of that or a corresponding class, and

(b) either—

(i) a qualifying application by the driver for the grant of a licence to drive vehicles of that class for a period which includes that time has been received by the Secretary of State, or

(ii) a licence to drive vehicles of that class granted to him has been revoked or surrendered in pursuance of section 99(2A), (3) or (4) of this Act otherwise than by

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<sup>1</sup> Legislation. *Road Traffic Act 1988*. (Online). Available: <https://www.legislation.gov.uk/ukpga/1988>

reason of a current disqualification or of its having been granted in error and he has complied with any requirements imposed on him under section 99(7B) of this Act, and

(c) any conditions which by virtue of section 97(3) or 98(2) of this Act apply to the driving under the authority of the licence of vehicles of that class are complied with.

1A) An application for the grant of a licence to drive vehicles of any class is a qualifying application for the purposes of subsection (1)(b)(i) above if—

(a) the requirements of paragraphs (a), (b) so far as it relates to initial evidence and (c) of section 97(1) of this Act have been satisfied;

(b) the applicant—

(i) is not subject to a current disqualification which is relevant to the licence he applies for, and

(ii) is not prevented from obtaining it by section 89 of this Act ; and

(c) the declaration made in pursuance of section 92(1) of this Act indicates that he is not suffering from a relevant disability.

1B) A disqualification is relevant to a licence for which a person makes an application if—

(a) in the case of an application made by virtue of any provision of subsection (1)(a) above, the disqualification subsists under or by virtue of any provision of the Road Traffic Acts and relates to vehicles of the class to which his application relates;

(aa) in the case of an application made by virtue of subsection (1)(a)(ia) above, the disqualification subsists under or by virtue of any provision of the law of an EEA State and relates to vehicles of the class, or of a class corresponding to the class, to which his application relates;

(b) in the case of an application made by virtue of subsection (1)(a)(ii) above, the disqualification subsists under or by virtue of any provision of the law of Northern Ireland and relates to vehicles of the class, or of a class corresponding to the class, to which his application relates;

(c) in the case of an application made by virtue of subsection (1)(a)(iii) above, the disqualification subsists under or by virtue of any provision of the relevant external law or, as the case may be, is a disqualification for holding or obtaining a British Forces licence and relates

to vehicles of the class, or of a class corresponding to the class, to which his application relates;  
and

(d) in the case of an application made by virtue of subsection (1)(a)(iv) above, the disqualification subsists under or by virtue of any provision of the law of the country or territory under which the licence which he held was granted and relates to vehicles of the class, or of a class corresponding to the class, to which his application relates;

but a disqualification which does not prevent the person disqualified from obtaining a provisional licence or, as the case may be, a licence corresponding to a provisional licence is relevant to a full licence but not to a provisional licence.]

(2) The benefit of subsection (1) above does not extend—

(a) beyond the date when a licence is granted in pursuance of the application mentioned in subsection (1)(b) above or (as the case may be) in pursuance of section 99(7) [F13 or (7A)] of this Act in consequence of the revocation or surrender so mentioned, or

(b) in a case where a licence is not in fact so granted, beyond the expiration of the period of one year or such shorter period as may be prescribed, beginning on the date of the application or (as the case may be) the revocation or surrender mentioned in subsection (1)(b) above

(c) in a case where a licence is refused under section 92(3) of this Act, beyond the day on which the applicant receives notice of the refusal.

(2A) Subsection (1) above does not apply by virtue of an application mentioned in paragraph (b) of that subsection having been received by the Secretary of State if—

(a) the application was made as a result of, or in anticipation of, the expiry of a disqualification relevant to the licence applied for,

(b) either the nature of the disqualification or its imposition within a particular period after an earlier disqualification amounted to circumstances prescribed under subsection (4) of section 94 of this Act (disqualification: high risk offenders), and

(c) the Secretary of State has notified the applicant that, because of that, he will be subject to a requirement under paragraph (a) or (b) of subsection (5) of that section.

(3) The Secretary of State may by regulations provide that subsection (1) above shall also apply (where the requirements of that subsection are otherwise met) in the case of a person who has not previously held a licence to drive vehicles of the relevant class.

(4) Regulations made by virtue of subsection (3) above shall, if not previously revoked, expire at the end of the period of one year beginning with the day on which they came into operation.

