

SUBSIDIARY LEGISLATION 65.18**MOTOR VEHICLES (DRIVING LICENCES)
REGULATIONS**

2nd January, 2004;
29th March, 2004

LEGAL NOTICE 191 of 2002, as amended by Legal Notices 14 of 2004, 25 and 408 of 2007, 105 of 2008 and 25 of 2009; Act XV of 2009; and Legal Notices 89 and 426 of 2010, 172 of 2011, and 97 and 426 of 2012.

**PART I
PRELIMINARY**

1. The title of these regulations is Motor Vehicles (Driving Licences) Regulations. Title.

2. In these regulations, unless the context otherwise requires:

"agricultural tractor" means any power-driven vehicle running on wheels or tracks, having at least two axles, the principal function of which lies in its tractive power, which is specially designed to pull, push, carry or operate certain tools, machines or trailers used in connection with agricultural operations, and the use of which for carrying persons or goods by road or drawing, on the road, vehicles used for the carriage of persons or goods is only a secondary function;

Interpretation.
Amended by:
L.N. 14 of 2004;
L.N. 25 of 2007;
XV. 2009.49;
L.N. 172 of 2011.

"approved driving instructor" means an individual who is duly qualified to give driving instruction and who is currently registered as such with the Authority;

"the Authority" means the Authority for Transport in Malta established under the Authority for Transport in Malta Act;

Cap. 499.

"authorisation" means any authorisation in writing by the Authority in terms and for the purposes of these regulations;

"company" has the same meaning as is assigned to it in article 2 of the Companies Act;

Cap. 386.

"competent medical authority" means a medical practitioner or a group of medical practitioners;

"counterpart driving licence" means a document accompanying the photocard driving licence containing the driver's personal details, driving entitlements, driving offences and other relevant information;

"CPC" means the Certificate of Professional Competence issued in accordance with the provisions of Part IV;

"the Directive" means Directive 2006/126/EC of the European Parliament and the Council on driving licences as amended;

"driver" means, for the purposes of Part IV, a driver who is a national of Malta, or a national of another Member State or a national of a third country who is employed or used by an undertaking established in Malta;

"driving disqualification" means any measure related to the

commission of a road traffic offence which results in the withdrawal or the suspension of the right to drive of a driver of a motor vehicle and which disqualification shall not be subject to a right of appeal. The measure may constitute either a primary, secondary or supplementary penalty or a safety measure and may have been taken either by a judicial authority or by an administrative authority;

"dual control system" means a system with double clutch controls and double foot brake controls and which may include two steering wheels;

"European Union driving licence" a driving licence issued by a competent authority responsible for the issuing of driving licences in any Member State of the European Economic Area;

"examination of ability to give instruction" means the examination referred to in regulation 68(1) and the nature of which is prescribed in the Eleventh Schedule;

"full driving licence" means a driving licence which is not a probationary driving licence;

"g.v.w." means gross vehicle weight;

"gross vehicle weight" means the road weight specified by the manufacturer as being the maximum design weight capacity of the vehicle, such weight being the combined weight of the vehicle, the maximum specified load, the driver, and a tank full of fuel;

"learner's permit" means a temporary licence which allows a person to drive a motor vehicle under instruction;

"licensed operator" means an individual, partnership or company licensed by the Authority in accordance with these regulations to operate a motoring school;

"maximum authorised mass" means the maximum technically permissible laden mass of a motor vehicle as stated by the manufacturer;

"medical certificate" means a certificate issued by a competent medical authority based on the standards indicated in the Eighth Schedule;

"Member State" means any Member State of the European Economic Area;

"minimum test vehicle" means, in relation to any category or sub-category, a vehicle of a specification shown in relation to the category or sub-category in the Third Schedule;

"Minister" means the Minister responsible for transport;

"moped" means a two-wheel vehicle or a three-wheel vehicle with a maximum design speed of not more than 45 kilometers per hour, as defined in Article 1(2)(a) of Directive 2002/24/EC of the European Parliament and of the Council relating to the type-approval of two or three-wheel motor vehicles, but excluding those with a maximum design speed of 25 kilometers per hour or less, and light quadricycles as defined in Article 1(3)(a) of the said Directive;

"motor vehicle" means any power-driven vehicle, other than a motorcycle, which is normally used for carrying persons or goods by road or for drawing, on the road, vehicles used for the carriage of persons or goods, and includes trolleybuses, that is, vehicles connected to an electric conductor and not rail-borne; it shall not include agricultural or forestry tractors;

"motorcycle" means any two-wheeled power-driven vehicle with or without a sidecar;

"normal residence" means the place where a person habitually lives, for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living:

Provided that, the normal residence of a person whose occupational ties are in a different place from his personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his personal ties, provided that such person returns there regularly. This last condition need not be met where the person is living in a Member State in order to carry out a task of a definite duration. Attendance at a university or school shall not imply transfer of normal residence;

"partnership" includes an association, not registered under the Companies Act, between two or more persons;

Cap. 386.

"photocard driving licence" means a credit card format document which displays the driver's photograph, details, signature and driving entitlements;

"power to weight ratio", in relation to a motorcycle, means the ratio of the maximum net power output of the engine of the vehicle to its weight, including the weight of any sidecar, with -

- (a) full supply of fuel in the tank,
- (b) an adequate supply of other liquids needed for its propulsion, and
- (c) no load other than its normal equipment, including loose tools;

"power-driven vehicle" means any self-propelled vehicle running on a road under its own power, other than a rail-borne vehicle;

"probationary driving licence" means a licence granted to new drivers for a probationary period of not more than three years at the time of passing their theory test and the test of skills and behaviour in respect of Categories A and B vehicles;

"public highway" means national arterial, distributor, access and local access roads;

"public transport vehicle" means any motor vehicle authorised by the Authority to carry passengers for hire and/or reward;

"State of residence" means the State within the territory of which the person who has been disqualified from driving has his normal residence:

"State of the offence" means the State within the territory of which the road traffic offence that has given rise to a driving disqualification was committed;

"test of continued ability and fitness to give instruction" means the test referred to in regulation 69 and the nature of which is prescribed in the Twelfth Schedule;

"third country" means a country which is not a Member State;

"tricycle" and "quadricycle" mean respectively any three and four-wheeled vehicle in Category B with a maximum design speed of over 45km/h or powered by a spark-ignition internal combustion engine with a cubic capacity of more than 50 cm³ or any other engine of equivalent power. The unladen mass shall not exceed 550 kilograms. The unladen mass of electrically propelled vehicles shall not take account of the battery mass;

"under instruction" means accompanied and supervised by either an approved driving instructor or a driver with at least five years experience in respect of the particular class of vehicle which the learner is driving;

"valid driving licence" means a driving licence issued either by the Authority, under the provisions of these regulations, or issued by another country which is recognised by the Authority and provided that the said licence -

- (a) is neither suspended, withdrawn or cancelled,
- (b) covers the category of vehicle being driven, and
- (c) is used by its holder in conformity with any conditions included on the driving licence;

"vehicle with automatic transmission" means a vehicle in which the gear ratio between the engine and the wheels can be varied only by use of the accelerator or the brakes.

Driving licence
required.
Substituted by:
L.N. 172 of 2011.

3. (1) No person may drive on a road any of the vehicles listed in the First Schedule unless such person is the holder of a valid driving licence or a learner's permit issued by the Authority or a valid driving licence issued by any other competent authority in another country.

(2) An application for a driving licence by a person who has his normal residence in Malta shall be made to the Authority on the prescribed form.

(3) A person may not hold more than one driving licence at a time.

(4) A person who holds a driving licence issued by a competent authority in another country shall withdraw that driving licence to the Authority immediately before he is issued with a new licence by the Authority.

(5) The driving licence issued by the Authority shall conform to the Community model set out in Annex I of the Directive.

- 4.** The age set out in the Second Schedule relative to a category is the age below which a person shall not be granted a driving licence or a probationary driving licence by the Authority in respect of vehicles of that category. Minimum ages for driving licences. *Substituted by: L.N. 172 of 2011.*
- 5.** It shall be lawful for a person residing outside Malta and the European Economic Area to drive in Malta any class or description of vehicle under a domestic driving permit, issued outside Malta and the European Economic Area, for a period not exceeding twelve months from the date of his last entry into Malta. Validity of driving licences issued by competent authorities outside Malta and the European Economic Area. *Amended by: L.N. 172 of 2011.*
- 6.** European Union driving licences shall be recognised in Malta. Recognition of driving licences issued by Member States.
- 7.** Any holder of a European Union driving licence or of a driving licence issued by the competent authority in Switzerland or of an Australian driving licence issued by all Australian State and Territory licensing authorities, who takes up normal residence in Malta, shall be entitled to have his driving licence exchanged for an equivalent Maltese licence. Exchange of driving licences issued by other States. *Substituted by: L.N. 25 of 2009. Amended by: L.N. 172 of 2011.*
- 8.** National provisions regarding the restriction, suspension, withdrawal or cancellation of a driving licence shall apply to holders of a European Union driving licence who have their normal residence in Malta. National provisions to apply to European Union driving licences.
- 9.** (1) For the purposes of these regulations the categories and sub-categories of vehicles for which a licence may be granted shall be as shown in the First Schedule. Categories and sub-categories of vehicles for which a licence may be granted.
- (2) Save as otherwise provided in regulation 5, these regulations shall apply to every vehicle of a category and sub-category specified in the First Schedule.
- 10.** The Minister may in writing, in his discretion, exempt any person from all or any of the provisions of these regulations. Exemptions.
- 11.** The Motor Vehicles Regulations shall apply to driving licences in so far as they are not inconsistent with these regulations. Applicability of Motor Vehicles Regulations. S.L.65.11

PART II INTERNATIONAL TRAVELLING

- 12.** Any person wishing to drive a motor vehicle in another country other than in a Member State may apply to the Authority for the issue of an international driving permit in accordance with the provisions of any international convention applicable to Malta. The Authority shall, subject to the provisions of regulation 14, issue such permit. International Driving Permit. *Amended by: L.N. 172 of 2011.*
- 13.** Every application for an international driving permit shall state the country or countries for which it is required. Application requirements.
- 14.** Before any international driving permit is issued under regulation 12, the applicant shall be examined as to his competency by a person designated by the Authority, and the permit shall not be Examination of applicant. *Amended by: L.N. 172 of 2011.*

granted except upon production of a medical certificate signed by such person, and provided that the applicant is over eighteen years of age.

Exemption from further tests.
Amended by:
L.N. 172 of 2011.

15. If the applicant is the holder of a driver's certificate granted by the Authority in Malta or in any Member State, he may be granted the international driving permit aforesaid, without further test.

PART III DRIVING TEST

Minimum requirements for driving tests

Minimum requirements for driving tests.
Amended by:
L.N. 172 of 2011.

16. An applicant for a driving licence must satisfy the Authority that he possesses the knowledge and skills, and exhibits the behaviour required, for driving a motor vehicle. The test to this effect shall consist of:

- (a) a theory test; and
- (b) a test of skills and behaviour.

Theory Test

Syllabus of the theory test.
Amended by:
L.N. 172 of 2011.

17. All new applicants must complete, to the satisfaction of the Authority, a theory test covering the subjects listed in the syllabus in the Fourth Schedule.

Eligibility to sit for the theory test.
Substituted by:
L.N. 14 of 2004.

18. Only applicants who have attained their eighteenth birthday shall be eligible to sit for the theory test.

Pass certificate in respect of the theory test.

19. On successful completion of the theory part of the driving test, the applicant shall be issued with a pass certificate.

Learner's Permit (Standard)

Eligibility for a standard learner's permit.
Substituted by:
L.N. 14 of 2004.

20. Only applicants who have attained their eighteenth birthday shall be entitled to a standard learner's permit.

Categories and sub-categories of vehicles that can be used for the practice of driving under a standard learner's permit.

21. The permit referred to in regulation 20 shall allow applicants to practice driving on all days, excluding Sundays and public holidays, under instruction, on public highways using motor vehicles classified under categories A, B and B+E and sub-categories A1 and B1.

Learner's Permit (Advanced)

Eligibility for an advanced learner's permit.
Substituted by:
L.N. 14 of 2004.

22. Only applicants who are in possession of a valid driving licence in category B and have held such licence for at least one year, shall be entitled to an advanced learner's permit.

Categories and sub-categories of vehicles that can be used for the practice of driving under an advanced learner's permit.
Amended by:
L.N. 172 of 2011.

23. The permit referred to in regulation 22 shall allow applicants to practice driving on all days, excluding Sundays and public holidays, under instruction, on public highways using motor vehicles classified under categories C, C+E, D, and D+E and sub-categories C1, C1+E, D1 and D1+E:

Provided that the Authority may, upon a request in writing

to that effect, authorise an approved driving instructor to give driving instruction on Sundays and public holidays.

23A. With effect from the 19th January, 2013, access to the driving of motorcycles in category A shall be subject to a minimum of two years' experience on motorcycles under an A2 licence.

Access to driving of a category A motorcycle.
Added by:
L.N. 172 of 2011.

Test of Skills and Behaviour

24. A person may only sit for the test of skills and behaviour if he is in possession of a pass certificate in the appropriate theory part of the driving test.

Eligibility to sit for the test of skills and behaviour.

25. (1) The test of skills and behaviour shall be based on the subjects contained in the Fifth Schedule.

Syllabus of the test of skills and behaviour.

(2) A person who is sitting for his test of skills and behaviour may choose to be accompanied by a third party:

Amended by:
L.N. 14 of 2004.

Provided that such accompanying third party shall not, throughout the duration of the test, communicate with the examiner or the person doing the test, or act in any way that may interfere with or influence the test procedure or outcome.

(3) A breach of the proviso of subregulation (2) shall lead, at the examiner's discretion, to the immediate interruption of the test by the examiner and the recording of a negative result.

26. The vehicles used in the test of skills and behaviour shall:

Minimum technical requirements of vehicles.
Substituted by:
L.N. 14 of 2004.

- (a) comply with the minimum technical requirements as indicated in the Third Schedule,
- (b) be covered by a valid VRT certificate,
- (c) display a valid road licence disc,
- (d) display the learner plates stipulated by regulation 50(1), and
- (e) have a valid insurance covering the use of the said vehicles for driving lessons and also for the Tests of Skills and Behaviour.

26A. (1) The tests of skills and behaviour shall be carried out by persons appointed by the Authority.

Tests to be carried out by examiners appointed by the Authority.
Added by:
L.N. 172 of 2011.

(2) No person may be appointed to carry out driving tests unless that person meets the minimum standards of competence set out in Annex IV of the Directive.

(3) The Authority shall not appoint a person to act -

- (a) as a category B driving examiner unless that person -
 - (i) has held a category B driving licence for at least three years,
 - (ii) is at least 23 years old,
 - (iii) has successfully completed an initial training programme approved by the Authority and demonstrates, by means of a test organised by the Authority, that he meets the minimum

- standards of competence in terms of sub-regulation (2) and subsequently follows the quality assurance and the periodic training arrangements as provided for in Annex IV of the Directive,
- (iv) has completed a vocational education that leads at least to a completion of level 3 defined by Council Decision 85/368/EEC on the comparability of vocational training qualifications between the Member States of the European Community, and
 - (v) when such person is acting simultaneously as a commercial driving instructor in a driving school;
- (b) as a driving examiner for the other categories unless that person -
- (i) holds a driving licence in the category concerned or possesses equivalent knowledge through adequate professional qualification,
 - (ii) has been a qualified category B driving examiner for at least three years or has at least five years' experience of driving in the category concerned or can provide evidence of a theoretical and practical assessment of driving ability of a standard higher than that needed to obtain a driving licence, and
 - (iii) meets the provisions of paragraph (a)(iii), (iv) and (v):

Provided that the Authority may authorise an examiner to conduct driving tests for -

- (a) categories AM, A1, A2 and A upon passing the initial qualification in terms of the provisions of paragraph (a)(iii) for one of those categories,
 - (b) categories C1, C, D1 and D upon passing the initial qualification in terms of the provisions of paragraph (a)(iii) for one of those categories, and
 - (c) categories BE, C1E, CE, D1E and DE upon passing the initial qualification in terms of the provisions of paragraph (a)(iii) for one of those categories.
- (4) Persons who have already been authorised to conduct driving tests before the provision of sub-regulation (3) comes into force, shall continue to be authorised to conduct driving tests provided they undertake the periodic training as provided for in sub-regulation (3).

