

**The Third EC Driving Licence Directive
Consultation**

**Summary of Consultation Responses,
Department's Response, and Next Steps**

January 2011

Introduction

The Department of the Environment issued a consultation document on 25 January 2010 which ran until 30 April 2010. Its purpose was to seek views on the Department's approach to implementing the requirements of the Third EC Directive on Driving Licences (Directive 2006/126/EC).

In total, 18 consultees responded, five of whom simply noted/acknowledged the proposals but did not express any views on them. There was a mixed response from the remaining thirteen consultees, with four of the proposals receiving positive reactions only and seven both positive and negative. The organisational breakdown of the respondents was as follows:

- Large Company: 1
- Representative Organisations: 5
- Interest Groups: 2
- Local Government: 4
- Central Government: 3
- Member of the public: 1
- Other: 2

The summary is divided into the following sections:

- Section 1 - Consultation questions and responses received
- Section 2- List of Respondents who provided either no, or only general, comment on the consultation paper
- Section 3 - Detail of consultation responses and Departmental comments on points raised
- Section 4 – Next steps

Section 1 - Consultation questions and responses received

Of the 18 respondents only 11 used the consultation response form (or replied in a similar format) and answered some or all of the questions. The answers given are listed below:

(Q1) Do you agree with our proposals for moped licensing?

(A1) Seven of the respondents agreed with the proposals and two disagreed. The dissenting comments are covered in the table in Section 3.

(Q2) Do you agree with our proposals for special provision for moped riders with a physical disability?

(A2) All nine respondents agreed with the proposals although two commented on the difficulties involved in legislation for this area.

(Q3) On grounds of cost and consistency the Department's preferred option is testing rather than training. Do you agree?

(A3) Four of the respondents agreed with the Department's preferred option, four disagreed and one was unsure. The dissenting comments are covered in the table in Section 3.

(Q4) Do you agree with our proposals for a training course within progressive access arrangements?

(A4) Four of the respondents agreed with our proposals and five disagreed. The dissenting comments are covered in the table in Section 3.

(Q5) Do you agree with our approach to provisional licensing for moped and motorcycle learners?

(A5) Seven of the respondents agreed with our approach and two disagreed. The dissenting comments are covered in the table in Section 3.

(Q6) Do you agree with our proposals to make special provisions for motorcycle riders with a special disability?

(A6) All nine respondents who answered this question agreed with our proposals.

(Q7) Do you agree that we should cease to issue separate category B1 licences to new drivers?

(A7) Six of the respondents agreed with our approach and three disagreed. The dissenting comments are covered in the table in Section 3.

(Q8) On grounds of cost the Department's preferred option is testing rather than training. Do you agree?

(A8) Five of the respondents agreed with our approach, three disagreed and one was unsure. The dissenting comments are covered in the table in Section 3.

(Q9) Do you agree with the Department's proposal to retain the age for category B+E, i.e. 17 years?

(A9) All eight respondents who answered this question agreed with our proposals.

(Q10) Do you agree with our proposals to amend the conditions for approval for organisations with examiners as regards the maintenance of records of supervised tests and undertaking periodic training?

(A10) All eight respondents who answered this question agreed with our proposals.

(Q11) Do you agree with the approach being taken to implement the administrative provisions of the 3rd Directive?

(A11) Eight of the respondents agreed with our proposals. One disagreed and the dissenting comments are covered in the table in Section 3.

Section 2- List of Respondents who provided either no, or only general, comment on the consultation paper

List of Respondents	General Comments on the consultation (if any)
Local Government	<ul style="list-style-type: none"> • Generally welcomed proposals to comply with the 3rd EC Directive which should also serve to improve road safety; • Acknowledged and welcomed the fact that the changes will include an increase in the age where motorcyclists can ride high powered motorbikes; and • Asked that the implementation of any options contained in the 3rd Directive which are not compulsory but which may improve road safety be given serious consideration in due course.
Local Government	Advised that they would not be responding to the consultation document.
Interest Groups	Had no comment on the consultation document.
Local Government	Agreed to support the contents of the consultation document as submitted.
Local Government	Noted the consultation document.
Other	Had no comment on the consultation document.
Central Government	Had no comment on the consultation document.