(5) Regulations may provide that a person who becomes resident in Great Britain shall, during the prescribed period after he becomes so resident, be treated for the purposes of section 87 of this Act as the holder of a licence authorising him to drive motor vehicles of the prescribed classes if—

(a) he satisfies the prescribed conditions, and

(b) he is the holder of a permit of the prescribed description authorising him to drive vehicles under the law of a country outside the United Kingdom.

(6) Regulations made by virtue of subsection (5) above may provide for the application of any enactment relating to licences or licence holders, with or without modifications, in relation to any such permit and its holder respectively.

(7) Notwithstanding section 87 of this Act—

(a) a person who is not the holder of a licence may act as steersman of a motor vehicle, being a vehicle on which a speed limit of five miles per hour or less is imposed by or under section 86 of the M1 Road Traffic Regulation Act 1984, under the orders of another person engaged in the driving of the vehicle who

(i) is licensed in that behalf in accordance with the requirements of this Part and Part IV of this Act, or

(ii) is authorised by virtue of section 99A(1) of this Act to drive in Great Britain such a motor vehicle, and

(b) a person may cause or permit another person who is not the holder of a licence so to act.

(8) In this Part of this Act—

“British external licence” means a licence granted in the Isle of Man or any of the Channel Islands under the relevant external law;

“British Forces licence” means a licence granted in the Federal Republic of Germany by the British authorities to members of the British Forces or of the civilian components of those Forces of their dependants; and

“relevant external law” means the law for the time being in force in the Isle of Man or any of the Channel Islands which corresponds to this Part of this Act.

Section 89 Tests of competence to drive.

(1) A licence authorising the driving of motor vehicles of any class shall not be granted to any person unless he satisfies the Secretary of State—

(a) that at some time during the period of two years ending with the date the application is made but not earlier than the appointed day he has passed—

(i) the test of competence to drive prescribed by virtue of subsection (3) below, or

(ii) a Northern Ireland test of competence to drive which corresponds to such a test, or

(iii) a test of competence which under subsection (6) below is a sufficient test; or

(b) that at some time not earlier than the appointed day he has held—

(i) a full licence authorising the driving of vehicles of that class, or

(ii) a full Northern Ireland licence authorising the driving of vehicles of that or a corresponding class; or that, if it is available to him, he satisfies the alternative requirement of section 89A of this Act; or

(c) that at some time during the period of two years ending with the date the application is made he has passed a test of competence to drive vehicles of that or a corresponding class for the purpose of obtaining a British Forces licence; or

(d) that at some time not earlier than the appointed day he has held a full British external licence or a full British Forces licence to drive vehicles of that or a corresponding class ; or

(e) that at some time during the period of two years ending with the date the application is made he has passed a test of competence to drive vehicles of that or a corresponding class conducted under the law of Gibraltar or

(ea) that either at the time of the application for the licence he holds licence authorising the driving of vehicles of that or a corresponding class or at some time he has held such licence ; or

(f) that, at the time of the application for the licence, he holds an exchangeable licence authorising the driving of vehicles of that or a corresponding class. This subsection is subject to the provisions of this Part of this Act as to provisional licences and to the provisions of any regulations made by virtue of section 105(2)(f) of this Act.

(2) For the purposes of subsection (1) above—

(a) a licence which has been revoked under section 99(3) of this Act or under any corresponding provision of—

(i) the law of Northern Ireland,

(ii) the relevant external law, or

(iii) the law of an EEA State

as a licence granted in error shall be disregarded for the purposes of paragraph (b), (d) or (ea) (as the case may be) of that subsection;

(c) a British external licence to drive any class of goods vehicle or any class of passenger-carrying vehicle is to be disregarded for the purposes of paragraph (d) of that subsection unless the Secretary of State, by order made by statutory instrument, designates the relevant external law under which it is granted as one which makes satisfactory provision for the granting of such licences.

(2A) Except as provided under subsection (5A) below, no person submitting himself for a test of competence to drive a motor bicycle shall be permitted to take the test unless he furnishes the prescribed certificate of completion by him of an approved training course for motor cyclists either with his application for an appointment for a test or to the person who is to conduct the test.