PART IV
CERTIFICATE OF PROFESSIONAL COMPETENCE

*Added by:
L.N. 25 of 2007.*

27. (1) With effect from the 10th September, 2008, no person, who obtains a licence to drive a vehicle in licence categories D1, D1+E, D, D+E or f, shall drive a vehicle in any of the said licence categories unless that person is also in possession of a certificate of professional competence certifying an initial qualification, issued in accordance with regulation 29 or unless that person is an exempt driver in accordance with regulation 28:

Certificate of professional competence certifying an initial qualification.
*Added by:
L.N. 25 of 2007.*

Provided that drivers who, at the time of obtaining the licence to drive a vehicle in licence categories D1, D1+E, D, D+E or f, are undergoing a national vocational training course lasting between six months and three years may be allowed to drive such vehicles before obtaining their certificate of professional competence certifying an initial qualification:

Provided further that drivers who on the 9th September, 2008 already hold a licence to drive a vehicle in licence categories D1, D1+E, D, D+E or f, shall be exempt from the requirement of the certificate of professional competence until the 9th September, 2013.

(2) With effect from the 10th September, 2009, no person, who obtains a licence to drive a vehicle in licence categories C1, C1+E, C or C+E, shall drive a vehicle in any of the said licence categories unless that person is also in possession of a certificate of professional competence certifying an initial qualification, issued in accordance with regulation 29 or unless he or she is an exempt driver in accordance with regulation 28:

Provided that drivers who, at the time of obtaining the licence to drive a vehicle in licence categories C1, C1+E, C or C+E, are undergoing a national vocational training course lasting between six months and three years may be allowed to drive such vehicles before obtaining their certificate of professional competence certifying an initial qualification:

Provided further that drivers who on the 9th September, 2009 already hold a licence to drive a vehicle in licence categories C1, C1+E, C or C+E, shall be exempt from the requirement of the certificate of professional competence until the 9th September, 2014.

28. The provisions of regulation 27 shall not apply to the drivers of:

Exempt drivers.
*Added by:
L.N. 25 of 2007.*

- (a) vehicles with a maximum authorised speed not exceeding 45 kilometres per hour;
- (b) vehicles used by, or under the control of, the armed forces, civil defence, the fire and rescue service and forces responsible for maintaining public order;
- (c) vehicles undergoing road tests for technical development, repair or maintenance purposes, or of new or rebuilt vehicles which have not yet been put into service;

- (d) vehicles used in states of emergency or assigned to rescue missions;
- (e) vehicles used for non-commercial carriage of passengers or goods, for personal use; and
- (f) vehicles carrying material or equipment to be used by the driver in the course of his or her work, provided that driving the vehicle is not the driver's principal activity.

Qualifying for a certificate of professional competence certifying an initial qualification.
 Added by:
 L.N. 25 of 2007.
 Amended by:
 L.N. 172 of 2011.

29. (1) Drivers shall only qualify for the certificate of professional competence certifying an initial qualification following the undertaking of theoretical and practical tests held by the Authority or by a body so designated by the Authority, in accordance with subsection 2.2 of Section 2 of the Thirteenth Schedule.

(2) Upon the successful completion of the said tests, drivers taking the qualification tests as provided for in sub-regulation (1) shall be issued with a certificate of professional competence certifying an initial qualification.

(3) The said certificate of professional competence certifying an initial qualification shall be issued by the Authority or by the body designated by it and shall be valid for five years.

(4) Drivers undertaking carriage of passengers who hold a certificate of professional competence, certifying an initial qualification, for one of the categories provided for in regulation 27(1) shall be exempt from obtaining such a certificate for any other of the categories of vehicles referred to in that sub-regulation.

(5) Drivers undertaking carriage of goods who hold a certificate of professional competence, certifying an initial qualification, for one of the categories provided for in regulation 27(2) shall be exempt from obtaining such a certificate for any other of the categories of vehicles referred to in that sub-regulation.

(6) Drivers undertaking the carriage of goods who broaden or modify their activities in order to carry passengers, and drivers undertaking the carriage of passengers who broaden or modify their activities in order to carry goods, and who hold a certificate of professional competence, shall not be required to repeat the common parts of the initial qualification, but rather only the parts specific to the new qualification.

Compulsory periodic training.
 Added by:
 L.N. 25 of 2007.
 Amended by:
 L.N. 172 of 2011.

30. (1) Drivers who obtain a driving licence and a certificate of professional competence certifying an initial qualification -

- (a) on the 10th September, 2008, or thereafter, to drive a vehicle in licence categories D1, D1+E, D, D+E or f, or
- (b) on the 10th September, 2009, or thereafter, to drive a vehicle in licence C1, C1+E, C or C+E,

shall, within five years from acquiring their certificate of professional competence, certifying an initial qualification, and every five years thereafter, follow a compulsory periodic training

course of a duration of thirty-five hours, given in periods of at least seven hours, and based on the training requirements as provided for in Section 1 of the Thirteenth Schedule.

- (2) Drivers who -
- (a) on the 9th September, 2008 already hold a D1, D1+E, D, D+E or f licence, or
 - (b) on the 9th September, 2009 already hold a C1, C1+E, C or C+E licence,

shall, within five years from the said dates and every five years thereafter, follow a compulsory periodic training course of a duration of thirty-five hours, given in periods of at least seven hours, and based on the training requirements as provided for in Section 1 of the Thirteenth Schedule.

(3) The periodic training courses mentioned in the preceding sub-regulations shall be organised by a training centre approved by the Authority in accordance with Section 5 of the Thirteenth Schedule.

(4) If a driver moves from one undertaking to another undertaking, the periodic training already undergone shall be taken into account.

(5) When a driver completes the periodic training, the Authority or the approved training centre shall issue to the said driver a certificate of professional competence certifying the periodic training.

(6) A driver who has completed a first course of periodic training shall undergo periodic training every five years, before the end of the period of validity of the certificate of professional competence certifying periodic training.

(7) Drivers who have completed a course of periodic training for one of the licence categories D1, D1+E, D, D+E or f shall be exempt from the obligation to undergo further periodic training for another of those categories.

(8) Drivers who have completed a course of periodic training for one of the licence categories C1, C1+E, C or C+E shall be exempt from the obligation to undergo further periodic training for another of those categories.

(9) Holders of a certificate of professional competence certifying an initial qualification and holders of a certificate of professional competence certifying periodic training who cease pursuit of the occupation and do not meet the requirements of sub-regulations (1), (2) and (6), shall undergo a course of periodic training before resuming pursuit of the occupation.

31. (1) A driver who is a national of Malta or of another Member State but having his normal residence in Malta, and a driver from third a country who is employed or used by an undertaking established in Malta shall obtain the certificate of professional competence certifying initial qualification, in Malta.

- (2) A driver who is a national of Malta or of another Member

Place of training.

Added by:

L.N. 25 of 2007.

State but having his normal residence in Malta, and a driver from a third country who is employed or used by an undertaking established in Malta shall undergo their periodic training, referred to in regulation 30, in Malta.

Code indicating professional competence.
Added by:
L.N. 25 of 2007.

32. The code, provided for in the Seventh Schedule, indicating that a driver is the holder of the certificate of professional competence, shall be marked on the driver's driving licence:

Provided that where the driver is a national of a third country who is employed or used by an undertaking established in Malta to drive vehicles used for the carriage of goods, the said code may be marked on the driver's attestation issued by the Authority in accordance with the Motor Vehicles (Carriage of Goods by Road) Regulations:

S.L. 65.19

Provided further that where the driver is a national of a third country who is employed or used by an undertaking established in Malta to drive vehicles used for the carriage of passengers, the said code may be marked on the driver's national certificate where the certificate's validity is recognised by Malta.

Amended by:
L.N. 25 of 2007.

PART V DRIVING LICENCES

General provisions

Application for a driving licence.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011;
L.N. 426 of 2012.

33. (1) The driving licences referred to in regulation 9 will be issued after the Authority receives an application on the appropriate form, together with the applicant's legally valid identification document and medical certificate.

(2) A national driving licence holder may periodically be required to produce further medical certificates as may be prescribed.

Issue of driving licences.
Amended by:
L.N. 25 of 2007.

34. Driving licences shall be issued only to those applicants -

(a) who have passed the theory test and the test of skills and behaviour and who meet medical standards, in accordance with the provisions of the Fourth, Fifth and Eighth Schedules; and

(b) who have their normal residence in Malta, or can produce evidence that they have been studying in Malta for at least six months prior to the submission of the application.

Drivers of public transport vehicles to be authorised by the Public Transport Authority.
Amended by:
L.N. 25 of 2007.

35. A national driving licence holder shall not drive a public transport vehicle unless authorised to do so by the Public Transport Directorate and the relevant information code is entered in his driving licence.

Photocard and counterpart driving licences.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

36. (1) The driving licence shall consist of two documents, namely, the photocard driving licence based on the model set out in Annex I to the Directive and the counterpart driving licence.

(2) Both the photocard and counterpart driving licences shall

be produced at any time when requested by either the Police or a court or the Authority.

37. (1) Subject to the provisions of sub-regulation (2), an application for the issue of a duplicate of the original driving licence may be made to the Authority, if a valid driving licence has been lost or defaced.

Duplicate driving licence.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

(2) The Authority shall, subject to the provisions of these regulations, issue a duplicate driving licence; and such driving licence shall be marked “duplicate”, and shall have the same effect as the original driving licence.

(3) Duplicate driving licences will also be issued whenever there is a change in the data contained in the photocard driving licence.

(4) The duplicate driving licence shall be issued against an administration charge as specified in the Ninth Schedule.

Probationary driving licence

38. New drivers who pass their driving tests shall be granted a probationary driving licence, against payment, for a period of three years. The probationary driving licence shall consist of two parts, namely a plastic photocard and its paper counterpart.

Eligibility for a probationary driving licence.
Substituted by:
L.N. 14 of 2004.
Amended by:
L.N. 25 of 2007.

39. A penalty point system shall apply for all drivers holding a probationary driving licence, for any of the licence categories listed in the Second Schedule.

Applicability of a penalty point system.
Substituted by:
L.N. 14 of 2004.
Amended by:
L.N. 25 of 2007.

40. (1) For each contravention, penalty points, as indicated in the Sixth Schedule, shall be imposed by the Court of Magistrates or by the Commissioners for Justice, as the case may be, and recorded on the driver’s counterpart probationary driving licence.

Recording of the penalty points on the counterpart driving licence.
Substituted by:
L.N. 14 of 2004.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

(2) The holder of a probationary driving licence shall be required to surrender the probationary driving licence counterpart to the Authority within ten working days from the date of his conviction for the contravention, or within ten working days of the payment of the pecuniary penalty, by the offender, as provided in article 25 of the Traffic Regulation Ordinance or in article 14 of the Commissioners for Justice Act, as the case may be, to have the penalty points recorded on it.

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Cap. 291.

(3) Where the holder admits the offence and pays the relative pecuniary penalty in accordance with the special procedure established in article 62 of the Traffic Regulation Ordinance or in article 14 of the Commissioners for Justice Act, as the case may be, the Authority shall record, on the driver’s probationary driving licence counterpart, the minimum penalty points as indicated in the Sixth Schedule for the particular offence.

Cap. 65.
Cap. 291.

(4) A probationary driving licence holder who contravenes the provisions of subregulation (2) shall be, on conviction, liable to have his probationary driving licence revoked or suspended, as the Court of Magistrates may deem fit.

(5) It shall be the duty of the registrar of the court, or the clerk of the tribunal, which delivers judgement to input the penalty points incurred under the said judgement into a computerised database set up for such a purpose by the Authority.

(6) When a holder of a probationary driving licence is requested to appear before a court or tribunal on charges of having committed any of the offences included in the Sixth Schedule, he shall be in possession of the said licence and the counterpart of such licence and the presiding Magistrate or Commissioner of Justice shall have the power to confiscate the said licence if the aggregate penalty points recorded on the counterpart of such licence together with the penalty points awarded by the judgement delivered by such Magistrate or Commissioner of Justice add up to twelve or more.

Revocation of driving licence on exceeding the maximum penalty points permissible.
Substituted by:
L.N. 14 of 2004.
Amended by:
L.N. 25 of 2007.

41. A probationary driving licence shall be revoked if at any time during the three-year probationary period, its holder accumulates in aggregate twelve penalty points or more.

Re-application for a driving licence.
Substituted by:
L.N. 14 of 2004.
Amended by:
L.N. 25 of 2007.

42. A driver whose probationary driving licence has been revoked in virtue of the last preceding regulation, may only apply for a new probationary driving licence after the expiration of three months from such revocation by submitting a fresh application in terms of Part III.

Conditions for granting a full driving licence.
Amended by:
L.N. 25 of 2007.

43. A full driving licence for ten years shall be granted, against payment, if no penalty points are recorded or if the penalty points imposed are not sufficient for either a revocation or disqualification.

Renewal of driving licence

Validity period of a full driving licence.
Substituted by:
L.N. 25 of 2007.
Amended by:
L.N. 408 of 2007;
L.N. 89 of 2010;
L.N. 172 of 2011.

44. (1) Full driving licences obtained or renewed under these regulations may be issued, against payment of the relevant fee as provided for in the Ninth Schedule, for a maximum period of ten years, except that if the licence holder is seventy years or over, the licence shall become renewable every five years.

(1A) With effect from the 19th January, 2013, licences issued for categories C, CE, C1, C1E, D, DE, D1 and DIE shall remain valid for a maximum period of five years.

(2) A driving licence which is replaced shall be issued with an expiry date that is the same as the expiry date of the licence being replaced.

(3) The period of validity of a driving licence shall not be affected by the holder obtaining a driving licence of any other class or type.

(4) Where a person does not renew his driving licence within twelve months from the expiry date of the said licence, that person shall only be entitled to obtain his or her driving licence once that person pays the arrears due.

(5) Where a person does not renew his driving licence after twelve months from the expiry date of the said licence, that person shall only be entitled to obtain his or her driving licence once that person pays the arrears due and a late renewal fee of twelve euro (€12).

45. A driving licence shall not be granted or renewed unless, at the age of seventy years and every five years thereafter, a person produces a medical certificate of physical fitness on application.

Medical certificate for persons 70 years old or over.
Substituted by:
L.N. 25 of 2007.

45A. As from the 19th January, 2013, holders of driving licences in categories C, CE, C1, C1E, D, DE, D1 and D1E shall, when renewing their driving licence, produce a medical certificate certifying that they still comply with the minimum standard of physical and mental fitness for driving set out in the Eighth Schedule.

Medical certificate for drivers of passenger and goods vehicles.
Added by:
L.N. 171 of 2011.

46. National driving licence holders who are authorised to drive public transport vehicles shall produce a medical certificate of physical fitness at the age of fifty, and every five years thereafter until the age of sixty, after which such medical certificate shall be produced annually prior to the renewal of their driving licence.

Medical certificate for drivers of public transport vehicles.
Amended by:
L.N. 25 of 2007.

Conditions and validity

47. Driving licences shall state the conditions on which the driver is authorised to drive as indicated in the Seventh Schedule.

Conditions on which a driving licence has been issued.
Amended by:
L.N. 25 of 2007.

48. If, because of a physical disability, driving is authorised only for certain types of vehicle or for adapted vehicles, the tests of skills and behaviour provided for in the Fifth Schedule shall be taken in such a vehicle.

Types of vehicles to be used during the practical part of the driving test.
Amended by:
L.N. 25 of 2007.

49. (1) The issue of driving licences shall, up to the 18th January, 2013, be subject to the following conditions:

- (a) licences for categories C and D shall be issued only to drivers already entitled to drive vehicles in category B;
- (b) licences for categories B + E, C + E and D + E shall be issued only to drivers already entitled to drive vehicles in categories B, C and D respectively.

Entitlement to certain categories and sub-categories of driving licences.
Amended by:
L.N. 25 of 2007;
L.N. 171 of 2011.

(2) The issue of driving licences shall, with effect from the 19th January, 2013, be subject to the following conditions:

- (a) licences for categories C1, C, D1 and D shall be issued only to drivers already entitled to drive vehicles in category B;
- (b) licences for categories BE, C1E, CE, D1E and DE shall be issued only to drivers already entitled to drive vehicles in categories B, C1, C, D1 and D respectively.

