



STATUTORY INSTRUMENTS.

S.I. No. 657 of 2016



EUROPEAN UNION (LICENSING OF DRIVERS) REGULATIONS 2016

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving further effect to Directive No. 2006/126/EC of the European Parliament and of the Council of 20 December 2006¹ as amended by Commission Directive No. 2015/653/EU of 24 April 2015², hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Licensing of Drivers) Regulations 2016.

(2) These Regulations come into operation on 1 January 2017.

2. In these Regulations—

“No. 3 Regulations of 2013” means the Road Traffic (Licensing of Drivers) (Amendment) (No. 3) Regulations 2013 (S.I. No. 420 of 2013);

“Regulations of 2013” means the Road Traffic (Licensing of Drivers) (Amendment) Regulations 2013 (S.I. No. 6 of 2013).

3. The Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006) are amended—

(a) in Regulation 27(3), by substituting for subparagraph (b) the following:

“(b) For the purposes of subparagraph (a) a driving licence shall, in addition to the categories set out in column (2) of the Table above—

(i) in respect of category B, granted prior to 19 January 2013, be regarded from 19 January 2013 as also being a driving licence in respect of category A with the code 79.03, other than where the driving licence was for category B with the code 73,

(ii) in respect of category A1, granted prior to 19 January 2013, be regarded from 19 January 2013 as a driving licence in respect of category A1 with the code 79.05,

¹OJ No. L403, 30.12.2006, p.18

²OJ No. L107, 25.04.2015, p.68

- (iii) in respect of category BE, granted prior to 19 January 2013, be regarded from 19 January 2013 as a driving licence in respect of category BE with the code 79.06,
- (iv) in respect of category A, granted for the first time on or after 19 January 2013, other than a licence in respect of category A granted in accordance with clause (i), and where the holder is aged less than 24 years, and has not held a licence in respect of category A2 for a minimum period of 2 years, be regarded as a driving licence in respect of category A with the code 80, and
- (v) in respect of category A, granted for the first time on or after 19 January 2013, other than a licence in respect of category A granted in accordance with clause (i), and where the holder is aged less than 21 years, be regarded as a driving licence in respect of category A with the code 81.”,

and

(b) in Regulation 32—

- (i) by substituting for paragraph (1) (amended by Regulation 3 of the Regulations of 2013) the following:

“(1) A certificate of competency shall denote the appropriate code or codes set out in column (1) of the Table below to indicate that the recipient of the certificate shall, on taking out a driving licence, be subject to driving vehicles with the restriction or restrictions set out in column (2) of that Table opposite the code in column (1).

TABLE

Code (1)	Restriction (2)
10	Modified transmission
15	Modified clutch
20	Modified braking system
25	Modified accelerator system
31	Pedal adaptations and pedal safeguards
32	Combined service brake and accelerator systems
33	Combined service brake, accelerator and steering systems
35	Modified control layouts
40	Modified steering
42	Modified rear/side view devices
43	Modified driver seating position
44.01	Motorcycle with single operated brake

Code (1)	Restriction (2)
44.02	Motorcycle with adapted front wheel brake
44.03	Motorcycle with adapted rear wheel brake
44.04	Motorcycle with adapted accelerator
44.08	Motorcycle with seat height allowing the driver, in sitting position, to have two feet on the surface at the same time and balance the motorcycle during stopping and standing
44.09	Motorcycle with maximum operation force of front wheel brake (force in brackets)
44.10	Motorcycle with maximum operation force of back wheel brake (force in brackets)
44.11	Motorcycle with adapted foot-rest
44.12	Motorcycle with adapted hand grip
45	Motorcycle with sidecar only
46	Tricycles only
47	Restricted to vehicles of more than two wheels not requiring balance by the driver for starting, stopping and standing
50	Restricted to a specific vehicle/chassis number (vehicle identification number, VIN)
73	Restricted to category B vehicles of the motor quadricycle type (B1)
78	Restricted to vehicles with automatic transmission

”