Section 3 - Detail of consultation responses and Departmental comments on points raised

Q1. Do you agree with our proposals for moped licensing?

Respondent (Type)	Agree? (If Response Form Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Will provide safer knowledge and training especially for young riders.	None necessary.
Representative Organisation	N	Consider that the age should be raised to 17 as this is age for riding 75cc to 125cc motorcycles. Some mopeds are as fast as small motorcycles. Some are illegally derestricted and faster than 125cc motorcycles.	The Department has seen no evidence that raising the age at which a moped can be ridden to 17 will have any significant benefit on road safety. Raising the age to 17 would also put Northern Ireland out of step with the rest of GB where the 16 year age limit will be retained. Finally, Compulsory Basic Training (CBT) will be introduced in Northern Ireland by the end of 2010 and it is considered that this will contribute more to road safety than any raising of the age limit to 17.

Representative Organisation	N	Believe that the age should be raised to 17 which is the age for riding a small motorcycle from 75cc to 125cc. See no difference in a small motorcycle and a moped. A person has to be 17 to ride a small motorcycle over 50cc and there is little difference in power between the two. Many mopeds have gears so once again there is little difference. Many 16 year olds get their mopeds derestricted making them as powerful as a 125cc.	See above comments
Representative Organisation	Y	None.	
Other – Emergency Services	Y	Agree with proposals.	None necessary.
Central / Local Government	Y	The introduction of CBT, as an integral component for this licence category, will help improve road safety for this vulnerable group.	None necessary.
Other - NGO	Y	Generally welcomed the proposals.	None necessary.
Other - NGO		<p>Agree that current minimum age of 16 years for riding a moped should be retained. It is also essential that the UK's current requirement that moped riders must pass CBT, a theory test and the two-part practical test be retained.</p> <p>The UK should refuse to recognise the validity of a driving licence for mopeds issued by another member state where the rider is under 16 years of age.</p>	A person from outside the UK who is under the age of 16 cannot ride a moped in the UK even if they hold a valid licence from another country.

		It is agreed that test requirements for users of light tricycles and quadricycles should be the same as for mopeds, and that people who pass the full moped test should gain entitlement to ride light tricycles and quadricycles. However, those who pass their test on a light tricycle or quadricycle should not gain entitlement to ride a two-wheeled moped.	It is not our intention to offer tests on tricycles or quadricycles, tests will have to be taken on motorcycles or mopeds.
Large Company	Y	None.	

Q2. Do you agree with our proposals for special provision for moped riders with a physical disability?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	People with a disability will try harder to ride. If their machine is adapted, they should be assessed accordingly.	None necessary.
Representative Organisation	Y	Variety of disabilities will prove a “mine field” for legislation.	The Directive covers a wide range of physical disabilities specifying and coding each. No legislative difficulties are anticipated as the legislation is already in place.

Representative Organisation	Y	The term Physical Disability covers such a wide variety of conditions it will be probably impossible to legislate for.	See above comments.
Representative Organisation	Y	None.	
Other – Emergency Services	Y	Agree.	None necessary.
Central / Local Government	Y	None.	
Other - NGO	Y	None.	
Other - NGO		Agree that this is a fair and sensible approach.	None necessary.
Large Company	Y	None.	

Q3. On the grounds of cost and consistency the Department's preferred option is testing rather than training. Do you agree?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor		Unsure.	None necessary.
Representative Organisation	N	Quoted costs are forcing a YES. Less people will take training and tests due to complication.	The Department intends to proceed with the testing option, however the training option will be kept under