Other categories of vehicles which may be driven by holders of driving licences granted for certain categories.

*Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.*

50. (1) The validity of driving licences shall, up to the 18th January, 2013, be determined as follows:

- (a) licences granted for category C + E or D + E shall be valid for combinations of vehicles in category B + E;
- (b) licences granted for category C + E shall be valid for category D + E as long as their holders are entitled to drive vehicles in category D;
- (c) licences granted for category A or A1 shall be valid for category B1 for driving in Malta.

(2) The validity of driving licences shall, with effect from the 19th January, 2013, be determined as follows:

- (a) licences granted for categories C1E, CE, D1E or DE shall be valid for combinations of vehicles in category BE;
- (b) licences granted for category CE shall be valid for category DE as long as their holders are entitled to drive vehicles in category D;
- (c) licences granted for category CE and DE shall be valid for combinations of vehicles in categories C1E and D1E respectively;
- (d) licences granted for category A1, A2 and A shall be valid for vehicles in category AM;
- (e) licences issued for category A2 shall also be valid for category A1; and
- (f) licences granted for categories A, B, C or D shall be valid for categories A1, A2, B1, C1, or D1 respectively.

*Amended by:
L.N. 25 of 2007.*

PART VI FEES

Licence fees.
*Amended by:
L.N. 14 of 2004.
Substituted by:
L.N. 25 of 2007.*

51. The licence fees and administrative fees for the various licences issued and tests carried out under these regulations shall be those prescribed in the Ninth Schedule.

*Amended by:
L.N. 25 of 2007.*

PART VII DRIVING DISQUALIFICATIONS

Recognition of disqualifications imposed by Member States.
*Amended by:
L.N. 25 of 2007.*

52. Drivers who are disqualified from driving in any Member State other than that in which they have their normal residence shall not be allowed to drive in Malta, until such time that the disqualification is lifted.

Notification of disqualification.
*Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.*

53. The Authority shall notify the State of residence of a driver of any driving disqualification imposed on him by a Maltese authority for an offence arising from conduct referred to in the Tenth Schedule.

54. (1) After having been notified by a State of the offence of any driving disqualification imposed on a driver who has his normal residence in Malta, the Authority shall execute the decision imposing disqualification from driving through an administrative decision in accordance with the conditions laid down in sub-regulation (2).

Imposition of driving disqualification.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

(2) The Authority -

- (a) shall take into account any part of the period of the driving disqualification imposed by the State of the offence which has already been served in that State;
- (b) may reduce the duration of the driving disqualification but only to the maximum term provided for in national legislation of the same kind;
- (c) shall not extend the duration of the driving disqualification imposed by the State of the offence;
- (d) shall, where necessary, determine a date from which it will enforce the driving disqualification.

55. Driving disqualifications imposed by other States of the offence shall not be effective in Malta if Malta is the State of residence and if -

Driving disqualifications not effective in Malta.
Amended by:
L.N. 25 of 2007.

- (a) the driving disqualification has already been fully enforced in the State of the offence;
- (b) the offender has already had a driving disqualification imposed on him for the same acts in the State of residence, and that disqualification has been or is being enforced;
- (c) the offender would have benefited from a general pardon or amnesty in the State of residence if the acts had been committed within the territory of that State;
- (d) the period of limitation for the measure would have expired under its own legislation;
- (e) in the circumstances of the particular case, after receiving any information supplied under regulation 48, it considers that the person concerned has not had an adequate opportunity to defend himself;
- (f) the conduct for which the driving disqualification has been imposed in the State of the offence does not constitute an offence under the law of the State of residence;
- (g) the remaining period of disqualification which could be enforced in the State of residence is less than one month;
- (h) a driving disqualification is not a measure available under the legislation of the State of residence for the acts giving rise to the driving disqualification imposed by the State of the offence.

Amended by:
L.N. 25 of 2007.

PART VIII
DRIVING INSTRUCTION

Motor vehicles used for instruction purposes

Dual control system and learner plates.
Amended by:
L.N. 14 of 2004;
L.N. 25 of 2007;
L.N. 172 of 2011.

56. (1) Motor vehicles licensed by the Authority to be used for instruction for category B or category BE licence purposes shall be fitted with a dual control system.

(2) Any motor vehicle licensed by the Authority to be used by a motoring school and, or by an approved driving instructor for instruction purposes shall clearly display at all times while in use on the road a learner plate marked with the letter “L” in green on a white background. The plate shall include also the motoring school’s authorisation number, which shall be visible from the front and the rear of the vehicle.

(3) Learner plates used by non-registered driving instructors shall include only the letter “L” in red on a white background and should be visible from the front and the rear of the vehicle.

(4) No person shall act as a non-registered driving instructor unless such person -

- (i) has reached the age of twenty-five years,
- (ii) is in possession of a valid full driving licence covering the category of vehicle being used by the learner driver and shall have been in possession of such a licence for no less than five years.

(5) A non-registered driving instructor must ensure that the vehicle used for the purpose of instructing the learner driver shall be covered by an appropriate insurance cover for such purpose.

Only authorised vehicles to be used for instruction.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

57. An authorised operator or approved driving instructor shall not, for instruction purposes, use any motor vehicle which is not authorised by the Authority.

Motoring schools

Motoring school to be authorised.
Amended by:
L.N. 25 of 2007;
L.N. 89 of 2010;
L.N. 172 of 2011.

58. No person shall keep and operate a motoring school without an authorisation from the Authority.

Validity period of authorisation.
Amended by:
L.N. 25 of 2007.

59. *(Deleted by Legal Notice 89 of 2010).*

Application for keeping a motoring school.
Amended by:
L.N. 25 of 2007.

60. *(Deleted by Legal Notice 89 of 2010).*

Withdrawal or suspension of the authorisation.
Amended by:
L.N. 25 of 2007.

61. *(Deleted by Legal Notice 89 of 2010).*

62. (Deleted by Legal Notice 89 of 2010).

Discretion of the competent authority.
Amended by:
L.N. 25 of 2007.

Authorised Operators

63. (1) An application for authorisation as an operator of a motoring school may be made by:

- (a) an individual;
- (b) a partnership; or
- (c) a company.

Applications for authorised operators.
Amended by:
L.N. 25 of 2007;
L.N. 89 of 2010;
L.N. 172 of 2011.

(2) Every application shall be made on the prescribed form and shall be signed -

- (a) where the application is made under sub-regulation (1)(a), by the individual making the application; and
- (b) where the application is made under sub-regulation (1)(b) or (c), by a person duly authorised by the partnership or company.

(3) Applications for operating a motoring school shall include the following information and documents:

- (a) the registration number of each motor vehicle to be used for instruction;
- (b) a declaration that all the motor vehicles to be used for instruction for category B and BE licences have a dual control system;
- (c) details and police conduct certificates of applicants, directors, or partners as the case may be..

(4) In the case where an applicant proposes to act as an operator in more than one motoring school, the Authority shall require as many applications to be made as there are such schools.

63A. (1) Completed applications for authorisation shall be acknowledged by the Authority by notice in writing within seven working days from the day of receipt and that notice shall specify:

- (a) the period within which the application will be processed in accordance with these regulations;
- (b) the available means of redress where the Authority intends to refuse an application for an operator's authorisation; and
- (c) a statement that in the absence of a response within the period referred to in paragraph (a), the authorisation shall be deemed to have been granted.

Acknowledgment of applications.
Added by:
L.N. 89 of 2010.
Amended by:
L.N. 172 of 2011.

(2) In the case of an incomplete application, the applicant shall be informed within seven working days from the day of receipt thereof, about the need to supply any additional documentation.

Dual and subsequent applications.
 Added by:
 L.N. 89 of 2010.
 Amended by:
 L.N. 172 of 2011.

63B. (1) Where an operator already established in Malta applies to operate additional motoring schools, or where an operator already established in another Member State applies for authorisation to operate one or more motoring schools in Malta, the operator shall not be required to undergo requirements and controls which are equivalent or essentially comparable as regards their purpose to which the applicant is already subject in Malta or in another Member State.

(2) Where an applicant is not already established in Malta or in another Member State and proposes to act as an operator in more than one place in Malta in the same application process (Dual Application) or following the first application (Subsequent Application), the applicant shall:

- (a) in the case of a Dual Application, not be required to provide the information which is common to both places more than once but shall provide any information which is specific or particular to such additional places;
- (b) in the case of Subsequent Application, provide only that information which was given in the original application and which is at the date of such subsequent application not valid any more and provide that information which is specific or particular to such additional places in accordance with paragraph (a):

Provided that the term "applicant" shall not include those applicants which have had their application or applications validly and conclusively refused by the Authority.

(3) Notwithstanding anything contained in this regulation, the applicant shall still complete any application form as may be required by the Authority.

Authorisation.
 Amended by:
 L.N. 25 of 2007.
 Substituted by:
 L.N. 89 of 2010.
 Amended by:
 L.N. 172 of 2011.

64. (1) When an application has been made in accordance with regulation 63, the Authority shall make such investigations and carry out such inspections as are reasonably required to ensure conformity with these regulations and the Authority shall inform the applicant by notice in writing by not later than seven working days from receipt of all relevant documents of the Authority's decision on the application and, in the case of refusal or withdrawal of application, on the reasons therefor:

Provided that where circumstances necessitate an extension for consideration of an application, such period may be extended once by the Authority for a further period not exceeding seven working days and the applicant shall be notified of the extension, its duration and the reasons therefor.

(2) Where the Authority has not taken a decision within the prescribed or extended period referred to in this regulation, the application shall be deemed to have been decided in favour of the applicant.

(3) Where the Authority intends to refuse an application, it shall give the applicant concerned notice in writing setting out the reasons for its intention to do so. Every notice of refusal shall state

that the applicant has a right to make representations in writing, within ten days, to the Authority giving the reasons why the application should not be refused and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the applicant concerned.

(4) When an application is refused by the Authority, the applicant may appeal to the Administrative Review Tribunal established by the Administrative Justice Act against such decision within a period of thirty days from its notification. Cap. 490.

65. (1) Where the Authority authorises an applicant to act as operator of a motoring school, the authorisation shall be subject to the payment of an annual fee as specified in the Ninth Schedule and to compliance with the following conditions: Conditions for licensed operators. Amended by: L.N. 14 of 2004; L.N. 25 of 2007; L.N. 89 of 2010; L.N. 172 of 2011.

- (a) the licensed operator shall assume full responsibility for all the instruction procedures carried out by the approved driving instructors employed by him for which the licensed operator has been duly authorised to operate in accordance with regulation 64;
- (b) the licensed operator shall give notice to the Authority of the names of all persons who are from time to time authorised, in pursuance of arrangements made in accordance with regulation 70, to carry out instruction; and every such notice shall be given within seven days after the date of any such authorisation; in the case of a company or partnership the notice shall be accompanied by a duly signed authorisation certifying that the person signing the notice is duly empowered to sign on behalf of the company or partnership;
- (c) the licensed operator shall give seven days' prior notice to the Authority -
 - (i) of his entering into any partnership with a view to carrying on a business which will comprise the carrying out of instruction, in the case where he is the sole individual named in an authorisation; and
 - (ii) of any change in the constitution of the company, in the case where the licensed operator is a company,
 and such notice shall be treated as an application under the provisions of regulation 63.

(2) The Authority may -

- (a) require the authorised operator of a motoring school to have any motor vehicle listed for instruction purposes, examined by its personnel at any time it deems fit;
- (b) require the authorised operator of a motoring school to submit the said vehicles for vehicle roadworthiness tests, other than those required by the Motor Vehicle Roadworthiness Test Regulations; S.L. 65.15

- (c) disallow, at any time following examination in accordance with paragraph (a) or (b), the use of any motor vehicle for instruction purposes if in its opinion the vehicle is no longer considered suitable.

(3) Licensed operators shall be bound to inform the Authority, within seven days, of any termination of employment or engagement of approved driving instructors within their staff complement.

Termination of
authorisation.
Amended by:
L.N. 25 of 2007;
L.N. 89 of 2010;
L.N. 172 of 2011.

66. (1) An authorisation of an individual as an operator will automatically cease to have effect if the person -

- (a) dies;
(b) becomes a patient in a mental hospital; or
(c) is convicted of an offence affecting public trust.

(2) An authorisation of a partnership as an operator will automatically cease to have effect if -

- (a) the partnership is dissolved; or
(b) one or more partners is or are, as the case may be, convicted of an offence affecting public trust:

Provided that the non-convicted partner or partners shall be eligible to apply for an authorisation in their individual capacity, or as a new partnership without the convicted partner or partners.

(3) An authorisation of a company as an operator will automatically cease to have effect if, in relation to the company -

- (a) a winding-up order is made;
(b) a resolution for voluntary winding-up is passed;
(c) a receiver or manager of the company's undertaking is appointed; or
(d) the taking of possession, by or on behalf of the holders of any debenture secured by a floating charge, or of any property of the company comprised in or subject to the charge, occurs.

(4) An authorised operator may at any time give notice to the Authority stating that, after such date as may be specified in the notice, that authorised operator does not propose to continue to act as an authorised operator under any of the authorisations granted or under such authorisation as may be specified in the notice, and any authorisation to which the said notice relates shall cease to have effect on the date so specified in relation to it:

Provided that in the case where an operator opts to cease to operate the motoring school for a period of time not exceeding one calendar month in any particular calendar year the operator shall seek prior approval by the Authority, and approval shall be granted by the Authority if it is satisfied that reasonable grounds exist for temporary closure:

Provided further that where an operator ceases to operate the motoring school without permission from the Authority or

beyond the term allowed, the Authority may revoke the operator's authorisation.

(5) The Authority may at any time and on reasonable grounds suspend, withdraw or revoke an authorisation to operate a motoring school by giving an operator notice in writing containing the reasons for such suspension, withdrawal or revocation:

Provided that unless there exist gross acts of misconduct or negligence or any other serious grounds for immediate suspension, withdrawal or revocation, the operative date of such notice shall be not less than twenty-eight days from the date of notification.

(6) An authorisation in respect of which a notice is given shall, unless it is cancelled before that date, cease to have effect on the date specified in the notice.

(7) Where the Authority decides to suspend, withdraw or revoke an authorisation to operate a motoring school, it shall give the operator concerned notice in writing setting out the reasons for its intention to do so.

(8) The notice provided for in sub-regulation (7) shall state that the operator concerned may, within ten days from service thereof, make representations in writing to the Authority giving reasons why the authorisation shall not be suspended or revoked and the Authority shall consider any representations so made before arriving at a final decision.

(9) The Authority shall notify in writing its final decision to the operator concerned who shall have the right to appeal to the Administrative Justice Tribunal within a period of thirty days from notification of the Authority's decision:

Provided that the suspension of the authorisation shall have immediate effect notwithstanding any appeal therefrom.

(10) A decision of the Authority to revoke an authorisation shall not become final until the expiration of the period within which an appeal may be made under this regulation and, if an appeal is made within such period, the decision shall become final on the date of the decision of the Tribunal dismissing the appeal or the date on which the appeal is abandoned, if this is the case.

(11) Upon the termination or revocation of an authorisation as an operator of a motoring school, any person previously qualifying as an operator who opts to re-apply for authorisation shall make a fresh application and the Authority shall be furnished afresh with any information and documents which are to be supplied with any new application.

67. (1) Licensed operators shall keep in duplicate, a record relating to all instructions carried out at each specific authorised motoring school, which records shall be kept in an appropriate form approved by the Authority, and shall contain the particulars required by that form.

(2) During the first fortnight of each month, every licensed operator shall send to the Authority at its offices one copy of the record containing all the entries made therein relating to an

Records to be kept and returns to be furnished by operators.

*Amended by:
L.N. 14 of 2004;
L.N. 25 of 2007;
L.N. 172 of 2011.*

instruction.

(3) Subject to the following provisions of these regulations, the other copy of such records shall be kept by the licensed operator at the registered premises of the authorised motoring school, for a period sufficient to ensure that, upon the inspection at any time of that record under regulation 68, the entries relating to any instruction carried out within the last preceding twelve months will be available for inspection.

Inspection of vehicles and records.

Amended by:
L.N. 14 of 2004;
L.N. 25 of 2007;
L.N. 89 of 2010;
L.N. 172 of 2011.