(ii) in paragraph (2) (amended by Regulation 3 of the No. 3 Regulations of 2013)—

(I) by substituting for subparagraphs (a) and (b) the following:

“(a) on a driving licence it grants the code or codes indicated on a certificate of competency as referred to in paragraph (1), and

(b) on a driving licence or a learner permit it grants the appropriate code or codes set out in column (1) of the Table below to indicate the additional information or restrictions applicable to the licence or permit or to the licence holder or permit holder set out in column (2) of the Table.”

and

(II) in the Table, by substituting for the codes 01 to 97 set out in column (1) of that Table and the additional information or restrictions set out in column (2) of that Table opposite those codes the following:

“

01	Sight correction and/or protection
02	Hearing aid/communication aid
03	Prosthesis/orthosis for the limbs
61	Limited to day time journeys
62(30)	Limited to journeys within a radius of 30 km from holder's place of residence
63	Limited to driving without passengers
64(80)	Limited to journeys with a speed not greater than 80 km/h
65	Limited to driving solely when accompanied by a holder of a driving licence of at least the equivalent category
66	Limited to driving without trailer
67	Not permitted to drive on motorways
68	Limited to driving without alcohol
69	Restricted to driving vehicles equipped with an alcohol interlock in accordance with EN 50463
70	Exchange of recognised driving licence
71	Duplicate licence
79	Restricted to vehicles which comply with the specifications indicated in brackets
79.01	Restricted to two-wheel vehicles with or without side-car
79.02	Restricted to category AM vehicles of the three-wheel or light quadricycle type
79.03	Restricted to tricycles
79.04	Restricted to tricycles combined with a trailer having a maximum authorised mass not exceeding 750 kg
79.05	Category A1 motorcycle with a power/weight ratio above 0.1 kW/kg
79.06	Category BE vehicle where the maximum authorized mass of the trailer exceeds 3500 kg
80	Restricted to category A vehicle motor tricycles until reaches age of 24 years
81	Restricted to category A vehicle of the two-wheel motorcycle type until reaches age of 21 years
95	Driver holding a certificate of professional competence meeting the obligation of professional aptitude provided for by Directive 2003/59/EC ³ of 15 July 2003 until (date in brackets)
96	Category B vehicles combined with a trailer with a maximum authorized mass exceeding 750 kg where the maximum authorized mass of such combination exceeds 3500 kg but does not exceed 4250 kg
97	Not authorised to drive a category C1 vehicle which falls within the scope of Council Regulation (EEC) No. 3821/85 of 20 December 1985 ⁴

”

and

(iii) by substituting for paragraph (3) the following:

“(3) A licensing authority shall—

³OJ L226, 10.9.2003, p.4⁴OJ L370, 31.12.1985, p.8

- (a) indicate on a driving licence it grants by way of renewal of the licence—
 - (i) the code 20 instead of code 25, where code 25, or
 - (ii) the code 25 instead of code 20, where code 20,prior to 5 July 2004 was indicated on the previous licence,
- (b) indicate on a driving licence it grants by way of renewal of the licence—
 - (i) category A with the code 79.03 where the person held a driving licence in category B prior to 19 January 2013 and where the person was not subsequently granted a first driving licence in category B,
 - (ii) category A1 with the code 79.05 where the person held a driving licence in category A1 prior to 19 January 2013 and where the person was not subsequently granted a first driving licence in category A1, or
 - (iii) category BE with the code 79.06 where the person held a driving licence in category BE prior to 19 January 2013 and where the person was not subsequently granted a first driving licence in category BE,
- (c) indicate on a driving licence it grants in exchange of a licence issued by a Member State where a sub-code of any of the codes 01 to 44 is denoted on the licence, the main code to which the restriction relates,
- (d) indicate on a driving licence it grants in exchange of a licence issued by a member state where a—
 - (i) code 62 is denoted on the licence, the code 62(30), and
 - (ii) code 64 is denoted on the licence, the code 64(80).”.



GIVEN under my Official Seal,
23 December 2016.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

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