



STATUTORY INSTRUMENTS.

**S.I. No. 486 of 2014**



EUROPEAN COMMUNITIES (DRIVING THEORETICAL TESTS)  
(AMENDMENT) REGULATIONS 2014

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I, PASCHAL DONOHOE, 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 Article 7(1) of Directive No. 2006/126/EC of the European Parliament and of the Council of 20 December 2006<sup>1</sup> and to Directive No. 2003/59/EC of the European Parliament and of the Council of 15 July 2003<sup>2</sup> hereby make the following regulations:

*Citation*

1. These Regulations may be cited as European Communities (Driving Theoretical Tests) (Amendment) Regulations 2014.

*Definitions and interpretation*

2. In these Regulations:

“the Principal Regulations” mean the European Communities (Driving Theoretical Tests) Regulations 2003 (S.I. No. 52 of 2003).

“the Regulations of 2012” mean the European Communities (Driving Theoretical Tests) Regulations 2012 (S.I. No. 85 of 2012).

3. The Principal Regulations are amended—

(a) in regulation 2, by substituting for the definition of “Council Directive” the following:

“ “Council Directive” means Council Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006;”

(b) in regulation 2, by substituting for the definition of “theoretical test” the following:

“ “theoretical test” means a theoretical test of driving knowledge for the purposes of Annex II.I.A to the Council Directive;”

(c) in Regulation 3, by substituting in paragraph (2), “Annex II.I.A” for “Annex II.II”,

(d) by substituting for Regulation 4 the following:

<sup>1</sup>OJ L403, 30.12.2006, p.25

<sup>2</sup>OJ L226, 10.9.2003, p.4

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 28th October, 2014.*

“4. (1) A theoretical test shall consist of the number of questions as prescribed in subparagraph (4), or such number of questions as may be determined by the Minister, chosen by the Service from a data bank of questions (“question bank”) prepared by the Minister, or such other person as he or she designates, and published by the Service, to ensure that an applicant for a certificate possesses the necessary knowledge of the question bank in respect of the category of test to which the application relates.

(2) The question bank may be kept and maintained by the Service in electronic form.

(3) The theoretical test shall be in accordance with Annex II.I.A of the Council Directive and, in the case of theoretical tests in relation to vehicles of category C and D, shall include questions in accordance with the requirements of section 2 (2.2 (a)(i)) of Annex I of Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003<sup>2</sup> on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers so that the test also meets the requirements of the multiple choice part of the theoretical test provided for in Regulation 8(3)(a) of the European Communities (Vehicle Drivers Certificate of Professional Competence) (No. 2) Regulations 2008. (S.I. No. 359 of 2008).

(4) The theoretical test shall be divided into 6 tests as follows:

- (a) a test, consisting of 40 questions, in relation to vehicles of categories B, and W,
- (b) a test, consisting of 40 questions, in relation to vehicles of categories A, and AM,
- (c) a test, consisting of 100 questions, in relation to vehicles of category C,
- (d) a test, consisting of 100 questions, in relation to vehicles of category D,
- (e) a combined test, consisting of 140 questions, in relation to vehicles of both categories C and D, and
- (f) a test, consisting of 40 questions, in relation to—
  - (i) vehicles of category C where the applicant has been issued with a theory test certificate in relation to category D within the previous 2 years, or
  - (ii) vehicles of category D where the applicant has been issued with a theory test certificate in relation to category C within the previous 2 years.

(5) Where a certificate is required under the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006), as amended, to accompany an application for a licence, a theoretical test conducted in relation to—

(a) categories A and AM, is in respect of an application for a licence for any of the categories A, A1, A2, and AM,

(b) categories B and W, is in respect of an application for a licence for any of the categories B, BE, and W,

(c) category C, is in respect of an application for a licence for any of the categories C, C1, CE and C1E, and

(d) category D, is in respect of an application for a licence for any of the categories D, D1, DE and D1E.”

(e) in Regulation 5, by substituting for paragraph 4, as amended by the Regulations of 2012, the following:

“(4) An application for a certificate shall be accompanied by the appropriate fee set out in column 1 of the table opposite the test category in column 2 in respect of which the application relates.

**Table**

Column (1)	Column (2)
Application Fee €	Test Category
45	A test, consisting of 40 questions, in relation to vehicles of categories B and W,
45	A test, consisting of 40 questions, in relation to vehicles of categories A and AM,
72	A test, consisting of 100 questions, in relation to vehicles of category C,
72	A test, consisting of 100 questions, in relation to vehicles of category D,
84	A combined test, consisting of 140 questions, in relation to vehicles of both categories C and D,
45	A test, consisting of 40 questions in relation to vehicles of category C where the applicant has been issued with a theory test certificate in relation to category D within the previous 2 years,
45	A test, consisting of 40 questions, in relation to vehicles of category D where the applicant has been issued with a theory test certificate in relation to category C within the previous 2 years.

”



GIVEN under my Official Seal,  
22 October 2014.

PASCHAL DONOHOE,  
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These regulations amend the driving theoretical tests regulations to allow for the integration of the driving theory test and the certificate of professional competence theory test.

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