68. Any authorised official of the Authority may at any time enter any registered premises of the authorised motoring school and upon such entry he shall be entitled to -

- (a) inspect the motor vehicles registered for instruction purposes;
- (b) satisfy himself as to the efficiency of such vehicles and to require evidence to this effect;
- (c) inspect all records and copies of certificates relating to the vehicles' roadworthiness tests carried out, which are required to be kept or preserved at the registered premises of the motoring school in accordance with these regulations;
- (d) be furnished with such information as he may reasonably require with respect to any of the said matters.

Identification tag.

Amended by:
L.N. 14 of 2004;
L.N. 25 of 2007;
L.N. 172 of 2011.

69. Licensed operators shall ensure that approved driving instructors in their employment wear the identification tag, issued by the Authority, during instruction and when accompanying a prospective driver while undergoing a driving test.

Approved Driving Instructors

Driving instructors to be registered with the Authority.

Amended by:
L.N. 25 of 2007;
L.N. 89 of 2010.
Substituted by:
L.N. 172 of 2011.

70. (1) Driving instruction against payment for any driving licence may only be given by approved driving instructors who are registered with the Authority.

- (2) To qualify as an approved driving instructor a person -
 - (a) shall be of good conduct;
 - (b) shall be the holder of a driving licence for at least five years under that category or categories for which he would be providing driving instruction;
 - (c) shall not have his driving licence disqualified;
 - (d) shall -
 - (i) either have passed the examination of ability to give instruction provided for under regulation 74,
 - (ii) or be in possession of documents showing that he is qualified as a driving instructor in any other State of the European Economic Area.

71. (1) An application for registration as an approved driving instructor shall be made to the Authority on the appropriate form which, in respect of persons not falling under the provisions of regulation 70(2)(d), shall be made within one year of passing the examination of ability to give instruction.

Registration of approved driving instructors.
Amended by:
L.N. 25 of 2007.
Substituted by:
L.N. 89 of 2010;
L.N. 172 of 2011.
Amended by:
L.N. 426 of 2012.

(2) Where the application is made by a person other than that falling under the provisions of regulation 70(2)(d), the application shall be accompanied by:

- (a) a conduct certificate,
- (b) passport size photograph,
- (c) a copy of the certificate showing that the applicant has passed the examination of ability to give instruction, and
- (d) the fee prescribed in the Ninth Schedule.

(3) Where the application is made by a person falling under the provisions of regulation 70(2)(d), the application shall be accompanied by:

- (a) a conduct certificate,
- (b) a copy of the driving licence,
- (c) a copy of the passport or of a legally valid identification document,
- (d) a passport size photograph,
- (e) a copy of the driving instructor certificate issued in any other Member State of the European Economic Zone, and
- (f) the fee prescribed in the Ninth Schedule.

(4) The provisions of regulations 63A and 64 shall *mutatis mutandis* apply to the registration of approved driving instructors.

(5) Where the application for registration is upheld, the Authority shall issue a registration certificate to the applicant.

(6) The registration as an approved driving instructor may be retained against the payment of the annual retention fee prescribed in the Ninth Schedule.

72. (1) An approved driving instructor shall be suspended from registration where he becomes disqualified from holding a driving licence.

Removal or suspension from register.
Amended by:
L.N. 25 of 2007.
Substituted by:
L.N. 172 of 2011.

(2) An approved driving instructor may be removed from registration where the Authority is no longer satisfied that he still meets the requirements for registration.

(3) Where the Authority decides to remove an approved driving instructor from registration, the provisions of regulation 66(7) to (10) shall *mutatis mutandis* apply to approved driving instructors.

Authorisation of an approved driving instructor.

Amended by:
L.N. 25 of 2007.
Substituted by:
L.N. 172 of 2011.

73. For the purpose of giving driving instruction against payment for any driving licence, an approved driving instruction shall, in addition to being registered with the Authority in terms of regulation 71, either be the holder of an authorisation to keep and operate a motor driving school in terms of these regulations or is employed with the holder of an authorisation to keep and operate a motor driving school or has a contractual relationship with that person.

Examination of ability to give instruction.

Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

74. (1) The examination of ability to give instruction shall consist of:

- (a) the theory examination;
- (b) the driving ability and fitness test; and
- (c) the instruction ability and fitness test.

(2) The nature of the examination shall be as prescribed in the Eleventh Schedule, and a pass in the examination shall be required within twelve months from the date of the completion of the course of instruction referred to in regulation 73.

(3) Subject to the provisions of this regulation, a person shall be regarded as having passed the examination only if the following conditions are fulfilled:

- (a) he has passed the three parts of the examination in the order set out in sub-regulation (1);
- (b) he passed the driving ability and fitness test on his first, second or third attempt after he had passed the theory examination;
- (c) he passed the instructional ability and fitness test on his first, second or third attempt after he had passed the theory examination.

(4) For the purposes of this regulation -

- (a) where a person has commenced the driving ability and fitness test or the instructional ability and fitness test and does not complete the test, that person shall be treated as having failed the test in question;
- (b) subject to paragraph (c), a reference to the passing of the theory examination or the driving ability and fitness test shall, in relation to a person who has passed that examination or test, as the case may be, on more than one occasion, be read as a reference to the last of those occasions;
- (c) if a person takes the theory examination on an occasion when he is not eligible to take it he shall not in any circumstances be regarded as having passed the examination on that occasion.

(5) For the purposes of this regulation, a person shall be deemed to have made an application on the date that his application and the fee prescribed by these regulations are received by the Authority.

75. The Authority may require an approved driving instructor to undergo a test of continued ability and fitness to give instruction as specified in the Twelfth Schedule.

Test of continued ability and fitness.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

76. (1) Approved driving instructors shall wear an identification tag, issued for the purpose by the Authority, during instruction and when accompanying a prospective driver while undergoing a driving test.

Identification tag.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

(2) During instruction, the approved driving instructor shall sit next to the prospective driver and may allow -

- (a) another prospective driver to ride in the motor vehicle; and
- (b) at the request of the prospective driver, another person to ride on the motor vehicle.

PART IX GENERAL PROVISIONS

Amended by:
L.N. 25 of 2007.

77. Every person licensed under these regulations shall carry his licence when acting in the capacity for which he is licensed and produce the same to the Police and, or to the Authority on demand or at an appointed place within two days of the date of such demand.

Production of licences.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

78. Every person whose licence is cancelled, suspended or revoked shall immediately deliver his licence to the Authority.

Immediate delivery of cancelled licence, etc.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

79. Any Court before whom any person is convicted of an offence under these regulations may -

Court conviction.
Amended by:
L.N. 25 of 2007.

- (a) if the person is convicted of any offence under these regulations, and is the holder of any licence under these regulations, suspend the licence for any period not exceeding one month in addition to any other punishment to which he may be liable;
- (b) if the person convicted is not the holder of a licence under these regulations, declare him disqualified from obtaining a licence for any period not exceeding three months.

80. (1) The Authority may prepare and supply for use for the purposes of these regulations any form which by these regulations is required to be approved by it for the purposes of constituting the record required to be kept under these regulations, and may include on any such form such additional matter as it may consider to be of assistance to persons making use of these forms or to persons to whom such forms may be issued when completed and no form other than one so prepared and supplied shall be used in any such case.

Forms and software.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

(2) The forms referred to in sub-regulation (1) shall be provided by the Authority upon payment of a fee to be shown thereon.

(3) The Authority may prepare and supply, upon the payment

of a fee, suitable software for use by the authorised operators in connection with instructions carried out under the provisions of these regulations:

Provided that once the software is made available from the Authority, any other software used by authorised operators in connection with instruction carried out under the provisions of these regulations, shall conform with specifications approved by the Authority.

Notices.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

81. Except as otherwise provided in these regulations, every notice issued by the Authority to authorised operators under these regulations shall be made in writing and sent by mail or by facsimile to the authorised operators at their relative registered premises of the motoring school.

Right of appeal.
Added by:
L.N. 89 of 2010.

81A. *Revoked by Legal Notice 172 of 2011.*

Authorisation is personal.
Added by:
L.N. 89 of 2010.
Amended by:
L.N. 172 of 2011.

81B. Any authorisation granted by the Authority under these regulations may not be assigned or transferred in any way whatsoever to any other person, and any such assignment or transfer to any other person shall be considered null and void and constitute sufficient grounds for the Authority to cancel that authorisation.

Amended by:
L.N. 25 of 2007.

PART X TRANSITORY PROVISIONS

Motoring schools and approved driving instructors licensed prior to 1st August 2002.
Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.

82. (1) Motoring schools in operation prior to the 1st August 2002 shall be required to undergo the formalities indicated in regulation 63 for record purposes only as they shall be considered to be authorised operators in terms of regulation 58 with effect from 1st August 2002.

(2) Approved driving instructors who have obtained their instructor's licence prior to 1st August 2002 will not be required to undergo the examination referred to in regulations 73 and 74, but they will be required to attend the course of instruction mentioned in regulation 73.

FIRST SCHEDULE
(Regulations 3, 4, 9, 70)

*Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.*

Part I

Categories and Sub-categories of Vehicles for licence purposes
until the 18th January 2013

Category	Sub-category	Description of Vehicle
	A1	Light motorcycles with a cubic capacity not exceeding 125 cc and of a power not exceeding 11kW.
A		Motorcycles up to 25kW (33bhp) and a power to weight ratio not exceeding 0.16kW/kg. Motorcycle combination with a power to weight ratio not exceeding 0.16kW/kg.
A+		Motorcycles with a power exceeding 25kW (33bhp) or a power to weight ratio exceeding 0.16kW/kg or motorcycles with sidecars with a power to weight ratio exceeding 0.16kW/kg.
	B1	Motor tricycles/quadracycles, 3 or 4 wheeled vehicles with an unladen weight not exceeding 550kgs.
B		Motor vehicles with a gross vehicle weight (g.v.w.) not exceeding 3500kgs and having not more than 8 passenger seats in addition to the driver's seat; motor vehicles in this category may be combined with a trailer having a g.v.w. which does not exceed 750kgs. Combinations of a tractor vehicle in category B and a trailer, where the g.v.w. of the combination does not exceed 3500kgs and the g.v.w. of the trailer does not exceed the unladen mass of the tractor vehicle.
B automatic		Same as in category B, but with automatic transmission.
B + E		Combination of vehicles consisting of a vehicle in category B and a trailer, where the combination does not come within category B.
	C1	Motor vehicles other than those in category D and whose g.v.w. is over 3500kgs but not more than 7500kgs; motor vehicles in this sub-category may be combined with a trailer having a g.v.w. which does not exceed 750kgs.
	C1 + E	Combination of vehicles where the tractor vehicle is in sub-category C1 and its trailer has a g.v.w. of over 750kgs, provided the g.v.w. of the combination thus formed does not exceed 12000kgs, and that the g.v.w. of the trailer does not exceed the unladen mass of the tractor vehicle.
C		Motor vehicles other than those in category D and whose g.v.w. is over 3500kgs; motor vehicles in this category may be combined with a trailer having a g.v.w. which does not exceed 750kgs.
C + E		Combinations of vehicles where the tractor is in category C and its trailer has a g.v.w. over 750kgs.
	D1	Motor vehicles used for the carriage of passengers and having more than 8 seats, but not more than 16 seats, in addition to the driver's seat; motor vehicles in this sub-category may be combined with a trailer having a g.v.w. which does not exceed 750kgs.
	D1 + E	Combinations of vehicles where the tractor vehicle is in sub-category D1 and its trailer (which cannot be used for the transport of persons) has a g.v.w. of more than 750kgs, provided that the g.v.w. of the combination thus formed does not exceed 12,000kgs and the g.v.w. of the trailer does not exceed the unladen mass of the tractor vehicle.

D		Motor vehicles used for the carriage of persons and having more than 8 seats in addition to the driver's seat; motor vehicles in this category may be combined with a trailer having a g.v.w. which does not exceed 750kgs.
D + E		Combinations of vehicles where the tractor vehicle is in category D and its trailer has a g.v.w. of over 750kgs.
f		Vehicles for the carriage of persons having more than 16 seats, but not more than 18 seats, in addition to that of the driver.
g		Agricultural tractors.

Part 2

Categories of Vehicle for licensing purposes as from the 19th January, 2013

Category	Class of Vehicle
AM	Mopeds
A1	(a) Motorcycles with a cylinder capacity not exceeding 125 cubic centimetres, of a power not exceeding 11 kW and with a power/weight ratio not exceeding 0.1 kW/kg. (b) Motor tricycles with a power not exceeding 15 kW.
A2	Motorcycles of a power not exceeding 35 kW and with a power/weight ratio not exceeding 0.2 kW/kg and not derived from a vehicle of more than double its power.
A	(a) Motorcycles. (b) Motor tricycles with a power exceeding 15 kW.
B1	Quadricycles
B	Motor vehicles with a maximum authorised mass not exceeding 3,500 kg and designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg. Without prejudice to the provisions of type-approval rules for the vehicles concerned, motor vehicles in this category may be combined with a trailer with a maximum authorised mass exceeding 750 kg, provided that the maximum authorised mass of this combination does not exceed 4,250 kg. Where such a combination exceeds 3,500 kg it shall be driven only after a test of skills and behaviour has been passed. Agricultural tractors.
BE	Without prejudice to the provisions of type-approval rules for the vehicles concerned, combination of vehicles consisting of a tractor vehicle in category B and a trailer or semi-trailer where the maximum authorised mass of the trailer or semi-trailer does not exceed 3,500 kg.
C1	Motor vehicles other than those in categories D1 or D, the maximum authorised mass of which exceeds 3,500 kg, but does not exceed 7,500 kg, and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg.
C1E	(a) Without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category C1 and its trailer or semi-trailer has a maximum authorised mass of over 750 kg provided that the authorised mass of the combination does not exceed 12,000 kg. (b) Without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category B and its trailer or semi-trailer has an authorised mass of over 3,500 kg, provided that the authorised mass of the combination does not exceed 12,000 kg.

C	Motor vehicles other than those in categories D1 or D, whose maximum authorised mass is over 3,500 kg and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver. Motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg.
CE	Without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category C and its trailer or semi-trailer has a maximum authorised mass of over 750 kg.
D1	Motor vehicles designed and constructed for the carriage of no more than 16 passengers in addition to the driver and with a maximum length not exceeding 8 metres. Motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg.
D1E	Without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category D1 and its trailer has a maximum authorised mass of over 750 kg.
D	Motor vehicles designed and constructed for the carriage of more than eight passengers in addition to the driver; motor vehicles which may be driven with a category D licence may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg.
DE	Without prejudice to the provisions of type-approval rules for the vehicles concerned, combinations of vehicles where the tractor vehicle is in category D and its trailer has a maximum authorised mass of over 750 kg.

Driving licences which under Part 1 are in category -

- (a) A+ shall be changed to category A,
- (b) A shall be changed to category A2, and
- (c) F shall be changed to category D1

as from the 19th January, 2013.

SECOND SCHEDULE

(Regulations 4, 39)

Part I

*Substituted by:
L.N. 14 of 2004;
L.N. 25 of 2009.
Amended by:
L.N. 172 of 2011;
L.N. 97 of 2012.*

Minimum ages for holding or obtaining a driving licence
up to the 18th January, 2013

Category	Sub-category	Minimum age	
		Applicable on national territory only	Applicable on international territory
	A1	18	18
A		18	18
A+		21	21
	B1	18	18
B		18	18
B automatic		18	18
B + E		18	18
	C1	19	19/21*
	C1 + E	19	19/21*
C		19	19/21*
C + E		19	19/21*
	D1	20	21
	D1 + E	20	21
D		20	21
D + E		20	21
f		20	
g		18	

* The minimum ages for drivers engaged in the international carriage of goods by road shall be governed by the provisions of regulation 19 of the Motor Vehicles (Carriage of Goods by Road) Regulations.

Part 2

Obtaining or holding a driving licence with effect from
the 19th January, 2013

(a) Subject to paragraph (b), the minimum ages for obtaining or holding a driving licence shall be the following:

Column 1 Category	Column 2 Age in years
AM	18
A1, A2	18
A (in respect of motorcycles)	20

A (in respect of tricycles with a power exceeding 15kW)	21
B1, B, B Automatic, BE	18
C1, C1E	19
C, CE	21
D1, D1E	21
D, DE	24

(b) Where a person holds a certificate of professional competence in terms of the provisions of Part IV of these regulations, the minimum age for obtaining or holding the relative driving licence shall be as follows:

Column 1 Category	Column 2 Age in years
C1, C1E	19
C, CE	19
D1, D1E	20
D, DE	21

Substituted by:
L.N. 25 of 2007.
Amended by:
L.N. 25 of 2009;
L.N. 172 of 2011.