(3) Regulations may make provision with respect to—

(a) the nature of tests of competence to drive for the purposes of this section and section 36 of the Road Traffic Offenders Act 1988 (disqualification (b) the qualifications, selection and appointment of persons by whom they may be conducted, conditions which must be satisfied during the currency of an appointment, the charging of reasonable fees in respect of applications for appointment or appointments or in connection with any examination or

assessment which may be required before appointment or during the currency of any appointment and the revocation of any appointment,

(ba) the duty of a person submitting himself for a test to produce, and in prescribed circumstances surrender, any licence previously granted to him,

(c) evidence of the results of such tests, and generally with respect to such tests.

(4) Regulations under subsection (3)(a) above may in particular provide—

(a) for requiring a person submitting himself for a test to provide a safe and suitable vehicle for the purposes of the test and for requiring that, if the vehicle is a vehicle of a prescribed description, it has been certified in the prescribed manner after a prescribed inspection as satisfying such requirements as may be prescribed,

(aa) for requiring a person submitting himself for a test to have been normally and lawfully resident in Great Britain or the United Kingdom (within the meaning of section 97A) for such period ending on the date of his appointment for the test as may be prescribed,

(b) for the charging (whether on the making of an appointment for a test or otherwise) of reasonable fees for or in connection with the test and any inspection of a vehicle required by regulations under paragraph (a) above in relation to the test,

(c) for ensuring that a person submitting himself for a test and failing to pass that test shall not be eligible to submit himself for another test by the same or any other person before the expiration of a period specified in the regulations, except under an order made by a court or sheriff under the power conferred by section 90 of this Act, and different regulations may be made with respect to tests of competence to drive different classes of vehicles.

(5) If regulations make provision for a test of competence to drive to consist of separate parts, they may make for each part—

(a) any provision that could be made for a test not consisting of separate parts, . .

(b) . . . . .

(5ZA) Regulations under subsection (3)(b) above may in particular provide—

(a) for the supply by the Secretary of State to persons by whom tests of competence to drive, or parts of such tests, may be conducted of forms for certificates evidencing the results of such tests or parts of such tests, and



(b) for the charging of reasonable fees in respect of the exercise of any function conferred or imposed on the Secretary of State by the regulations.

(5A) Regulations may prescribe cases in which persons are exempt from the requirement imposed by subsection (2A) above; and the regulations may—

- (a) limit the exemption to persons in prescribed circumstances;
- (b) limit the exemption to a prescribed period;
- (c) attach conditions to the exemption; and
- (d) regulate applications for, and the issue and form of, certificates evidencing a person's exemption from that requirement.

(6) For the purposes of subsection (1)(a)(iii) above a test of competence shall be sufficient for the granting of a licence authorising the driving of—

- (a) vehicles of any class, if at the time the test was passed it authorised the granting of a licence to drive vehicles of that class,
- (b) vehicles of classes which are designated by regulations as a group for the purposes of subsection (1)(a) above, if at the time the test was passed it authorised the granting of a licence to drive vehicles of any class included in the group
- (c) vehicles of all classes included in another such group, if a person passing the test is treated by virtue of regulations made for the purposes of this paragraph as competent also to drive vehicles of a class included in that other group.]

(7) If vehicles of any classes are designated by regulations as a group for the purposes of subsection (1)(b) above, a licence authorising the driving of vehicles of a class included in the group shall be deemed for the purposes of subsection (1)(b)(i) above or section 89A(4)(a) below to authorise the driving of—

- (a) vehicles of all classes included in the group (except where regulations otherwise provide), and
- (b) vehicles of all classes included in another such group, if a person holding the licence is treated by virtue of regulations as competent also to drive vehicles of a class included in that other group.

The reference in this subsection to a licence does not include a licence which has been revoked in pursuance of section 99(3) of this Act.

(8) For the purposes of this section and section 88(1) of this Act, an exchangeable licence issued in respect of a country or territory shall not be treated as authorising a person to drive a vehicle of any if—

(a) the licence is not for the time being valid for that purpose, or

(b) it was issued in respect of that for a purpose corresponding to that mentioned in section 97(2) of this Act.