			review with regard to its financial viability.
Representative Organisation	N	Quoted “costs” are forcing a YES. Forecast fewer people taking tests, fewer taking training beyond CBT and more illegal riders.	See above comments.
Representative Organisation	N	Strongly disagree with the analysis provided to DoE by the DSA. Do not accept that the analysis of the GB position can be simply assumed to apply to Northern Ireland. DoE should work with the motorcycle community, including trainers, riders and the motorcycle trade to find a workable training route.	See above comments
Other – Emergency Services	Y	Agree. A training option under the terms of the Directive is unlikely to be economically viable.	None necessary.
Central / Local Government	Y	None.	
Other - NGO	N	<p>Disagree with decision not to introduce a training option as the qualifying event to progressive access to the motorcycle categories.</p> <p>Believe consultation is at odds regarding training, as it recognises that a route involving progressive stages of training, 7 hours maximum approved training, could offer greater benefits in improving young riders’ skills and attitudes than simply relying on the validation of standards provided by a practical test of skills and behaviour.</p> <p>Recommend that the DOE investigate further and deliver a cost beneficial 7 hours structured, relevant and cost-</p>	See above comments

		effective basic training to give the rider moving between licence categories, the essential skills and knowledge capable of safely operating a motorcycle continuously in normal traffic situations on public roads.	
Other - NGO		Believe that the UK should retain the principle and practice of requiring riders to pass a suitable test in order to gain a motorcycle licence and/or to upgrade to a licence for larger machines, but as stated above the tests should be relevant to the categories and not just a repetition of an earlier test.	The content of the motorcycle test is specified in the Directive and as such the format of the tests for each category will be the same. However as the rider progresses to the next category of licence they will no longer be restricted to 45 miles per hour which will allow them to be tested at higher speeds on test routes which will be more demanding. In addition the bigger motorcycles will have differing weights and handling characteristics which will ensure that the tests are suitably challenging.
Large Company	Y	None.	

Q4. Do you agree with our proposals for a training course within progressive access arrangements?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	This keeps everyone trained and a record kept of all involved.	None necessary.
Representative Organisation	N	Concerned that more complication will produce less tests and training. Monopoly may be created with wealthy companies pushing sole traders out of market due to financial restraints caused by a need for a variety of sized “learner” bikes. The financial returns for supplying these bikes with maintenance, tax and insurance costs will put smaller companies out of business. Forecast more illegal riders on our roads.	Having taken into account the strong views of the respondents the Department has decided that the proposal for a compulsory familiarisation course to validate provisional A2 and A licences under the progressive access route will not now be implemented. However, the Department will revisit the training option. Any training option will be developed with motorcycle stakeholder to ensure it meets the needs of learner motorcyclists whilst remaining within scope of the Directive.
Representative Organisation	N	Licensing system will become too complicated. Agree with DIRECT ACCESS for older riders but an extended licensing system for younger riders will be unenforceable and produce more illegal riders and less tests and training.	See above comments

Representative Organisation	N	<p>Strongly disagree with this proposal because the Directive calls only for training that leads directly to a higher category of licence and as an alternative to re-testing at every stage.</p> <p>The proposal to require both training and to repeat essentially the same test at every stage seems unlikely to deliver a licence upgrade regime that would be as efficient, or offer the same value for money, or would significantly improve rider safety in the way that providing a stand-alone training alternative could do.</p>	See above comments
Other – Emergency Services	Y	Agree. The proposed CBT scheme will ensure quality and standards of driving.	None necessary.
Central / Local Government	N	Simply attending a course without having a requirement to demonstrate understanding and exercise the requisite skills involved does not “prove” the rider to be safe and proficient in their use of a larger machine. If the training included a final test of ability, this would be satisfactory.	See above comments
Other - NGO	N	<p>Believe that proposal to introduce a refresher course before taking a test to move between categories AM-A1-A2-A is too prescriptive and is not cost beneficial for riders or beneficial for rider safety.</p> <p>We recommend that the DOE investigate further and deliver a cost beneficial 7 hours structured, relevant and cost-effective basic training to give the rider moving between licence categories, the essential skills and knowledge capable of safely operating a motorcycle continuously in normal traffic situations on public roads.</p>	See above comments