THIRD SCHEDULE
(Regulation 26)

Minimum technical requirements for Vehicles used
in the Tests of Skills and Behaviour

Category	Sub-category	Minimum technical requirements for vehicles used in driving tests
	A1	A motorcycle without sidecar with a cubic capacity of at least 75cc
A		A motorcycle without sidecar with a cubic capacity of at least 100cc
A +		Progressive access: a motorcycle without sidecar with a cubic capacity of over 120cc, capable of a speed of at least 100km/h (if candidate has a minimum of 2 years experience on a motorcycle with lower specifications under an A + licence) Direct access: a motorcycle without sidecar with engine-power of at least 35kw (if the candidate is at least 21 years old)
	B1	A motor-powered tricycle or quadricycle capable of a speed of at least 60 km/h
B		A four-wheeled category B vehicle capable of a speed of at least 100km/h
B automatic		As in category B but fitted with automatic transmission
B + E		A combination made up of a category B test vehicle and a trailer with a maximum authorised g.v.w. of at least 1000kgs, capable of a speed of at least 100km/h, which does not fall within category B; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the motor vehicle: yjr closed box body may also be slightly less wide than the motor vehicle provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum g.v.w. of at least 800 kgs
	C1	A sub-category C1 vehicle with a g.v.w. of at least 4,000 kgs, with a length of at least five metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined in the Motor Vehicle (Weights, Dimensions and Equipment) Regulations; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab
	C1 + E	A combination made up of a sub-category C1 test vehicle and a trailer with a maximum g.v.w. of at least 1,250 kgs; this combination must be at least eight metres in length and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least as wide and as high as the cab: the closed box body may also be slightly less wide than the cab provided that the view to the rear is only possible by use of the external rear-view mirrors of the motor vehicle; the trailer shall be presented with a minimum g.v.w. of at least of 800 kgs
C		A category C vehicle with a maximum g.v.w. of at least 12,000 kgs, a length of at least eight metres, a width of at least 2.40 metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes, equipped with a gearbox having at least eight forward ratios and recording equipment as defined in the Motor Vehicle (Weights, Dimensions and Equipment) Regulations; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; both the articulated vehicle and the combination shall be presented with a minimum g.v.w. of at least of 15,000 kgs

C + E		Either an articulated vehicle or a combination of a category C test vehicle and a trailer of at least 7.5 metres in length; both the articulated vehicle and the combination shall have a maximum g.v.w. of at least 20,000 kgs, a length of at least 14 metres and a width of at least 2,40 metres, shall be capable of a speed of at least 80 km/h, fitted with anti-lock brakes, equipped with a gearbox having at least eight forward ratios and with recording equipment as defined in the Motor Vehicle (Weights, Dimensions and Equipment) Regulations; the cargo compartment shall consist of a closed box body which is at least as wide and as high as the cab; both the articulated vehicle and the combination shall be presented with a minimum g.v.w. of at least 15,000 kgs
	D1	A sub-category D1 vehicle with a maximum g.v.w. of at least 4,000 kgs, with a length of at least five metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined in the Motor Vehicle (Weights, Dimensions and Equipment) Regulations
	D1 + E	A combination made up of a Category D test vehicle and a trailer with a maximum g.v.w. of at least 1,250 kgs, a width of at least 2.40 metres and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed box body which is at least two metres wide and two metres high; the trailer shall be presented with a minimum g.v.w. of at least 800 kgs
D		A category D vehicle with a length of at least 10 metres, a width of at least 2.40 metres and capable of a speed of at least 80 km/h; fitted with anti-lock brakes and equipped with recording equipment as defined in the Motor Vehicle (Weights, Dimensions and Equipment) Regulations
D + E		A combination made up of a category D test vehicle and a trailer with a maximum g.v.w. of at least 1,250 kgs, a width of at least 2.40 metres and capable of a speed of at least 80 km/h; the cargo compartment of the trailer shall consist of a closed body which is at least two metres wide and two metres high; the trailer shall be presented with a minimum g.v.w. of at least 800 kgs
f		Category f vehicle - a vehicle for the carriage of persons having more than 16 seats, but not more than 18 seats, in addition to that of the driver
g		Category g vehicle - agricultural tractor

Testing vehicles for categories B+E, C, C+E, C1, C1+E, D, D+E, D1 and D1+E which are not in conformity with the minimum criteria given above but which were in use on or before the 28th June, 2008, may still be used until the 30th September 2013. The requirements related to the load to be carried by these vehicles shall come into force on the 30th September, 2013.

With effect from the 19th January, 2013, the minimum technical requirements for vehicles used in the Tests of Skills and Behaviour shall be those established under item 5.2 of Annex II of the Directive.

Amended by:
L.N. 25 of 2009;
L.N. 172 of 2011.

FOURTH SCHEDULE

(Regulation 17)

Section A

The Theory Test

The Driving Examiner shall make sure that the applicant has the required knowledge of the subjects listed.

Any applicant for a licence in one category who already holds a licence in a different category will be exempted from the provisions of this Schedule.

Content of the test concerning all vehicle categories

Questions will be asked on each of the points listed below:

(a) *Road traffic regulations*

in particular as regards road signs, marking and signals, rights of way and speed limits.

(b) *The driver*

- (i) importance of alertness and of attitude to other road users;
- (ii) perception, judgement and decision-taking, especially reaction time, as well as changes in driving behaviour due to the influence of alcohol, drugs and medicinal products, state of mind and fatigue.

(c) *The road*

- (i) the most important principles concerning the observance of a safe distance between vehicles, braking distances and road holding under various weather and road conditions;
- (ii) driving risk factors related to various road conditions, in particular as they change with the weather and the time of day or night;
- (iii) characteristics of various types of road and the related statutory requirements.

(d) *Other road users*

- (i) specific risk factors related to the lack of experience of other road users and the most vulnerable categories of users such as children, pedestrians, cyclists and people whose mobility is reduced;
- (ii) risks involved in the movement and driving of various types of vehicles and of the different fields of view of their drivers.

(e) *General rules and regulations and other matters*

- (i) rules concerning the administrative documents required for the use of vehicles;
- (ii) general rules specifying how the driver must behave in the event of an accident (setting warning device and raising the alarm) and the measures which he can take to assist road accident victims where necessary;
- (iii) safety factors relating to the vehicle, the load and persons carried.

(f) *Precautions necessary when alighting from the vehicle*

- (g) *Mechanical aspects with a bearing on road safety; applicants must be able to detect the most common faults, in particular in the steering, suspension and braking systems, tyres, lights and direction indicators, reflectors, rear-view mirrors, windscreen and wipers, the exhaust system, seat-belts and the audible warning device*
- (h) *Vehicle safety equipment and, in particular, the use of seat-belts, head restraints and child safety equipment*
- (i) *Rules regarding vehicle use in relation to the environment (appropriate use of audible warning devices, moderate fuel consumption, limitation of pollutant emissions, etc.).*

SECTION B

Specific provisions concerning categories A, A2 and A1

1. Compulsory check of general knowledge on:
 - (a) use of protective outfit such as gloves, boots, clothes and safety helmet;
 - (b) visibility of motorcycle riders for other road users;
 - (c) risk factors related to various road conditions as laid down above with additional attention to slippery parts such as drain covers, road markings such as lines and arrows, tram rails;
 - (d) mechanical aspects with a bearing on road safety as laid down above with additional attention to the emergency stop switch, the oil levels and the chain.

Specific provisions concerning categories C, C+E, C1, C1+E, D, D+E, D1 and D1+E

2. Compulsory check of general knowledge on:
 - (a) rules on driving hours and rest periods as defined by European Union Council Regulation (EEC) No. 3820/85; use of the recording equipment as defined by European Union Council Regulation (EEC) No. 3821/85;
 - (b) rules concerning the type of transport concerned: goods or passengers;
 - (c) vehicle and transport documents required for the national and international carriage of goods and passengers;
 - (d) how to behave in the event of an accident; knowledge of measures to be taken after an accident or similar occurrence, including emergency action such as evacuation of passengers and basic knowledge of first aid;
 - (e) the precautions to be taken during the removal and replacement of wheels;
 - (f) rules on vehicle weights and dimensions; rules on speed limiters;
 - (g) obstruction of the field of view caused by the characteristics of their vehicles;
 - (h) reading a road map, route planning, including the use of electronic navigation systems (optional);
 - (i) safety factors relating to vehicle loading: controlling the load (stowing and fastening), difficulties with different kinds of load (e.g. liquids, hanging loads) loading and unloading goods and the use of loading equipment (categories C, C+E, C1, C1+E only);

- (j) the driver's responsibility with respect to the carriage of passengers; comfort and safety of passengers; transport of children; necessary checks before driving away; all sorts of buses should be part of the theory test (public service buses and coaches, buses with special dimensions,) (categories D, D+E, D1, D1+E only).
3. Compulsory check of general knowledge on the following additional provisions concerning categories C, C+E, D and D+E:
- (a) the principles of the construction and functioning of: internal combustion engines, fluids (e.g. engine oil, coolant, washer fluid), the fuel system, the electrical system, the ignition system, the transmission system (clutch, gearbox, etc.);
 - (b) lubrication and antifreeze protection;
 - (c) the principles of the construction, the fitting, correct use and care of tyres;
 - (d) the principles of the types, operation, main parts, connection, use and day-to-day maintenance of brake fittings and speed governors, and use of anti-lock brakes;
 - (e) the principles of the types, operation, main parts, connection, use and day-to-day maintenance of coupling systems (categories C+E, D+E only);
 - (f) methods of locating causes of breakdowns;
 - (g) preventive maintenance of vehicles and necessary running repairs;
 - (h) the driver's responsibility in respect of the receipt, carriage and delivery of goods in accordance with the agreed conditions (categories C, C+E only).
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FIFTH SCHEDULE
(Regulation 24)

*Amended by:
L.N. 25 of 2009;
L.N. 171 of 2011.*

Test of Skills and Behaviour

1. The vehicle and its equipment
 - (a) *The driving of a vehicle with manual transmission shall be subject to the passing of a skills and behaviour test taken on a vehicle with manual transmission.*

If an applicant takes the test of skills and behaviour on a vehicle with automatic transmission this shall be recorded on any licence issued on the basis of such a test. Licences with this indication shall be used only for driving vehicles with automatic transmission.

For the purpose of this sub-paragraph -

"vehicle with automatic transmission" means a vehicle in which the gear ratio between the engine and the wheels can be varied by use only of the accelerator or the brakes.
 - (b) *The vehicles used in tests of skills and behaviour shall comply with the minimum technical requirements given in the Third Schedule.*
2. Skills and behaviour to be tested concerning categories A1, A2 and A
 - (a) *Preparation and technical check of the vehicle with a bearing on road safety.*

Applicants must demonstrate that they are capable of preparing to ride safely by satisfying the following requirements:

 - (i) Adjust the protective outfit, such as gloves, boots, clothes and safety helmet;
 - (ii) Perform a random check on the condition of the tyres, brakes, steering, emergency stop switch (if applicable), chain, oil levels, lights, reflectors, direction indicators and audible warning device.
 - (b) *Special manoeuvres to be tested with a bearing on road safety*
 - (i) Putting the motorcycle on and off its stand and moving it, without the aid of the engine, by walking alongside the vehicle;
 - (ii) Parking the motorcycle on its stand;
 - (iii) At least two manoeuvres to be executed at slow speed, including a slalom; this should allow competence to be assessed in handling of the clutch in combination with the brake, balance, vision direction and position on the motorcycle and the position of the feet on the foot rests;
 - (iv) At least two manoeuvres to be executed at higher speed, of which one manoeuvre in second or third gear, at least at 30 km/h and one manoeuvre avoiding an obstacle at a minimum speed of 50 km/h; this should allow competence to be assessed in the position on the motorcycle, vision direction, balance, steering technique and technique of changing gears;
 - (v) Braking: at least two braking exercises shall be executed, including an emergency brake at a minimum speed of 50 km/h; this should allow competence to be assessed in handling of the front and rear brake, vision direction and the position on the

motorcycle.

(c) *Behaviour in traffic*

- (i) Riding away: after parking, after a stop in traffic; exiting a driveway;
- (ii) Riding on straight roads; passing oncoming vehicles, including in confined spaces;
- (iii) Riding round bends;
- (iv) Crossroads: approaching and crossing of intersections and junctions;
- (v) Changing direction: left and right turns; changing lanes;
- (vi) Approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;
- (vii) Overtaking/passing: overtaking other traffic (if possible); riding alongside obstacles, e.g. parked cars; being overtaken by other traffic (if appropriate);
- (viii) Special road features (if available): roundabouts; bus stops; pedestrian crossings; riding up-/downhill on long slopes; tunnel;
- (ix) Taking the necessary precautions when getting off the vehicle.

3. Skills and behaviour to be tested concerning categories B, B1 and B+E

(a) *Preparation and technical check of the vehicle with a bearing on road safety*

Applicants must demonstrate that they are capable of preparing to drive safely by satisfying the following requirements:

- (i) Adjusting the seat as necessary to obtain a correct seated position;
- (ii) Adjusting rear-view mirrors, seat belts and head restraints if available;
- (iii) Checking that the doors are closed;
- (iv) Performing a random check on the condition of the tyres, steering, brakes, fluids (e.g engine oil, coolant, washer fluid), lights, reflectors, direction indicators and audible warning device;
- (v) Checking the safety factors relating to vehicle loading: body, sheets, cargo doors, cabin locking, way of loading, securing load (category B+E only);
- (vi) Checking the coupling mechanism and the brake and electrical connections (category B+E only).

(b) *Categories B and B1: special manoeuvres to be tested with a bearing on road safety*

A selection of the following manoeuvres shall be tested (at least two manoeuvres for the four points, including one in reverse gear).

- (i) Reversing in a straight line or reversing right or left round a corner while keeping within the correct traffic lane;
- (ii) Turning the vehicle to face the opposite way, using forward and reverse gears;
- (iii) Parking the vehicle and leaving a parking space (parallel, oblique or right-angle, forwards or in reverse, on the flat, uphill or downhill);
- (iv) Braking accurately to a stop; however, performing an emergency

stop is optional.

(c) *Category B+E: special manoeuvres to be tested with a bearing on road safety*

- (i) Coupling and uncoupling, or uncoupling and re-coupling a trailer from its motor vehicle; the manoeuvre must involve the towing vehicle being parked alongside the trailer (i.e. not in one line);
- (ii) Reversing along a curve, the line of which shall be left to the discretion of the Authority;
- (iii) Parking safely for loading/unloading.

(d) *Behaviour in traffic*

Applicants must perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:

- (i) Driving away: after parking, after a stop in traffic, exiting a driveway;
- (ii) Driving on straight roads; passing oncoming vehicles, including in confined spaces;
- (iii) Driving round bends;
- (iv) Crossroads: approaching and crossing of intersections and junctions;
- (v) Changing direction: left and right turns; changing lanes;
- (vi) Approach/exit of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;
- (vii) Overtaking/passing: overtaking other traffic (if possible); driving alongside obstacles, e.g. parked cars; being overtaken by other traffic (if appropriate);
- (viii) Special road features (if available): roundabouts; bus stops; pedestrian crossings; driving up-/downhill on long slopes; tunnel;
- (ix) Taking the necessary precautions when alighting from the vehicle.