(9) A test of competence falling within paragraphs (a)(ii), (c) or (e) of subsection (1) above shall be sufficient for the granting of a licence authorising the driving of—

(a) vehicles of all classes designated by regulations as a group for the purposes of subsection (1)(a) above, if at the time the test was passed it authorised the granting of a licence to drive vehicles of any class included in the group, or of any class corresponding to a class included in the group, and

(b) vehicles of all classes included in another such group, if a person passing a test of competence authorising the granting of a licence to drive vehicles of a class included in the group mentioned in paragraph (a) above is treated by virtue of regulations as competent also to drive vehicles of a class included in that other group.

(10) A full Northern Ireland licence, a full British external licence, a full British Forces licence or an exchangeable licence shall be treated for the purposes of paragraphs (b)(ii), (d) or (f) (as the case may be) of subsection (1) above as authorising the driving of—

(a) vehicles of all classes designated by regulations as a group for the purposes of subsection (1)(b) above, if the licence authorises the driving of vehicles of any class included in the group, or any class corresponding to a class included in the group, and

(b) vehicles of all classes included in another such group, if by virtue of regulations a person holding a licence authorising him to drive vehicles of any class included in the group mentioned in paragraph (a) above is treated as competent also to drive vehicles of a class included in that other group.

(11) In this section and section 89A “the appointed day” means the day appointed for the coming into force of section 1 of the Road Traffic (Driver Licensing and Information Systems) Act 1989.

Section 90 Review of conduct of test.

(1) On the application of a person who has submitted himself for a test of competence to drive—

(a) a magistrates' court, or

(b) in Scotland, the sheriff within whose jurisdiction he resides, may determine whether the test was properly conducted in accordance with regulations.

(2) The court or, as the case may be, sheriff may, if it appears that the test was not so conducted—

(a) order that the applicant shall be eligible to submit himself for another test before the expiration of the period specified for the purposes of section 89(4)(c) of this Act, and

(b) order that any fee payable by the applicant in respect of the test shall not be paid or, if it has been paid, shall be repaid.

(3) If regulations make provision for a test of competence to drive to consist of separate parts, this section applies in relation to each part as well as in relation to the whole of the test.

Section 91 Repayment of test fees.

The whole or any part of a fee paid in pursuance of regulations made by virtue of section 89(4) of this Act on application for an appointment for a test may be repaid in the following cases and not otherwise—

(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 such notice cancelling the appointment as may be prescribed for the purposes of this paragraph by regulations,

(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 the repayment of the fee is made by the court or, as the case may be, sheriff under section 90 of this Act pursuant to a finding that the test was not properly conducted in accordance with the regulations.

Section 97 Grant of licences.

(1) Subject to and section 92 of this Act , the Secretary of State must grant a licence to a person who —

(a) makes an application for it in such manner and containing such particulars as the Secretary of State may specify

(b) provides the Secretary of State with such evidence or further evidence in support of the application as the Secretary of State may require,

(c) surrenders to the Secretary of State—

(i) any previous licence granted to him after 1st January 1976

(ia) any Northern Ireland licence held by him together with its Northern Ireland counterpart

(ii) any licence ..., and

(iii) any British external licence or British Forces licence or exchangeable licence held by him, or provides the Secretary of State with an explanation for not surrendering them which the Secretary of State considers adequate,

(d) is not ,

(i) in accordance with section 88(1B) of this Act, subject to a current disqualification which is relevant to the licence he applies for or

(ii) subject to a current disqualification under the law of an EEA State which relates to vehicles of the class, or of a class corresponding to the class, to which the application relates and was imposed while the person was the holder of a licence granted under the law of that State; and

(e) is not prevented from obtaining by the provisions of section 89 of this Act of Schedule 1 to the Road Traffic (New Drivers) Act 1995

(1A) Where any licence to be granted to an applicant would be in the form of a photocard, the Secretary of State may under subsection (1)(a) and (b) above in particular require him to provide a photograph which is a current likeness of him.

(1AA) Where a licence under this Part of this Act is granted to a person who surrenders under sub-paragraph (ia) of subsection (1)(c) above his Northern Ireland licence together with the to the Secretary of State—

(a) that person ceases to be authorised by virtue of section 109(1) of this Act to drive in Great Britain a motor vehicle of any class, and

(b) the Secretary of State must send the Northern Ireland licence and its Northern Ireland counterpart to the licensing authority in Northern Ireland together with particulars of the class of motor vehicles to which the licence granted under this Part of this Act relates.