Other - NGO		<p>Believe that progressive training is essential and fits perfectly with the ethos of the UK's approach to driver licensing, testing and training. Support the proposal to develop familiarisation training. The training should meet a standard, minimum syllabus and trainers who deliver it should be certified and registered to ensure quality control and effectiveness. Trainers and courses should be approved and certified by the DSA and the DVA.</p> <p>The training available to motorcyclists and the take up of that training by motorcyclists needs to be improved. The training also needs to be affordable and accessible, and avoid creating dis-incentives to take training. Progressive access should be a genuine alternative to direct access.</p> <p>The quality of any such training is clearly crucial. RoSPA has long recommended that there should be a statutory register of motorcyclist instructors (similar to the one for car driving instructors) to ensure instructors are trained, tested and monitored to minimum, national standards, and the development of training competencies and professional qualifications for motorcyclist trainers.</p>	An Approved Motorcycle Instructor Register for Northern Ireland will be in operation by the end of 2010.
Large Company	Y	None.	

Q5. Do you agree with our approach to provisional licensing for moped and motorcycle learners?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Safety for young riders is important.	None necessary.
Representative Organisation	N	<p>See previous comments. (from question 4 -reproduced below).</p> <p>More complication will produce less tests and training. Monopoly may be created with wealthy companies pushing sole traders out of market due to financial restraints caused by a need for a variety of sized “learner” bikes. The financial returns for supplying these bikes with maintenance, tax and insurance costs will put smaller companies out of business. Forecast more illegal riders on our roads.</p>	<p>The Department accepts the respondents views and the proposal for a compulsory familiarisation training course to validate provisional A2 and A licences under the progressive access route will not be implemented. Instead all riders wishing to ride category A2 or A motorcycles who have not yet qualified for a full licence for the larger category will have to be accompanied by an Approved Motorcycle Instructor (AMI) when riding on the roads – whether in direct access or progressive access routes.</p> <p>The current provisional licence arrangements for mopeds and category A1 motorcycles which allow riders who have passed CBT</p>

			to ride unaccompanied on these smaller machines will remain unchanged.
Representative Organisation	N	More complication will be unenforceable, with less training and less tests. Most local motorcycle trainers in general will not be in a financial position to provide the variety of sized machines for proposed new categories. This may produce a MONOPOLY as wealthy business owners squeeze out the small independent trainers.	See above comments
Representative Organisation	Y	None.	
Other – Emergency Services	Y	Agree. The proposal would both minimise cost and inconvenience, whilst creating an environment in which individuals can learn to drive and gain experience in a safe manner.	None necessary.
Central / Local Government	Y	None.	
Other - NGO	Y	<p>Welcome the proposals and retention of present practice.</p> <p>Strongly disagree with the consultation proposals to introduce provisional licences granted for all categories of licence entitlement for the next category.</p> <p>The granting of provisional licences for all categories of driving entitlement seems to be outside the spirit of the directive, especially regarding the type of motorcycle in the A2 Category.</p> <p>Moped (Category AM) Provisional Licensing</p>	The new arrangements for provisional motorcycle entitlement will be similar to those already in place. Currently, a person applying for a moped licence at age 16 will be granted a licence which includes provisional categories A and B. However, these entitlements will only become active when the licence holder reaches the relevant minimum age (i.e. 17). Similarly, a person applying for category A1 at

		Generally welcome as outlined by the directive and the introduction of CBT.	age 17 (after implementation of the 3 rd Directive) will also be granted provisional category A2 (which becomes active at age 19) and provisional category A (which becomes active at age 24, unless category A2 is passed, at which time progressive access arrangements apply). The licence holder will not be required to apply for each provisional motorcycle entitlement separately.
Other - NGO		<p>Support these proposals. Provisional licence arrangements are an important part of the way people learn to ride. They enable people to learn and gain experience in a safe manner, and incentivise learners to gain full licences.</p> <p>The licensing regime for motorcycles is already complex, and the changes required by the EC Directive seem likely to make it even more so. The DoE will need to devote sufficient resources to explain the rules, ensure that everyone understands them and to discourage 'permanent learner status'.</p>	A project team has been set up to oversee the implementation of the 3 rd Directive. The project will include an implementation plan which will include a communication plan. This communication plan will ensure that the changes will be fully explained and directed at the correct audience.
Large Company	Y	None.	