4. Skills and behaviour to be tested concerning categories C, C+E, C1, C1+E, D, D+E, D1 and D1+E

(a) *Preparation and technical check of the vehicle with a bearing on road safety*

Applicants must demonstrate that they are capable of preparing to drive safely by satisfying the following requirements:

- (i) Adjusting the seat as necessary to obtain a correct seated position;
- (ii) Adjusting rear-view mirrors, seat belts and head restraints if available;
- (iii) Random checks on the condition of the tyres, steering, brakes, lights, reflectors, direction indicators and audible warning device;
- (iv) Checking the power-assisted braking and steering systems; checking the condition of the wheels, wheelnuts, mudguards, windscreen, windows and wipers, fluids (e.g. engine oil, coolant, washer fluid); checking and using the instrument panel including the recording equipment as defined in Regulation (EEC) No 3821/85;
- (v) Checking the air pressure, air tanks and the suspension;
- (vi) Checking the safety factors relating to vehicle loading: body,

- sheets, cargo doors, loading mechanism (if available), cabin locking (if available), way of loading, securing load (categories C, C+E, C1, C1+E only);
- (vii) Checking the coupling mechanism and the brake and electrical connections (categories C+E, C1+E, D+E, D1+E only);
 - (viii) Being capable of taking special vehicle safety measures; controlling the body, service doors, emergency exits, first aid equipment, fire extinguishers and other safety equipment (categories D, D+E, D1, D1+E only);
 - (ix) Reading a road map, route planning, including the use of electronic navigation systems (optional).
- (b) *Special manoeuvres to be tested with a bearing on road safety*
- (i) Coupling and uncoupling, or uncoupling and re-coupling a trailer from its motor vehicle; the manoeuvre must involve the towing vehicle being parked alongside the trailer (i.e. not in one line) (categories C+E, C1+E, D+E, D1+E only);
 - (ii) Reversing along a curve, the line of which shall be left to the discretion of the Authority;
 - (iii) Parking safely for loading/unloading at a loading ramp/platform or similar installation (categories C, C+E, C1, C1+E only);
 - (iv) Parking to let passengers on or off the bus safely (Categories D, D+E, D1, D1+E only).
- (c) *Behaviour in traffic*
- Applicants must perform all the following actions in normal traffic situations, in complete safety and taking all necessary precautions:*
- (i) Driving away: after parking, after a stop in traffic; exiting a driveway;
 - (ii) Driving on straight roads; passing oncoming vehicles, including in confined spaces;
 - (iii) Driving round bends;
 - (iv) Crossroads: approaching and crossing of intersections and junctions;
 - (v) Changing direction: left and right turns; changing lanes;
 - (vi) Approach/exist of motorways or similar (if available): joining from the acceleration lane; leaving on the deceleration lane;
 - (vii) Overtaking/passing: overtaking other traffic (if possible); driving alongside obstacles, e.g. parked cars; being overtaken by other traffic (if appropriate);
 - (viii) Special road features (if available): roundabouts; bus stops; pedestrian crossings; driving up-/downhill on long slopes; tunnel;
 - (ix) Taking the necessary precautions when alighting from the vehicle.

5. Marking of the test of skills and behaviour

- (a) *For each of the abovementioned driving situations, the assessment must reflect the degree of ease with which the applicant handles the vehicle controls and his demonstrated capacity to drive in traffic in complete safety. The examiner must feel safe throughout the test. Driving errors or dangerous conduct immediately endangering the safety of the test vehicle, its passengers or other road users shall be penalised by failing*

the test, whether or not the examiner or accompanying person has to intervene. Nonetheless, the examiner shall be free to decide whether or not the skills and behaviour test should be completed.

Driving examiners must be trained to assess correctly the applicants' ability to drive safely. The work of driving examiners must be monitored and supervised, by a body authorised by the Authority, to ensure correct and consistent application of fault assessment in accordance with the standards laid down in this Schedule.

- (b) *During their assessment, driving examiners shall pay special attention to the fact whether an applicant is showing a defensive and social driving behaviour. This should reflect the overall style of driving and the driving examiner should take this into account in the overall picture of the applicant. It includes adapted and determined (safe) driving, taking into account road and weather conditions, taking into account other traffic, taking into account the interests of other road users (particularly the more vulnerable) and anticipation.*
- (c) *The driving examiner will furthermore assess whether the applicant is:*
- (i) *Controlling the vehicle; taking into account: proper use of safety belts, rear-view mirrors, head restraints; seat; proper use of lights and other equipment; proper use of clutch, gearbox, accelerator, braking systems (including third braking system, if available), steering; controlling the vehicle under different circumstances, at different speeds; steadiness on the road; the weight and type of load (categories B+E, C, C+E, C1, C1+E, D+E, D1+E only); the comfort of the passengers (categories D, D+E, D1, D1+E only) (no fast acceleration, smoothly driving and no hard braking);*
 - (ii) *Driving economically and environmentally friendly, taking into account the revolutions per minute, changing gears, braking and accelerating (categories B+E, C, C+E, C1, C1+E, D, D+E, D1, D1+E only);*
 - (iii) *Observation: all-round observation; proper use of mirrors; far, middle, near distance vision;*
 - (iv) *Priority/giving way: priority at crossroads, intersections and junctions, giving way at other occasions (e.g. changing direction, changing lanes, special manoeuvres);*
 - (v) *Correct position on the road: proper position on the road, in lanes, on roundabouts, round bends, suitable for the type and the characteristics of the vehicle; pre-positioning;*
 - (vi) *Keeping distance: keeping adequate distance to the front and the side; keeping adequate distance from other road users;*
 - (vii) *Speed: not exceeding the maximum allowed speed; adapting speed to weather/traffic conditions and where appropriate up to national speed limits; driving at such a speed that stopping within distance of the visible and free road is possible; adapting speed to general speed of same kind of road users;*
 - (viii) *Traffic lights, road signs and other indications: acting correctly at traffic lights; obeying instructions from traffic controllers; acting correctly at road signs (prohibitions or commands); take appropriate action at road markings;*

- (ix) Signalling: give signals where necessary, correctly and properly timed; indicating directions correctly; taking appropriate action with regard to all signals made by other road users;
- (x) Braking and stopping: decelerating in time, braking or stopping according to circumstances; anticipation; using the various braking systems (only for categories C,C+E, D, D+E); using speed reduction systems other than the brakes (only for categories C, C+E, D, D+E).

6. Length of the test

The length of the test and the distance travelled must be sufficient to assess the skills and behaviour laid down in this Schedule. In no circumstances should the time spent driving on the road be less than 25 minutes for categories A, A1, B, B1 and B+E and 45 minutes for the other categories. This does not include the reception of the applicant, the preparation of the vehicle, the technical check of the vehicle with a bearing on road safety, the special manoeuvres and the announcement of the outcome of the practical test.

7. Location of the test

The part of the test to assess the special manoeuvres may be conducted on a special testing ground. Wherever practicable, the part of the test to assess behaviour in traffic should be conducted on roads outside built-up areas, expressways and motorways (or similar), as well as on all kinds of urban streets (residential areas, 30 and 50 km/h areas, urban expressways) which should represent the various types of difficulty likely to be encountered by drivers. It is also desirable for the test to take place in various traffic density conditions. The time spent driving on the road should be used in an optimal way to assess the applicant in all the various traffic areas that can be encountered, with a special emphasis on changing between these areas.

KNOWLEDGE, SKILL AND BEHAVIOUR FOR DRIVING A POWER-DRIVEN VEHICLE

Drivers of all power-driven vehicles must at any moment have the knowledge, skills and behaviour described under points 2 to 4 above, with a view to be able to:

- Recognise traffic dangers and assess their seriousness;
- Have sufficient command of their vehicle not to create dangerous situations and to react appropriately should such situations occur;
- Comply with road traffic regulations, and in particular those intended to prevent road accidents and to maintain the flow of traffic;
- Detect any major technical faults in their vehicles, in particular those posing a safety hazard, and have them remedied in an appropriate fashion;
- Take account of all the factors affecting driving behaviour (e.g. alcohol, fatigue, poor eyesight, etc.) so as to retain full use of the faculties needed to drive safely;
- Help ensure the safety of all road users, and in particular of the weakest and most exposed by showing due respect for others.

SIXTH SCHEDULE
(Regulation 40)

Amended by:
L.N. 25 of 2007.

Driving offences codes

Code	Offences	Penalty Points
	Accident Offences	
AC-1	Failing to stop after an accident	5-10
	Construction and Use of Vehicle	
CU-1	Using a vehicle with defective brakes	3
CU-2	Using a vehicle with defective tyre(s)	3
CU-3	Using a vehicle with defective steering	3
CU-4	Causing or likely to cause a danger by reason of load or passengers	3
	Reckless/Dangerous Driving	
RD-1	Reckless, negligent or dangerous driving	3-11
RD-2	Manslaughter or culpable homicide while driving a vehicle	3-11
RD-3	Causing death by dangerous driving	3-11
	Drink or Drugs	
DD-1	Driving or attempting to drive or be in charge of a motor vehicle with alcohol level above the limit	3-11
DD-2	Driving or attempting to drive then failing to provide a specimen for analysis	3-11
DD-3	Driving or attempting to drive when unfit through drugs	3-11
	Insurance Offences	
IN-1	Using vehicle uninsured against third party risks	6-8
	Licence Offences	
LC-1	Driving otherwise than in accordance with a licence	3-6
LC-2	Driving while disqualified by order of court	6
LC-3	Non-renewal of vehicle road licence	3-6
LC-4	Non-renewal of driving licence	3-6
	Miscellaneous Offences	
MS-1	Emission of loud electronic sound from vehicle	3 - 6
MS-2	Use of mobile phone while driving	3-6
MS-3	Driving without seat belt on	3-6
MS-4	Wearing or using headphones or any other similar device while driving	3-6
	Public Highway Offences	
PH-1	Exceeding speed limits signs or regulations for classification of road and type of vehicle	3-6
PH-2	Contravention of pedestrian crossing regulations by a moving vehicle	3-5
	Traffic Direction and Signs	
TS-1	Failure to comply with traffic light signals	3-5
TS-2	Failure to comply with double white lines	3-5
TS-3	Failure to comply with a traffic prohibitory direction sign	3-5
TS-4	Failure to comply with a sign which prohibits entry of vehicle into a road or pedestrian zone	3

TS-5	Failure to comply with a sign prohibiting vehicle overtaking	3-5
TS-6	Failure to comply with a 'Stop' sign	3-5
TS-7	Failure to comply with a traffic mandatory direction sign	3
TS-8	Failure to comply with direction of a constable or warden	3

SEVENTH SCHEDULE
(Regulations 32 and 47)

Amended by:
L.N. 25 of 2007;
L.N. 25 of 2009;
XV. 2009.49;
L.N. 172 of 2011.

Information codes

Section A
International Information Codes

Code No.	Subcode No.	Description
DRIVER (Medical reasons)		
01		Sight correction and/or protection
	01.01	Glasses
	01.02	Contact lense(s)
	01.03	Protective glass
	01.04	Opaque lense
	01.05	Eye cover
	01.06	Glasses or contact lenses
02		Hearing aid/communication aid
	02.01	Hearing aid for one ear
	02.02	Hearing aid for two ears
03		Prosthesis/orthosis for the limbs
	03.01	Upper limb prosthesis/orthosis
	03.02	Lower limb prosthesis/orthosis
04		Subject to the possession of a valid medical certificate
05		Limited use
	05.01	Limited to day time journeys (for example: one hour after sunrise and one hour before sunset)
	05.02	Limited to journeys within a radius of km from holder's place of residence
	05.03	Driving without passengers
	05.04	Limited to journeys with a speed not greater than.....km/h
	05.05	Driving authorised solely when accompanied by a holder of a driving licence
	05.06	Without trailer

	05.07	No driving on motorways
	05.08	No alcohol

VEHICLE ADAPTATIONS

10		Modified transmission
	10.01	Manual transmission
	10.02	Vehicles without a clutch pedal (or lever operated manually for categories A or A1)
	10.03	Electronically operated transmission
	10.04	Adjusted gear-shift lever
	10.05	Without secondary gearbox
15		Modified clutch
	15.01	Adjusted clutch pedal
	15.02	Manual clutch
	15.03	Automatic clutch
	15.04	Partitioning in front of/fold away/detached clutch pedal
20		Modified braking systems
	20.01	Adjusted brake pedal
	20.02	Enlarged brake pedal
	20.03	Brake pedal suitable for use by left foot
	20.04	Brake pedal by sole
	20.05	Tilted brake pedal
	20.06	Manual (adapted) service brake
	20.07	Maximum use of reinforced service brake
	20.08	Maximum use of emergency brake integrated in the service brake
	20.09	Adjusted parking brake
	20.10	Electrically operated parking brake
	20.11	(Adjusted) foot operated parking brake
	20.12	Partitioning in front of/fold away/detached brake pedal
	20.13	Brake operated by knee
	20.14	Electrically operated service brake
25		Modified accelerator systems
	25.01	Adjusted accelerator pedal

	25.02	Accelerator pedal by sole
	25.03	Tilted accelerator pedal
	25.04	Manual accelerator
	25.05	Accelerator at knee
	25.06	Servo accelerator (electronic, pneumatic, etc.)
	25.07	Accelerator pedal on the left of brake pedal
	25.08	Accelerator pedal on the left
	25.09	Partitioning in front of/fold away/detached accelerator pedal
30		Modified combined braking and accelerator systems
	30.01	Parallel pedals
	30.02	Pedals at (or almost at) the same level
	30.03	Accelerator and brake with sliding
	30.04	Accelerator and brake with sliding and orthosis
	30.05	Fold away/detached accelerator and brake pedals
	30.06	Raised floor
	30.07	Partitioning on the side of the brake pedal
	30.08	Partitioning for prosthesis on the side of the brake pedal
	30.09	Partitioning in front of the accelerator and brake pedals
	30.10	Heel/leg support
	30.11	Electrically operated accelerator and brake
35		Modified control layouts (lights switches, windscreen wiper/washer, horn, direction indicators, etc.)
	35.01	Control devices operable without negative influence on the steering and handling
	35.02	Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.)
	35.03	Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) with the left hand
	35.04	Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) with the right hand
	35.05	Control devices operable without releasing the steering wheel and accessories (knob, fork, etc.) and the combined accelerator and braking mechanisms
40		Modified steering
	40.01	Standard assisted steering

	40.02	Reinforced assisted steering
	40.03	Steering with backup system
	40.04	Lengthened steering column
	40.05	Adjusted steering wheel (larger and/or thicker steering wheel section, reduced diameter steering wheel, etc.)
	40.06	Tilted steering wheel
	40.07	Vertical steering wheel
	40.08	Horizontal steering wheel
	40.09	Foot operated driving
	40.10	Alternative adjusted steering (joy-stick, etc.)
	40.11	Knob on the steering wheel
	40.12	Hand orthosis on the steering wheel
	40.13	With orthosis tenodesis
42		Modified rear-view mirror(s)
	42.01	External (left or) right-side rear-view mirror
	42.02	External rear-view mirror set on the wing
	42.03	Additional inside rear-view mirror permitting view of traffic
	42.04	Panoramic inside rear-view mirror
	42.05	Blind spot rear-view mirror
	42.06	Electrically operated outside rear-view mirror(s)
43		Modified driver seat
	43.01	Driver seat at a good viewing height and in normal distance from the steering wheel and the pedal
	43.02	Driver seat adjusted to body shape
	43.03	Driver seat with lateral support for good sitting stability
	43.04	Driver seat with armrest
	43.05	Lengthening of sliding driver's seat
	43.06	Seat-belt adjustment
	43.07	Harness-type seat-belt
44		Modifications to motorcycles
	44.01	Single operated brake
	44.02	(Adjusted) hand operated brake (front wheel)

	44.03	(Adjusted) foot operated brake (back wheel)
	44.04	(Adjusted) accelerator handle
	44.05	(Adjusted) manual transmission and manual clutch
	44.06	(Adjusted) rear-view mirror(s)
	44.07	(Adjusted) commands (direction indicators, braking light, ...)
	44.08	Seat height allowing the driver, in sitting position, to have two feet on the road at the same time
45		Motorcycle with side-car only
50		Restricted to a specific vehicle/chassis number (vehicle identification number, VIN)
51		Restricted to a specific vehicle/registration plate (vehicle registration number, VRN)

ADMINISTRATIVE MATTERS

70		Exchange of licence No. ... issued by ... (EU/UN distinguishing sign in the case of a third country);
71		Duplicate of licence No ... (EU/UN distinguishing sign in the case of a third country);
72		Restricted to category A vehicles having a maximum cylinder capacity of 125 cc and maximum power of 11 KW (A1)
73		Restricted to category B vehicles of the motor tricycle or quadricycle type (B1)
74		Restricted to category C vehicles the g.v.w. of which does not exceed 7500 kg (C1)
75		Restricted to category D vehicles with not more than 16 seats, excluding the driver's seat (D1)
76		Restricted to category C vehicles the g.v.w. of which does not exceed 7500 kg (C1), attached to a trailer the g.v.w. of which exceeds 750 kg, provided that the g.v.w. of the vehicle train thus formed does not exceed 12000 kg, and that the g.v.w. of the trailer does not exceed the unladen mass of the drawing vehicle (C1+E)
77		Restricted to category D vehicles with not more than 16 passenger seats, excluding the driver's seat (D1), attached to a trailer the g.v.w. of which exceeds 750 kg provided that (a) the g.v.w. of the vehicle train thus formed does not exceed 12000 kg and the g.v.w. of the trailer does not exceed the unladen mass of the drawing vehicle and (b) the trailer is not used to carry passengers (D1+E)
78		Valid only for vehicles without a clutch pedal (or lever operated manually for categories A or A1)
79		(...) Restricted to vehicles which comply with the specifications indicated in the brackets
	90.01	To the left
	90.02	To the right

	90.03	Left
	90.04	Right
	90.05	Hand
	90.06	Foot
	90.07	Usable
PROFESSIONAL COMPETENCE		
95		Driver holding a Certificate of Professional Competence complying with the obligation of professional competence referred to in regulations 27 and 30 until....(e.g. 01.01.2012)

Section B

National Information Codes

Code No.	Subcode No.	Description
100		Holder enjoys diplomatic immunity
101		Exempt from Public Transport Customer Care Course
102		Restricted to drive government-owned buses and mini buses
103		Holders authorised by the Authority to drive a light passenger transport vehicle (chauffer-driven vehicle)
104		Holder authorised by the Authority to drive a minibus
105		Holder authorised by the Authority to drive a bus and/or a coach
106		Holder authorised by the Authority to drive a taxi
110		Licence issued free of charge
333		Probationary driving licence for first time licensees only

EIGHTH SCHEDULE
(Regulations 34, 45A)

Amended by:
L.N. 25 of 2007;
L.N. 426 of 2010;
L.N. 172 of 2011.