(2) If the application for the licence states that it is made for the purpose of enabling the applicant to drive a motor vehicle with a view to passing a test of competence to drive, any licence granted in pursuance of the application shall be a provisional licence for that purpose, and nothing in section 89 of this Act shall apply to such a licence.

(3) A provisional licence—

(a) shall be granted subject to prescribed conditions,

(b) shall, in any cases prescribed for the purposes of this paragraph, be restricted so as to authorise only the driving of vehicles of the classes so prescribed,

(c) may, in the case of a person appearing to the Secretary of State to be suffering from a relevant disability or a prospective disability, be restricted so as to authorise only the driving of vehicles of a particular construction or design specified in the licence, .

(e) except as provided under subsection (3B) below, shall not authorise a person, before he has passed a test of competence to drive, to drive on a road a motor bicycle except where he has successfully completed an approved training course for motor cyclists or is undergoing training on such a course and is driving the motor on the road as part of the training.

(3A) Regulations may make provision as respects the training in the driving of motor bicycles of persons wishing to obtain licences authorising the driving of such motor by means of courses of training provided in accordance with the regulations; and the regulations may in particular make provision with respect to—

(a) the nature of the courses of training;

(b) the approval by the Secretary of State of the persons providing the courses and the withdrawal of his approval;

(c) the maximum amount of any charges payable by persons undergoing the training;

(d) certificates evidencing the successful completion by persons of a course of training and the supply by the Secretary of State of the forms which are to be used for such certificates; and

(e) the making, in connection with the supply of forms of certificates, of reasonable charges for the discharge of the functions of the Secretary of State under the regulations; and different provision may be made for training in different classes of motor .

(3B) Regulations may prescribe cases in which persons holding a provisional licence are exempt from the restriction imposed by subsection (3)(e) above on their driving under the licence; and the regulations may—

(a) limit the exemption to persons in prescribed circumstances;

(b) limit the exemption to a prescribed period or in respect of driving in a prescribed area;

(c) attach conditions to the exemption; and

(d) regulate applications for, and the issue and form of, certificates evidencing the holder's exemption from the restriction.

(4) Regulations may authorise or require the Secretary of State to refuse a provisional licence authorising the driving of a motor of a prescribed class if the applicant has held such a provisional licence and the licence applied for would come into force within the prescribed period—

(a) beginning at the end of the period for which the previous licence authorised (or would, if not surrendered or revoked, have authorised) the driving of such a motor , or

(b) beginning at such other time as may be prescribed.

Section 98 Form of licence.

(1) A licence shall be in the form of a photocard of a description specified by the Secretary of State or such other form as he may specify and—

(a) the licence shall state whether, apart from subsection (2) below, it authorises its holder to drive motor vehicles of all classes or of certain classes only and, in the latter case, specify those classes,

(b) the licence shall specify (in such manner as the Secretary of State may determine) the restrictions on the driving of vehicles of any class in pursuance of the licence to

which its holder is subject by virtue of section 101 of this Act and any conditions on the driving of vehicles of any class in pursuance of the licence to which its holder is subject by virtue of section 92(7ZA) of this Act, and

(c) in the case of a provisional licence, the licence shall specify (in such manner as the Secretary of State may determine) the conditions subject to which it is granted.

(1A) The Secretary of State may specify different descriptions of photocards, and different forms of licences not in the form of a photocard, for different cases and may determine the form of licence to be granted in any case.

(2) Subject to subsections (3) below, a authorises its holder to drive motor vehicles of certain classes only (not being—

(a) a provisional licence, or

(b) any other prescribed description of licence) drive motor vehicles of all other classes subject to the same conditions as if he were authorised by a provisional licence to drive motor vehicles of those other classes.

(3) authorise a person to drive—

(a) a vehicle of a class for the driving of which he could not, by reason of the provisions of section 101 of this Act, lawfully hold a licence, or

(c) unless he has passed a test of competence to drive, a motor bicycle on a road in circumstances in which, by virtue of section 97(3)(e) of this Act, a provisional licence would not authorise him to drive it before he had passed that test.

(4) In such cases as the Secretary of State may prescribe, the provisions of subsections (2) and (3) above shall not apply or shall apply subject to such limitations as he may prescribe. authorise a person on whom a notice under section 92(5)(b) of this Act has been served to drive motor vehicles otherwise than in accordance with the limits specified in the notice.