Q6. Do you agree with our Proposals to make special provisions for motorcycle riders with a physical disability?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Some disabled riders may use 'trikes' or adapted machines. They should be able to ride safely.	None necessary.
Representative Organisation	Y	Believe that the variety of disabilities will prove a 'mine field' for legislation.	The Directive covers a wide range of physical disabilities specifying and coding each. No legislative difficulties are anticipated.
Representative Organisation	Y	The term Physical Disability covers such a wide variety of conditions it will be probably impossible to legislate for.	See above comments
Representative Organisation	Y	None.	
Other	Y	Agree. This would ensure equal opportunity and social inclusion.	None necessary.
Central / Local Government	Y	None.	
Other - NGO	Y	None.	
Other - NGO		Believe this is a fair and sensible approach.	None necessary.
Large Company	Y	None.	

Q7. Do you agree that we should cease to issue separate category B1 licences to new drivers?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Three wheeled cars are no longer a common sight. New cars have better steering and safety for a disabled driver.	None necessary.
Representative Organisation	N	More complication to a system which is unenforced and unenforceable. A system which is not known to the general public as it has never been advertised. It will be largely ignored.	The Department having considered the comments made with regard to this question sees no compelling reason to continue issuing B1 licences. DVA have never conducted a category B1 test. Drivers who already possess a B1 entitlement will have that entitlement preserved. B1 entitlements issued in other Member States will also be recognised and preserved on any exchange driving licence issued.
Representative Organisation	N	Further complication to a system that most of the public currently ignore or is unknown to them. Unenforceable and is currently unenforced except if vehicle is involved in an accident.	See above comments
Representative Organisation		Support the proposal to remove this sub-category. Note and support proposals to move vehicles previously covered	None necessary.

		by this entitlement into the new AM entitlement and subsequent testing requirements after 2013.	
Other – Emergency Services	Y	Agree.	None necessary.
Central / Local Government	Y	None.	
Other - NGO	N	None.	
Other - NGO		Agree that category B1 licences should not be issued to new drivers (but should be retained for existing holders of B1 licences), provided that there are no major objections from representatives of such drivers.	None necessary.
Large Company	Y	None.	

Q8. On grounds of cost the Department’s preferred option is testing rather than training. Do you agree?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor		Unsure.	None necessary.
Representative Organisation	N	See previous comments on “loaded” questions which are not proper questions for a consultation.	The Department has made a number of changes based on the

			comments to this consultation which has clearly shown that there are no “loaded questions”.
Representative Organisation	N	Believe that the question is “loaded” with quoted costs. This is not a consultation paper.	See above comments
Representative Organisation		<p>Agree that the additional cost in setting up a training route is an unnecessary cost burden on the Agency and ultimately, its customers. The present system to ensure competence via testing ensures that the driver is safe to use a vehicle on the public road. Therefore, support the proposals.</p> <p>Agree that many applicants will opt for the B+E entitlement rather than sit the B96 test as this would give greater driving flexibility up to 7,000kg rather than 4250kg.</p> <p>Support proposals to ensure that DVA will, as the competent authority, have practical test arrangements in place for drivers wishing to obtain a B96 entitlement. However, with the testing structure similar, if not the same, as that of a test for the B+E entitlement it is important that this similarity is made clear to any applicant from the outset as in most cases FTA believes as already mentioned above, that applicants will opt for the greater flexibility to drive a combination up to 7000kg, (B+E).</p>	None necessary.
Central / Local Government		Expressed concern at the adverse impact this could potentially have on some users of medium sized trailers, for example farmers transporting cattle.	The Department notes the councillors’ concern but would point out that in terms of moving cattle etc. around farmers will in all