Minimum standards of physical and mental
fitness for driving a power-driven vehicle*Definitions*

1. For the purpose of this Schedule, drivers are classified in two groups:

Group 1:

drivers of vehicles of categories A, B and B+E and subcategories A1 and B1;

Group 2:

drivers of vehicles of categories C, C+E, D and D+E and subcategories C1, C1+E, D1 and D1+E

Eyesight

2. All applicants for a driving licence shall undergo an appropriate investigation to ensure that they have adequate visual acuity for driving power-driven vehicles. Where there is reason to doubt that the applicant's vision is adequate, he shall be examined by a competent medical authority. At this examination attention shall be paid, in particular, to the following: visual acuity, field of vision, twilight vision, glare and contrast sensitivity, diplopia and other visual functions that can compromise safe driving.

For Group 1 drivers, licensing may be considered in "exceptional cases" where the visual field standard or visual acuity standard cannot be met; in such cases the driver shall undergo examination by a competent medical authority to demonstrate that there is no other impairment of visual function, including glare, contrast sensitivity and twilight vision. The driver or applicant shall also be subject to a positive practical test conducted by a competent authority.

Group 1:

- (i) Applicants for a driving licence or for the renewal of such a licence shall have a binocular visual acuity, with corrective lenses if necessary, of at least 0.5 when using both eyes together.

Moreover, the horizontal visual field shall be at least 120 degrees, the extension shall be at least 50 degrees left and right and 20 degrees up and down. No defects shall be present within a radius of the central 20 degrees.

When a progressive eye disease is detected or declared, driving licences may be issued or renewed subject to the applicant undergoing regular examination by a competent medical authority.

- (ii) Applicants for a driving licence, or for the renewal of such a licence, who have total functional loss of vision in one eye or who use only one eye (e.g. in the case of diplopia) must have a visual acuity of at least 0.5, with corrective lenses if necessary. The competent medical authority must certify that this condition of monocular vision has existed for a sufficiently long time to allow adaptation and that the field of vision in this eye meets the requirement laid down in paragraph (i).
- (iii) After any recently developed diplopia or after the loss of vision in one

eye, there shall be an appropriate adaptation period (for example, six months), during which driving is not allowed. After this period, driving is only allowed following a favourable opinion from vision and driving experts.

Group 2:

- (iv) Applicants for a driving licence or for the renewal of such a licence shall have a visual acuity, with corrective lenses if necessary, of at least 0.8 in the better eye and at least 0.1 in the worse eye. If corrective lenses are used to attain the values of 0.8 and 0.1, the minimum acuity (0.8 and 0.1) must be achieved either by correction by means of glasses with a power not exceeding + 8 dioptries, or with the aid of contact lenses. The correction must be well tolerated.

Moreover, the horizontal visual field with both eyes shall be at least 160 degrees, the extension shall be at least 70 degrees left and right and 30 degrees up and down. No defects shall be present within a radius of the central 30 degrees.

Driving licences shall not be issued to or renewed for applicants or drivers suffering from impaired contrast sensitivity or from diplopia.

After a substantial loss of vision in one eye, there shall be an appropriate adaptation period (for example six months) during which the subject is not allowed to drive. After this period, driving is only allowed after a favourable opinion from vision and driving experts.

Hearing

3. Driving licences may be issued or renewed for applicants or drivers in Group 2 subject to the opinion of the competent medical authorities; particular account will be taken in medical examinations of the scope for compensation.

Persons with a Locomotor Disability

4. Driving licences shall not be issued to or renewed for applicants or drivers suffering from complaints or abnormalities of the locomoter system which make it dangerous to drive a power-driven vehicle.

(a) *Group 1:*

- (i) Driving licences subject to certain restrictions, if necessary, may be issued to physically handicapped applicants or drivers following the issuing of an opinion by a competent medical authority. This opinion must be based on a medical assessment of the complaint or abnormality in question and, where necessary, on a practical test. It must also indicate what type of modification to the vehicle is required and whether the driver needs to be fitted with an orthopaedic device, insofar as the test of skills and behaviour demonstrates that with such a device driving would not be dangerous.
- (ii) Driving licences may be issued to or renewed for any applicant suffering from a progressive complaint on condition that the disabled person is regularly examined to check that the person is still capable of driving the vehicle completely safely.

Where the handicap is static, driving licences may be issued or renewed without the applicant being subject to regular medical examination.

(b) *Group 2:*

The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

Cardiovascular Diseases

5. Any disease capable of exposing an applicant for a first licence or a driver applying for renewal to a sudden failure of the cardiovascular system such that there is a sudden impairment of the cerebral functions, constitutes a danger to road safety.

(a) *Group 1:*

- (i) Driving licences will not be issued to, or renewed for, applicants or drivers with serious arrhythmia.
- (ii) Driving licences may be issued to, or renewed for, applicants or drivers wearing a pacemaker subject to authorised medical check-ups.
- (iii) The question whether to issue or renew a licence for applicants or drivers suffering from abnormal arterial blood pressure shall be assessed with reference to the other results of the examination, any associated complications and the danger they might constitute for road safety.
- (iv) Generally speaking, a driving licence shall not be issued to or renewed for applicants or drivers suffering from angina during rest or emotion. The issuing or renewal of a driving licence to any applicant or driver having suffered myocardial infarction shall be subject to authorised medical opinion and, if necessary, regular medical check-ups.

(b) *Group 2:*

The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

Diabetes Mellitus

6. In the following paragraphs, a severe hypoglycaemia means that the assistance of another person is needed and a recurrent hypoglycaemia is defined as a second severe hypoglycaemia during a period of 12 months.

Group 1:

- (i) Driving licences may be issued to, or renewed for, applicants or drivers who have diabetes mellitus. When treated with medication, they shall be subject to authorised medical opinion and regular medical review, appropriate to each case, but the interval shall not exceed five years.
- (ii) Driving licences shall not be issued to, nor renewed for, applicants or drivers who have recurrent severe hypoglycaemia or impaired awareness of hypoglycaemia. A driver with diabetes shall demonstrate an understanding of the risk of hypoglycaemia and adequate control of the condition.

Group 2:

- (iii) Consideration may be given to the issuing/renewal of Group 2 licences to drivers with diabetes mellitus. When treated with medication which carries a risk of inducing hypoglycaemia (that is, with insulin, and some tablets), the following criteria shall apply:
 - no severe hypoglycaemic events have occurred in the previous 12

months,

- the driver has full hypoglycaemic awareness,
- the driver must show adequate control of the condition by regular blood glucose monitoring, at least twice daily and at times relevant to driving,
- the driver must demonstrate an understanding of the risks of hypoglycaemia,
- there are no other debarring complications of diabetes.

Moreover, in these cases, such licences shall be issued subject to the opinion of a competent medical authority and to regular medical review, undertaken at intervals of not more than three years.

- (iv) A severe hypoglycaemic event during waking hours, even unrelated to driving, shall be reported and shall give rise to a reassessment of the licensing status.

Neurological Diseases

7. Driving licences shall not be issued to, or renewed for, applicants or drivers suffering from a serious neurological disease, unless the application is supported by authorised medical opinion.

Neurological disturbances associated with diseases or surgical intervention affecting the central or peripheral nervous system, which lead to sensory or motor deficiencies and affect balance and coordination, must accordingly be taken into account in relation to their functional effects and the risks of progression. In such cases, the issue or renewal of the licence may be subject to periodic assessment in the event of risk of deterioration.

Epilepsy

8. Epileptic seizures or other sudden disturbances of the state of consciousness constitute a serious danger to road safety if they occur in a person driving a power-driven vehicle.

Epilepsy is defined as having had two or more epileptic seizures, less than five years apart. A provoked epileptic seizure is defined as a seizure which has a recognisable causative factor that is avoidable.

A person who has an initial or isolated seizure or loss of consciousness shall be advised not to drive. A specialist report is required, stating the period of driving prohibition and the requested follow-up.

It is extremely important that the person's specific epilepsy syndrome and seizure type are identified so that a proper evaluation of the person's driving safety can be undertaken (including the risk of further seizures) and the appropriate therapy instituted. This shall be done by a neurologist.

Group 1:

- (i) Drivers assessed under Group 1 with epilepsy shall be under licence review until they have been seizure-free for at least five years.

If the person has epilepsy, the criteria for an unconditional licence are not met. Notification shall be given to the licensing authority.

- (ii) Provoked epileptic seizure: the applicant who has had a provoked epileptic seizure because of a recognisable provoking factor that is unlikely to recur at the wheel can be declared able to drive on an individual basis, subject to neurological opinion (the assessment shall

be, if appropriate, in accordance with other relevant sections of this Schedule, e.g. in the case of alcohol or other co-morbidity).

- (iii) First or single unprovoked seizure: the applicant who has had a first unprovoked epileptic seizure can be declared able to drive after a period of six months without seizures, if there has been an appropriate medical assessment. The Authority may allow drivers with recognised good prognostic indicators to drive sooner.
- (iv) Other loss of consciousness: the loss of consciousness shall be assessed according to the risk of recurrence while driving.
- (v) Epilepsy: drivers or applicants can be declared fit to drive after a one-year period free of further seizures.
- (vi) Seizures exclusively in sleep: the applicant or driver who has never had any seizures other than seizures during sleep can be declared fit to drive so long as this pattern has been established for a period which must not be less than the seizure-free period required for epilepsy. If there is an occurrence of attacks/seizure arising while awake, a one-year period free of further event before licensing is required [see paragraph (v)].
- (vii) Seizures without influence on consciousness or the ability to act: the applicant or driver who has never had any seizures other than seizures which have been demonstrated exclusively to affect neither consciousness nor cause any functional impairment can be declared fit to drive so long as this pattern has been established for a period which must not be less than the seizure-free period required for epilepsy. If there is an occurrence of any other kind of attacks/seizures a one-year period free of further event before licensing is required [see paragraph (v)].
- (viii) Seizures because of a physician-directed change or reduction of anti-epileptic therapy: the patient may be advised not to drive from the commencement of the period of withdrawal and thereafter for a period of six months after cessation of treatment. Seizures occurring during physician-advised change or withdrawal of medication require three months off driving if the previously effective treatment is reinstated.
- (ix) After curative epilepsy surgery see: paragraph (v).

Group 2:

- (x) The applicant shall be without anti-epileptic medication for the required period of seizure freedom. An appropriate medical follow-up has been done. On extensive neurological investigation, no relevant cerebral pathology was established and there is no epileptiform activity on the electroencephalogram (EEG). An EEG and an appropriate neurological assessment shall be performed after the acute episode.
- (xi) Provoked epileptic seizure: the applicant who has had a provoked epileptic seizure because of a recognisable provoking factor that is unlikely to recur at the wheel can be declared able to drive on an individual basis, subject to neurological opinion. An EEG and an appropriate neurological assessment shall be performed after the acute episode.

A person with a structural intra-cerebral lesion who has increased risk of seizures shall not be able to drive vehicles of Group 2 until the epilepsy risk has fallen to at least 2% per annum. The assessment shall be, if appropriate, in accordance with other relevant sections of this

Schedule (e.g. in the case of alcohol).

- (xii) First or single unprovoked seizure: the applicant who has had a first unprovoked epileptic seizure can be declared able to drive once five years' freedom from further seizures has been achieved without the aid of anti-epileptic drugs, if there has been an appropriate neurological assessment. The Authority may allow drivers with recognised good prognostic indicators to drive sooner.
- (xiii) Other loss of consciousness: the loss of consciousness shall be assessed according to the risk of recurrence while driving. The risk of recurrence shall be 2 % per annum or less.
- (xiv) Epilepsy: 10 years freedom from further seizures shall have been achieved without the aid of anti-epileptic drugs. The Authority may allow drivers with recognised good prognostic indicators to drive sooner. This also applies in case of "juvenile epilepsy".

Certain disorders (e.g. arterio-venous malformation or intra-cerebral haemorrhage) entail an increased risk of seizures, even if seizures have not yet occurred. In such a situation an assessment shall be carried out by a competent medical authority; the risk of having a seizure shall be 2% per annum or less to allow licensing.

Mental Disorders

9. (a) *Group 1:*

Driving licences shall not be issued to, or renewed for, applicants or drivers who suffer from:

- severe mental disturbance, whether congenital or due to disease, trauma or neurosurgical operations;
- severe mental retardation;
- severe behavioural problems due to ageing; or personality defects leading to seriously impaired judgment, behaviour or adaptability,

unless their application is supported by authorised medical opinion and, if necessary, subject to regular medical check-ups.

(b) *Group 2:*

The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

Alcohol

10. Alcohol consumption constitutes a major danger to road safety.

(a) *Group 1:*

Driving licences shall not be issued to, or renewed for, applicants or drivers who are dependent on alcohol or unable to refrain from drinking and driving.

After a proven period of abstinence and subject to authorised medical opinion and regular medical check-ups, driving licences may be issued to, or renewed for, applicants or drivers who have in the past been dependent on alcohol.

(b) *Group 2:*

The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of

vehicles covered by the definition of this group.

Drugs and Medicinal Products

11. Abuse:

Driving licences shall not be issued to or renewed for applicants or drivers who are dependent on psychotropic substances or who are not dependent on such substances but regularly abuse them, whatever category of licence is requested.

12. Regular use:

(a) *Group 1:*

Driving licences shall not be issued to, or renewed for, applicants or drivers who regularly use psychotropic substances, in whatever form, which can hamper the ability to drive safely where the quantities absorbed are such as to have an adverse effect on driving. This shall apply to all other medicinal products or combinations of medicinal products which affect the ability to drive.

(b) *Group 2:*

The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definitions of this group.

Renal Disorders

13. (a) *Group 1:*

Driving licences may be issued or renewed for applicants and drivers suffering from serious renal insufficiency subject to authorised medical opinion and regular medical check-ups.

(b) *Group 2:*

Save in exceptional cases duly justified by authorised medical opinion, and subject to regular medical check-ups, driving licences shall not be issued to or renewed for applicants or drivers suffering from serious and irreversible renal deficiency.

Miscellaneous Provisions

14. (a) *Group 1:*

Subject to authorised medical opinion and, if necessary, regular medical check-ups, driving licences may be issued to or renewed for applicants or drivers who have had an organ transplant or an artificial implant which affects the ability to drive.

(b) *Group 2:*

(i) The competent medical authority shall give due consideration to the additional risks and dangers involved in the driving of vehicles covered by the definition of this group.