Section 101 Disqualification of persons under age.

(1) A person is disqualified for holding or obtaining a licence to drive a motor vehicle of a class specified in the following Table if he is under the age specified in relation to it in the second column of the Table.

<b>Class of motor vehicle</b>	<b>Age (in years)</b>
1. Invalid carriage	16
2. Moped	16
3. Motor bicycle	17
4. Agricultural or forestry tractor	17
5. Small vehicle	17
6. Medium-sized good vehicle	18
Other motor vehicle	21

(2) The Secretary of State may by regulations provide that subsection (1) above shall have effect as if for the classes of vehicles and the ages specified in the Table in that subsection there were substituted different classes of vehicles and ages or different classes of vehicles or different ages.

(3) Subject to subsection (4) below, the regulations may—

- (a) apply to persons of a class specified in or under the regulations,
- (b) apply in circumstances so specified,
- (c) impose conditions or create exemptions or provide for the imposition of conditions or the creation of exemptions,
- (d) contain such transitional and supplemental provisions (including provisions amending section 108, 120 or 183(5) of this Act) as the Secretary of State considers necessary or expedient.

(4) For the purpose of defining the class of persons to whom, the class of vehicles to which, the circumstances in which or the conditions subject to which regulations made by virtue of subsection (2) above are to apply where an approved training scheme for drivers is in force, it is sufficient for the regulations to refer to a document which embodies the terms (or any of the terms) of the scheme or to a document which is in force in pursuance of the scheme.

(5) In subsection (4) above—

“approved” means approved for the time being by the Secretary of State for the purpose of the regulations,



“training scheme for drivers” means a scheme for training persons to drive vehicles of a class in relation to which the age which is in force under this section (but apart from any such scheme) is 21 years, but no approved training scheme for drivers shall be amended without the approval of the Secretary of State

Section 108 Interpretation.

(1) In this Part of this Act—

“agricultural or forestry tractor” means a motor vehicle which—

- (a) has two or more axles,
- (b) is constructed for use as a tractor for work off the road in connection with agriculture or forestry, and
- (c) is primarily used as such,

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

“articulated goods vehicle combination” means an articulated goods vehicle with a trailer so attached,

“British external licence” and “British Forces licence” have the meanings given by section 88(8) of this Act,

“Community licence” means a document issued in respect of an EEA State... by an authority of that or another EEA State... authorising the holder to drive a motor vehicle, not being—

- (a) document containing a statement to the effect that that or a previous document was issued in exchange for a document issued in respect of a State other than an EEA State, or

- (b) a document in any of the forms for an international driving permit annexed to the Paris Convention on Motor Traffic of 1926, the Geneva Convention on Road Traffic of 1949 or the Vienna Convention on Road Traffic of 1968 or

- (c) a document issued for a purpose corresponding to that mentioned in section 97(2) of this Act,

“disability” has the meaning given by section 92 of this Act,

“disqualified” means disqualified for holding or obtaining a licence (or, in cases where the disqualification is limited, a licence to drive motor vehicles of the class to which the disqualification relates), and “disqualification” is to be interpreted accordingly,

“EEA agreement” and “EEA state” have the meaning given by Schedule 1 to the Interpretation Act 1978

“exchangeable licence” means a document authorising a person to drive a motor vehicle (not being a document mentioned in paragraph (b) of the definition of “ licence”)—

(a) issued in respect of Gibraltar by an authority of Gibraltar,

(b) issued in respect of a country or territory which is designed without restriction by an order under subsection (2)(a) below by an authority of that country or territory, or

(c) issued in respect of a country or territory which is designated by a restricted order under subsection (2)(b) below by an authority of that country or territory, being a document which is a licence of a description specified in that order, and a licence of a description so specified as to which provision is made as mentioned in subsection (2B) below is only an exchangeable licence to the extent that it authorises its holder to drive vehicles of a class specified in the order.]

“full licence” means a licence other than a provisional licence,]

“large goods vehicle” has the meaning given by section 121(1) of this Act,]

“licence” (except where the context otherwise requires)] means a licence to drive a motor vehicle granted under this Part of this Act . . .