			probability already be using a B+E licence and therefore for them nothing will change.
Other – Emergency Services	Y	Agree. As it is outlined, it is expected that this would involve little numbers and offers little in addition to category B entitlement.	None necessary.
Central / Local Government	Y	Believe that testing is the only way to measure how successful the driver has been in understanding instruction and training and their ability to utilise the training received within the practical testing scenario.	None necessary.
Other - NGO	N	None.	
Other - NGO		<p>Believe that the UK should retain the principle and practice of requiring drivers to pass a suitable test in order to gain the entitlement to tow trailers on a car or light van.</p> <p>However believe that training is essential and support proposal to develop such training and that current provision of training for B+E and for the new B96 entitlements should meet a standard, minimum syllabus and trainers who deliver such courses should be certified and registered to ensure quality control and effectiveness. Trainers and courses should be approved and certified by the DSA and DVA.</p> <p>Agree that the test for the B96 entitlement should be the B+E test.</p>	The current legislation does not prescribe the training of B+E. However, the Department acquired the powers to introduce mandatory registers for motorcycles, lorries and buses similar to those in place for car driving instructors. DVA are currently working on the introduction of a mandatory motorcycle register. Once this is in place consideration will be given to the other registers.
Large Company	Y	None.	

Q9. Do you agree with the Department's proposal to retain the age for category B+E, i.e. 17 years?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Young drivers may work in construction or come from a farming community, so will be required to tow a trailer.	None necessary.
Representative Organisation	Y	None.	
Representative Organisation	Y	None.	
Representative Organisation		Support this proposal.	None necessary.
Other – Emergency Services	Y	Agree.	None necessary.
Central / Local Government	Y	None.	
Large Company	Y	None.	

Q10. Do you agree with our proposals to amend the conditions of approval for organisations with examiners as regards the maintenance of records of supervised tests and undertaking periodic training?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Training is very important in any job, especially examiners.	None necessary.
Representative Organisation	Y	None.	
Representative Organisation	Y	None.	
Representative Organisation		<p>Believe that high standards should be maintained in this sector and therefore agree that the proposals should be adopted.</p> <p>Would however urge DVA to ensure that any final system to amend the conditions of approval for organisations with examiners, as regards the maintenance of records of supervised tests and the introductions of proposals for periodic training, is only adopted after further discussion with stakeholders.</p>	<p>Apart from DVA the only other organisations prescribed to deliver driving tests are the PSNI and the Fire Authority. DVA will engage with these stakeholders to ensure that systems are in place that meet the requirements of the Directive and the needs of the organisations.</p>
Other – Emergency Services	Y	Agree. This will assist in ensuring standards, competence, quality and safety.	None necessary.

Central / Local Government	Y	None.	
Other - NGO		Agree that organisations that employ delegated examiners who conduct licence acquisition tests should be required ensure their examiners are suitably trained and supervised and that proper records are maintained and open for inspection by the DVA. This system requires the DVA to put sufficient resources into conducting audits and inspections of such organisations and their examiners.	Fire Authority driving examiners can currently be supervised by the DVA. It is also DVA's intention to enter into discussions with the PSNI concerning the supervision of Police driving examiners.
Large Company	Y	None.	

Q11. Do you agree with the approach being taken to implement the administrative provisions of the 3rd Directive?

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Other – Car and Motorcycle Instructor	Y	Training and safety make better drivers. Always keep on top of this. Discussion always works.	None necessary.
Representative Organisation	Y	Believe the Department gave consultees no real choice in the matter as the decisions were already made at Westminster.	The Department has made a number of changes based on the comments to this consultation which

			has clearly shown that there are no “loaded questions”.
Representative Organisation	Y	Believe the Department gave consultees no real choice in the matter as the decisions were already made at Westminster.	See above comments
Representative Organisation		<p>The proposal to harmonise the mandatory medical check for group 2 licence holders to coincide with the administrative renewal will effectively introduce a full renewal for those drivers every five years following the acquisition of the licence until the age of 65.</p> <p>Whilst the harmonisation of medical checks are to be welcomed, there appears to be no medical justification for introducing full medical checks for young vocational drivers from the age of 23 to 45 with costs on average at £75.00. Therefore strongly support self certification up to the age of 45.</p> <p>Would also welcome a relaxation of existing rules on licence renewals to allow group two licence holders to align the dates of the licence administrative renewal and the photocard renewal where the two differ. This particular recommendation has obvious financial benefits for DVA in minimising the amount of administration and reducing the cost to the licence holder.</p>	<p>Full medical checks will be carried out on first application, at renewal at age 45 and on every renewal thereafter. Self-certification will be required at all other times. This does not differ from current practice.</p> <p>Group 2 entitlements will be granted for a period of up to 5 years, but not beyond the validity of the Group 1 entitlements. Therefore, Group 2 entitlements will align with Group 1 entitlements no later than the second 5 year renewal. Photocard validity will coincide with Group 1 entitlement validity.</p>
Other – Emergency Services	Y	Agree. This approach will potentially avoid significant costs and burden to drivers, whilst not compromising road safety.	None necessary.