(ii) As a general rule, where applicants or drivers suffer from any disorder which is not mentioned in the preceding paragraph but is liable to be, or to result in, a functional incapacity affecting safety at the wheel, driving licences shall not be issued or renewed unless the application is supported by authorised medical opinion and, if necessary, subject to regular medical check-ups.

Substituted by:
L.N. 25 of 2007;
L.N. 408 of 2007.
Amended by:
L.N. 105 of 2008.
Substituted by:
L.N. 89 of 2010;
L.N. 172 of 2011.

NINTH SCHEDULE
(Regulations 37 and 51)

Driving licences fees* and administrative charges

Description	Licence fee €	Administrative charge/Authorisation Charge €
Probationary driving licence for a period of three years	13.95	8
Renewal of driving licence for a period of five years	23.25	6
Renewal of driving licence for a period of ten years	46.50	6
Issue of an International Driving Permit	23.25	6
Issue or renewal of a driving licence to a person with a disability, falling under the Social Security Act (Cap. 318), to drive a specially adapted motor vehicle	Nil	Nil
Issue of a duplicate driving licence for a lost, stolen or defaced valid driving licence or an inclusion of another category	11.65	6
Issue of a duplicate driving licence due to alteration/s in the data contained in the photocard driving licence	Nil	6
Application to acquire a driving licence	Nil	23.25
Application to undertake the theory test	Nil	30.25
Application for a resit of the theory test	Nil	22.50
Application to undertake the practical test	23.25	Nil
Adding new category to driving licence	11.65	6
Registration to act as driving instructor per annum	Nil	12
Application to take the driving instructor test	Nil	23.25
Authorisation to operate as a motoring school per annum	Nil	120
Taking of affidavit or declaration for loss of licence, authorisation, certificate or any other document	Nil	8
* Licence fees received by the Authority under these regulations shall be on account of the Consolidated Fund.		

TENTH SCHEDULE
(Regulation 53)*Substituted by:
L.N. 25 of 2007.*

Conduct by drivers leading to driving disqualifications

1. Reckless or dangerous driving (whether or not resulting in death, injury or serious risk).
2. Wilful failure to carry out the obligations placed on drivers after being involved in road accidents (hit-and-run driving).
3. Driving a vehicle while under the influence of alcohol or other substances affecting or diminishing the mental and physical abilities of a driver.
4. Refusal to submit to alcohol and drug tests.
5. Driving a vehicle faster than the permitted speed.
6. Driving a vehicle whilst disqualified.
7. Other conduct constituting an offence for which a driving disqualification has been imposed by the State of the offence:
 - of a duration of six months or more,
 - of a duration of less than six months where that has been agreed bilaterally between the States concerned.

ELEVENTH SCHEDULE
(Regulation 74)*Amended by:
L.N. 14 of 2004;
L.N. 25 of 2007;
L.N. 172 of 2011.*

Examination of ability to give instruction

Theory Examination

1. The theory examination shall consist of an examination, in which the candidate is required to answer from his own knowledge, on all or any of the following subjects:
 - (a) the principles of road safety generally and their application in particular circumstances;
 - (b) the techniques of driving a motor car correctly, courteously and safely, including control of the vehicle, road procedure, recognising hazards, taking proper action with respect to hazards, dealing properly with pedestrians and other road users and the use of safety equipment;
 - (c) the tuition required to instruct a pupil on the matters set out in paragraph (b), the correction of the pupil's errors, the manner of the instructor, the relationship between instructor and pupil and simple vehicle adaptation for disabled drivers;
 - (d) the theory of learning and the theory and practice of teaching and

assessment;

- (e) the Highway Code;
- (f) the Motor Vehicles (Driving Licences) Regulations;
- (g) the booklet "Your Driving Test" (D.L.68) issued by the United Kingdom Secretary of State and published by HM Stationery Office;
- (h) knowledge, adequate to the needs of driving instruction, of the mechanism and design of a motor car; and
- (i) the book "Driving – The Department of Transport manual", issued by the United Kingdom Department of Transport and published by HM Stationery Office.

Driving ability and fitness test

2. (1) The driving ability and fitness test shall consist of tests of eyesight and driving technique and the candidate shall be required to reach the qualifying standard in both tests on the same occasion.

(2) The test of eyesight shall be a test of the candidate's ability to read, in good daylight, a motor vehicle registration mark containing letters and figures 79.4 millimetres in height at a distance of 27.5 metres (with the aid of glasses or contact lenses if worn).

(3) The test of driving technique shall be a test in which the candidate is required to satisfy the examiner that he has an adequate knowledge of the principles of good driving and road safety and that he can apply them in practice.

(4) A candidate taking the test of driving technique shall in particular be required to satisfy the examiner on -

- (a) his expert handling of controls;
- (b) his use of correct road procedure;
- (c) his anticipation of the actions of other road users and taking of appropriate action;
- (d) his sound judgement of distance, speed and timing; and
- (e) his consideration for the convenience and safety of other road users.

(5) The candidate taking the test of driving technique shall be required to demonstrate his ability to perform all or any of the following manoeuvres:

- (a) moving away straight ahead or at an angle;
- (b) overtaking, meeting or crossing the path of other vehicles and taking an appropriate course;
- (c) turning right hand and left hand corners;
- (d) stopping the vehicle in an emergency;
- (e) driving the vehicle backwards and whilst so doing entering limited openings to the right and to the left; and
- (f) turning the vehicle around in the road to face in the opposite direction by the use of forward and reverse gears.

Instructional ability and fitness test

3. (1) The instructional ability and fitness test shall be a test in which the candidate is required to demonstrate his knowledge and ability by giving practical

driving instruction to an examiner as if the examiner were -

- (a) a novice or partly-trained pupil, and then
- (b) a pupil who is at a driving test or about a driving test standard.

(2) The candidate shall, in respect of one or both of those levels as the examiner shall specify, instruct the examiner in such of the following subjects as the examiner shall specify as the basis of the instruction -

- (a) explaining the controls of the vehicle,
- (b) moving off,
- (c) making normal stops,
- (d) reversing, and while doing so entering limited openings to the right or to the left,
- (e) turning to face the opposite direction, using forward and reverse gears,
- (f) parking close to the kerb, using forward and reverse gears,
- (g) using mirrors and explaining how to make an emergency stop,
- (h) approaching and turning corners,
- (i) judging speed, and making normal progress,
- (j) road positioning,
- (k) dealing with road junctions,
- (l) dealing with cross roads,
- (m) dealing with pedestrian crossings,
- (n) meeting, crossing the path of, overtaking and allowing adequate clearance for, other vehicles and other road users, and
- (o) giving correct signals.

(3) The candidate's knowledge and ability shall be assessed on -

- (a) the method, clarity, adequacy and correctness of his instruction,
- (b) the observation and correction of the examiner's driving errors, and
- (c) his manner generally.

TWELFTH SCHEDULE
(Regulation 75)

*Amended by:
L.N. 25 of 2007;
L.N. 172 of 2011.*

Test of continued ability and fitness to give instruction

Nature of test and provision of a motor car

1. (1) The following provisions shall have effect where a person is required to undergo the continued ability and fitness test.

(2) The test shall consist of the attendance of the examiner, while the person is giving instruction to a pupil or pupils.

(3) Unless the examiner otherwise directs, the test shall be carried out in a motor car on a road while the examiner is in the vehicle and a pupil is under instruction.

(4) The candidate shall be assessed on his instructional ability, and, in particular, in respect of the following qualities -

- (a) his method, clarity, adequacy and correctness of instruction;
- (b) his observation and proper correction of the pupil's errors;
- (c) his manner, patience and tact in dealing with the pupil; and
- (d) his ability to inspire confidence.

(5) Where the test is to be conducted in a motor car, the person shall provide a motor car which is a passenger vehicle and which is suitable for such a test.

(6) The instructor may also be required to undergo a medical test as to his fitness to work as an instructor.

*Added by:
L.N. 25 of 2007.
Amended by:
L.N. 172 of 2011.*

THIRTEENTH SCHEDULE (Regulations 29, 30)

Minimum qualification and training requirements

Section 1: List of subjects

The knowledge to be taken into account when establishing the driver's initial qualification and periodic training must include at least the subjects in this list. Trainee drivers must reach the level of knowledge and practical competence necessary to drive in all safety vehicles of the relevant licence category.

The minimum level of knowledge may not be less than level 2 of the training-level structure provided for in Annex I to Decision 85/368/EEC on the comparability of vocational training qualifications between the Member States of the European Community, i.e. the level reached during compulsory education, supplemented by professional training.

1. Advanced training in rational driving based on safety regulations

All licences

1.1. Objective: to know the characteristics of the transmission system in order to make the best possible use of it:

curves relating to torque, power, and specific consumption of an engine, area of optimum use of revolution counter, gearbox-ratio cover diagrams.

1.2. Objective: to know the technical characteristics and operation of the safety controls in order to control the vehicle, minimise wear and tear and prevent disfunctioning:

specific features of hydraulic vacuum servobrake circuit, limits to the use of brakes and retarder, combined use of brakes and retarder, making better use of speed and gear ratio, making use of vehicle inertia, using ways of slowing down and braking on downhill stretches, action in the event of failure.

- 1.3. Objective: ability to optimise fuel consumption:

optimisation of fuel consumption by applying know-how as regards points 1.1 and 1.2.

Licences C, C+E, C1, C1+E

1.4. Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox ratios according to vehicle load and road profile, calculation of payload of vehicle or assembly, calculation of total volume, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity, types of packaging and pallets;

main categories of goods needing securing, clamping and securing techniques, use of securing straps, checking of securing devices, use of handling equipment, placing and removal of tarpaulins.

Licences D, D+E, D1, D1+E, f

1.5. Objective: ability to ensure passenger comfort and safety:

adjusting longitudinal and sideways movements, road sharing, position on the road, smooth breaking, overhang operation, using specific infrastructures (public areas, dedicated lanes), managing conflicts between safe driving and other roles as a driver, interacting with passengers, peculiarities of certain groups of passengers (disabled persons, children).

1.6. Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox-ratios according to vehicle load and road profile, calculation of payload of vehicle or assembly, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity.

2. Application of regulations

All licences

2.1. Objective: to know the social environment of road transport and the rules governing it:

maximum working periods specific to the transport industry; principles, application and consequences of Regulations (EEC) No 3820/85 and (EEC) No 3821/85; penalties for failure to use, improper use of and tampering with the tachograph; knowledge of the social environment of road transport: rights and duties of drivers as regards initial qualification and periodic training.

Licences C, C+E, C1, C1+E

2.2. Objective: to know the regulations governing the carriage of goods:

transport operating licences, obligations under standard contracts for the carriage of goods, drafting of documents which form the transport contract, international transport permits, obligations under the Convention on the Contract for the International Carriage of Goods by Road, drafting of the international consignment note, crossing borders, freight forwarders, special documents accompanying goods.

Licences D, D+E, D1, D1+E, f

2.3. Objective: to know the regulations governing the carriage of passengers:

carriage of specific groups of passengers, safety equipment on board buses, safety belts, vehicle load.

3. Health, road and environmental safety, service, logistics
All licences
- 3.1. Objective: to make drivers aware of the risks of the road and of accidents at work:
types of accidents at work in the transport sector, road accident statistics, involvement of lorries/coaches, human, material and financial consequences.
- 3.2. Objective: ability to prevent criminality and trafficking in illegal immigrants:
general information, implications for drivers, preventive measures, check list, legislation on transport operator liability.
- 3.3. Objective: ability to prevent physical risks:
ergonomic principles; movements and postures which pose a risk, physical fitness, handling exercises, personal protection.
- 3.4. Objective: awareness of the importance of physical and mental ability:
principles of healthy, balanced eating, effects of alcohol, drugs or any other substance likely to affect behaviour, symptoms, causes, effects of fatigue and stress, fundamental role of the basic work/rest cycle.
- 3.5. Objective: ability to assess emergency situations:
behaviour in an emergency situation: assessment of the situation, avoiding complications of an accident, summoning assistance, assisting casualties and giving first aid, reaction in the event of fire, evacuation of occupants of a lorry/bus passengers, ensuring the safety of all passengers, reaction in the event of aggression; basic principles for the drafting of an accident report.
- 3.6. Objective: ability to adopt behaviour to help enhance the image of the company:
behaviour of the driver and company image: importance for the company of the standard of service provided by the driver, the roles of the driver, people with whom the driver will be dealing, vehicle maintenance, work organisation, commercial and financial effects of a dispute.
Licences C, C+E, C1, C1+E
- 3.7. Objective: to know the economic environment of road haulage and the organisation of the market:
road transport in relation to other modes of transport (competition, shippers), different road transport activities (transport for hire or reward, own account, auxiliary transport activities), organisation of the main types of transport company and auxiliary transport activities, different transport specialisations (road tanker, controlled temperature, etc.), changes in the industry (diversification of services provided, rail-road, subcontracting, etc.).
Licences D, D+E, D1, D1+E, f
- 3.8. Objective: to know the economic environment of the carriage of passengers by road and the organisation of the market:
carriage of passengers by road in relation to other modes of passenger transport (rail, private car), different activities involving the carriage of passengers by road, crossing borders (international transport), organisation of the main types of companies for the carriage of passengers by road.

Section 2: Compulsory initial qualification provided for in regulation 78

The Authority or an entity designated by it shall organise the following theoretical and practical tests to check whether the trainee driver has the level of knowledge required in section 1 for the subjects and objectives listed there.

- (a) The theoretical test shall consist of at least two parts:
 - (i) questions including multiple-choice questions, questions requiring a direct answer, or a combination of both;
 - (ii) case studies.

The minimum duration of the theoretical test must be four hours.

- (b) The practical test shall consist of two parts:
 - (i) a driving test aimed at assessing training in rational driving based on safety regulations. The test must take place, whenever possible, on roads outside built-up areas, on fast roads and on motorways (or similar), and on all kinds of urban highways presenting the different types of difficulties that a driver is liable to encounter. It would be desirable for this test to take place in different traffic density conditions. The driving time on the road must be used optimally in order to assess the candidate in all traffic areas likely to be encountered. The minimum duration of this test must be 90 minutes;
 - (ii) a practical test covering at least points 1.4, 1.5, 1.6, 3.2, 3.3 and 3.5.

The minimum duration of this test must be 30 minutes.

The vehicle used for the practical test must meet at least the requirements for test vehicles as defined in the Third Schedule.

The practical test may be supplemented by a third test taking place on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions and the time of day or night.

The duration of this optional test is not fixed. Should the driver undergo such a test, its duration may be deducted from the 90 minutes of the driving test referred to under (i), but the time deducted may not exceed 30 minutes.

For new drivers, the theoretical test must be limited to the subjects, referred to in section 1, which are relevant to the vehicles to which the new initial qualification applies. However, such drivers must undergo the whole practical test.

Section 3: Compulsory periodic training

Compulsory periodic training courses must be organised by an approved training centre. Their duration must be of 35 hours every five years, given in periods of at least seven hours. Such periodic training may be provided, in part, on top-of-the-range simulators.

Section 4: Approval of the initial qualification and periodic training

4.1. The training centres taking part in the initial qualification and periodic training must be approved by the Authority. Approval may be given only in response to a written application. The application must be accompanied by documents including:

- 4.1.1. a suitable qualification and training programme specifying the subjects taught and setting out the proposed implementing plan and

- teaching methods;
 - 4.1.2. the instructors' qualifications and fields of activity;
 - 4.1.3. information about the premises where the courses are given, the teaching materials, the resources made available for the practical work, and the vehicle fleet used;
 - 4.1.4. the conditions regarding participation in the courses (number of participants).
- 4.2. The Authority must give approval in writing subject to the following conditions:
- 4.2.1. the training must be given in accordance with the documents accompanying the application;
 - 4.2.2. the Authority must be entitled to send authorised persons to assist in the training courses of the approved centres, and must be entitled to monitor such centres, with regard to the resources used and the proper running of the training courses and tests;
 - 4.2.3. the approval may be withdrawn or suspended if the conditions of approval are no longer complied with.

The approved centre must guarantee that the instructors have a sound knowledge of the most recent regulations and training requirements. As part of a specific selection procedure, the instructors must provide certification showing a knowledge of both the subject material and teaching methods. As regards the practical part of the training, instructors must provide certification of experience as professional drivers or similar driving experience, such as that of driving instructors for heavy vehicles.

The programme of instruction must be in accordance with the approval and must cover the subjects in the list in section 1.