“light quadricycle” means a quadricycle referred to in Article of the motorcycle type approval (within the meaning of Part 2 of this Act),

“maximum gross weight”, in relation to a motor vehicle or trailer, means the weight of the vehicle laden with the heaviest load which it is constructed or adapted to carry,

“maximum train weight”, in relation to an articulated goods vehicle combination, means the weight of the combination laden with the heaviest load which it is constructed or adapted to carry,

“medium-sized goods vehicle” means a motor vehicle—

(a) which is constructed or adapted to carry or to haul goods,

(b) which is not adapted to carry more than nine persons inclusive of the driver,  
and

(c) the permissible maximum weight of which exceeds 3.5 but not 7.5 tonnes,  
and includes a combination of such a motor vehicle and a trailer where the relevant maximum  
weight of the trailer does not exceed 750 kilograms,

“moped” does not include light quadricycles, but otherwise has the same meaning as in  
Directive 2006/126/EC of the European Parliament and of the Council of 20th December 2006 on  
driving licences,

“motor bicycle” means a motor vehicle which—

(a) has two wheels, and

(b) has a maximum design speed exceeding 45 kilometres per hour or, if  
powered by an internal combustion engine, has a cylinder capacity exceeding 50 cubic  
centimetres, and includes a combination of such a motor vehicle and a side-car

“Northern Ireland driving licence” or “Northern Ireland licence” means a licence to drive  
a motor vehicle granted under the law of Northern Ireland and “Northern Ireland counterpart”  
means the document issued with the Northern Ireland licence as a counterpart under the law of  
Northern Ireland,

“passenger-carrying vehicle” has the meaning given by section 121(1) of this Act,

“permissible maximum weight”, in relation to a goods vehicle (of whatever description),  
means—

(a) in the case of a motor vehicle which neither is an articulated goods vehicle  
nor is drawing a trailer, the relevant maximum weight of the vehicle,

(b) in the case of an articulated goods vehicle—

(i) when drawing only a semi-trailer, the relevant maximum train weight  
of the articulated goods vehicle combination,

(ii) when drawing a trailer as well as a semi-trailer, the aggregate of the  
relevant maximum train weight of the articulated goods vehicle combination and the relevant  
maximum weight of the trailer,

(iii) when drawing a trailer but not a semi-trailer, the aggregate of the relevant maximum weight of the articulated goods vehicle and the relevant maximum weight of the trailer,

(iv) when drawing neither a semi-trailer nor a trailer, the relevant maximum weight of the vehicle,

(c) in the case of a motor vehicle (not being an articulated goods vehicle) which is drawing a trailer, the aggregate of the relevant maximum weight of the motor vehicle and the relevant maximum weight of the trailer,

“prescribed” means prescribed by regulations,

“prospective disability” has the meaning given by section 92 of this Act,

“provisional licence” means a licence granted by virtue of section 97(2) of this Act,

“regulations” means regulations made under section 105 of this Act,

“relevant disability” has the meaning given by section 92 of this Act,

“relevant external law” has the meaning given by section 88(8) of this Act,

“relevant maximum weight”, in relation to a motor vehicle or trailer, means—

(a) in the case of a vehicle to which regulations under section 49 of this Act apply which is required by regulations under section 41 of this Act to have a maximum gross weight for the vehicle marked on a plate issued by the Secretary of State under regulations under section 41, the maximum gross weight so marked on the vehicle,

(b) in the case of a vehicle which is required by regulations under section 41 of this Act to have a maximum gross weight for the vehicle marked on the vehicle and does not also have a maximum gross weight marked on it as mentioned in paragraph (a) above, the maximum gross weight marked on the vehicle,

(c) in the case of a vehicle on which a maximum gross weight is marked by the same means as would be required by regulations under section 41 of this Act if those regulations applied to the vehicle, the maximum gross weight so marked on the vehicle,

(d) in the case of a vehicle on which a maximum gross weight is not marked as mentioned in paragraph (a), (b) or (c) above, the notional maximum gross weight of the vehicle,

that is to say, such weight as is produced by multiplying the unladen weight of the vehicle by the number prescribed by the Secretary of State for the class of vehicle into which that vehicle falls,

“relevant maximum train weight”, in relation to an articulated goods vehicle combination, means—