Representative Organisation	N	Disagree with the approach taken by the Department and set out the importance of driving with good vision, in line with the EC Directive on Driving Licences 2006/126/EC as amended by Directive 2009/113/EC. They also present a model of operation for vision screening for drivers which they consider would allow Northern Ireland (and the rest of the UK) to fully meet the requirements of EC Directives 2006/126/EC and 2009/113/EC.	<p>Commission Directives 2009/112/EC and 2009/113/EC, which amend the 2nd and 3rd EC Directives on Driving Licences respectively, introduce revised medical standards in relation to eyesight, as well as diabetes mellitus and epilepsy. A UK-wide consultation will be carried out by the Driver and Vehicle Licensing Agency in Swansea on proposed changes resulting from these Directives.</p> <p>The Department thanks this organisation for their detailed comments but considers that they would be more appropriately addressed to the forthcoming consultation which will be issued by the end of 2010.</p>
Central / Local Government	Y	None.	
Other - NGO		Agree that it would be too stringent to require Group 1 drivers to undergo a medical exam every time they renew their 10 year photocard licence because of significant costs on drivers and substantial additional workload pressure on the medical profession without evidence that it would create significant road safety benefits. However, a consultation on the medical rules for fitness to drive by the DVLA was announced well over a year ago and has still not	There will be no impact on drivers of minibuses operating under a permit scheme – the licensing regime remains the same as it was under the 2 nd Directive and therefore there should be no adverse effects for voluntary organisations operating under a permit scheme. (Paragraph

		<p>taken place.</p> <p>Also agree that the five yearly medical checks for Group 2 drivers should continue to apply from the age of 45 years, and not earlier. It is also essential that employers take responsibility for assessing and monitoring the fitness of its drivers within their overall Managing Occupational Road Risk policies and procedures.</p> <p>Not clear whether these proposals would have specific implications for drivers and operators of minibuses that operate under a permit scheme, and suggest that the DVA should consider whether there are likely to be any adverse effects that would make the use of minibuses by voluntary organisations more difficult.</p> <p>Does not support shorter licence periods for new drivers. Existing measures and the proposed changes following the consultation “Learning to Drive” are already designed to improve the safety of novice drivers.</p>	<p>3 of RoSPA response).</p> <p>“Modernising Driver Training” within “Learning to Drive” will deal with the issue of regulating driver training. (Paragraph 4 of RoSPA response).</p>
Large Company	Y	<p>Agree with medical self certification for Group 2 drivers up to 45 years of age and accept mandatory 5 year validity period.</p>	<p>None necessary.</p>

Additional Comments

Respondent	Comments	DoE Response
<p>Representative Organisation</p>	<p>The implementation of the 3rd European Directive on Driving Licences in January 2013 will add another layer to what is seen by many employers as a complex area. Pleased to note that it is the intention of the Department to implement these proposals with as minimal impact as possible on the current licencing system.</p> <p>Exemptions - Understands that discussions regarding exemptions are still on going. However would welcome support for retention of the following exemption:</p> <p><i>Damaged or defective passenger vehicles (Reg. 7(1)</i> - A person who has held, for a period of at least two years, a relevant full licence authorising the driving of vehicles included in category C, other than vehicles included in sub-category C1, may also drive a motor vehicle of a class included in category D which is –</p> <p>a) damaged or defective and being driven to a place of repair or being road tested following repair, and</p> <p>b) not used for the carriage of any person who is not connected with its repair and road testing,</p> <p>Clearly this exemption allows fitters who hold a category C licence to road test a vehicle in category D following repair. There appears to be little evidence to suggest that this concession has proven implications on road safety. If indeed the Commission believed that there are safety implications surrounding this activity, why then would they propose to lower the age for driving a category C</p>	<p>Regarding damaged or defective passenger-carrying vehicles, the current NI regulation (Regulation 5(2) of the Motor Vehicles (Driving Licences) (Northern Ireland) Regulations 1996 states:</p> <p>A person who has held a full licence to drive vehicles in category C for a period of at least 2 years may also drive a motor vehicle of a class included in category D which is—</p> <p>(a) being operated by the holder of a road service</p>