(a) in the case of an articulated goods vehicle to which regulations under section 49 of this Act apply which is required by regulations under section 41 of this Act to have a maximum train weight for the combination marked on a plate issued by the Secretary of State under regulations under section 41, the maximum train weight so marked on the motor vehicle,

(b) in the case of an articulated goods vehicle which is required by regulations under section 41 of this Act to have a maximum train weight for the combination marked on the vehicle and does not also have a maximum train weight marked on it as mentioned in paragraph (a) above, the maximum train weight marked on the motor vehicle,

(c) in the case of an articulated goods vehicle on which a maximum train weight is marked by the same means as would be required by regulations under section 41 of this Act if those regulations applied to the vehicle, the maximum train weight so marked on the motor vehicle,

(d) in the case of an articulated goods vehicle on which a maximum train weight is not marked as mentioned in paragraph (a), (b) or (c) above, the notional maximum gross weight of the combination, that is to say, such weight as is produced by multiplying the sum of the unladen weights of the motor vehicle and the semi-trailer by the number prescribed by the Secretary of State for the class of articulated goods vehicle combination into which that combination falls,

“semi-trailer”, in relation to an articulated goods vehicle, means a trailer attached to it in the manner described in the definition of articulated goods vehicle,

“small vehicle” means a motor vehicle (other than an invalid carriage, moped or motor bicycle) which—

(a) is not constructed or adapted to carry more than nine persons inclusive of the driver, and

(b) has a maximum gross weight not exceeding 3.5 tonnes, and includes a combination of such a motor vehicle and a trailer,

“test of competence to drive” means such a test conducted under section 89 of this Act.

“approved training course for motor cyclists” and, in relation to such a course,

“prescribed certificate of completion” mean respectively any course of training approved under, and the certificate of completion prescribed in, regulations under section 97(3A) of this Act.

(1A) In this Part of this Act, unless the context otherwise requires, a reference to the expiry of a licence is a reference to the time when it ceases to be in force (and “expired” is to be interpreted accordingly).

(1B) For the purposes of this Part a person is normally resident in Great Britain if—

(a) the person lives in Great Britain for at least 185 days in each calendar year because of—

(i) personal and occupational ties, or

(ii) close personal ties, or

(b) the person has personal ties in Great Britain and occupational ties in an EEA state or Northern Ireland] and consequently lives in turn in Great Britain and that state or Northern Ireland.

(1BA) In order to be normally resident in Great Britain by virtue of subsection (1B)(b) a person must return there regularly, except where the person is living in the EEA state or Northern Ireland in order to carry out a task of a definite duration.

(1C) For the purposes of this Part a person is normally resident in the United Kingdom if—

(a) the person lives in the United Kingdom for at least 185 days in each calendar year because of—

(i) personal and occupational ties, or

(ii) close personal ties, or

(b) the person has personal ties in the United Kingdom and occupational ties in an EEA state and consequently lives in turn in the United Kingdom and that EEA state.

(1D) In order to be normally resident in ... the United Kingdom by virtue of subsection ...(1C)(b) a person must return there regularly, except when the person is living in the EEA state in order to carry out a task of a definite duration.

(1E) For the purposes of subsections (1B) and (1C) attendance at a university or school is not a personal or occupational tie.

(2) The Secretary of State may by order made by statutory instrument designate a country or territory which neither is nor forms part of an EEA State for the purposes of the definition of “exchangeable licence” in subsection (1) above—

(a) as respects all licences authorising the driving of motor vehicles granted under the law of that country or territory, where the Secretary of State is satisfied that satisfactory provision is made by that law for the granting of licences to drive motor vehicles;

(b) as respects only licences authorising the driving of motor vehicles granted under the law of that country or territory of a description specified in the order, where the Secretary of State is satisfied that satisfactory provision is made by that law for the granting of licences of that description.

(2A) An order under subsection (2)(b) above may specify a description of licence by reference to any feature of the licences concerned (including in particular the circumstances in which they are granted, any conditions to which they are subject or the classes of vehicle which they authorise the holders to drive).

(2B) An order under subsection (2)(b) above may provide that a licence of a specified description shall only be an exchangeable licence in so far as it authorises its holder to drive vehicles of a class specified in the order.]

(3) Before making any order under subsection (2) above, the Secretary of State shall consult with such representative organisations as he thinks fit.