	<p>vehicle for road test and repair from 21 to 18 years of age.</p> <p>Unlike a number of the exemptions under consideration, a vocational licence has already been obtained to drive a rigid vehicle over 3.5 tonnes and drivers will be subject to their own company health and safety provisions.</p> <p>Minimum age - Agree with the proposals to reduce the driving age for a category C licence to 18 years of age from 21, under certain conditions namely:</p> <p>a) Vehicles Used by the fire service and vehicles used for maintaining public order: and b) Vehicles undergoing road tests for repair or maintenance purposes.</p> <p>This compliments the Driver Certificate of Professional Competence (CPC) arrangements where a driver can already drive a category C vehicle from the age of 18 if they hold the appropriate licence and have obtained a full CPC.</p>	<p>licence; and (b) not being used for the carriage of any person who is not connected with the holder of that licence, and is either— (i) damaged or defective and being driven to a place of repair, or (ii) being road tested following repair.</p> <p>This regulation is due to be amended to reflect the wording of the GB provision (Regulation 7(1) as quoted by FTA).</p> <p>There are no plans to remove this provision during implementation of the 3rd Directive.</p> <p>Regarding minimum age, no response necessary</p>
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	<p>Minimising the risk of licence tourism – Fully support the establishment of a European driving licence network to exchange certain driving licence information electronically. Agree this system, once developed will reduce the instances of fraudulent licences. However, with the number of foreign drivers employed in the UK, this system is essential to ensure that the licence being presented by the driver is not fraudulent.</p>	<p>Minimising the risk of licence tourism: no response necessary.</p>
Other – Emergency Services	<p>Consider that the options and approach proposed to implement the requirements of the directive, will avoid significant costs, and contribute positively to road safety.</p>	<p>None necessary.</p>
Other - NGO	<p>Conclusion Welcome some of the proposals and have clarified the position on what and why they disagree with others.</p> <p>Overall view of the proposals is that the DOE consultation has moved well beyond the spirit of a process of implementing the 3rd European Driving Licence Directive, which is in itself complicated (albeit understandable) into a prescriptive and unnecessarily difficult set of proposals.</p>	<p>The proposals set out in the consultation reflect those outlined in the Directive. The Department has chosen to implement these proposals with as minimal impact as possible on the current licensing system. This approach reflects the Department's effort to minimise the impact on industry whilst maximising the road safety benefits.</p>

Section 4 – Next steps

Having taken into consideration the comments received during the consultation process, the Department has decided to proceed with implementation of the proposals as set out in the consultation document with the exception of the following aspects.

As indicated in our responses to comments received on question four and five of the consultation, the Department no longer intends to introduce a compulsory familiarisation course to validate provisional A2 and A licences under the progressive access arrangements. The Department will initially proceed with the testing option but will revisit the training option and will include stakeholders in the development of any such training.

The provisions of the Directive must come into practical effect by mid-January 2013 and the Department is now proceeding with the drafting of the necessary legislation.

A project team has been established to oversee the implementation of the 3rd Directive and will put in place a communication plan to keep stakeholders and interested parties informed of the changes being made.

Staff at DVA are working closely with their counterparts (DSA & DVLA) in GB to ensure, where possible, that there is a consistent approach throughout the UK. To this end DVA are represented on a number of GB working groups and are a member of their project board, and in turn DSA are represented on the NI project board.