



STATUTORY INSTRUMENTS.

S.I. No. 172 of 2011

ROAD TRAFFIC (COURSES OF INSTRUCTION) (CARS)
REGULATIONS 2011

(Prn. A11/0547)

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I, LEO VARADKAR, Minister for Transport, in exercise of the powers conferred on me by section 18 of the Road Traffic Act 1968 (No. 25 of 1968) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)) hereby make the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation and commencement

1. (1) These Regulations may be cited as the Road Traffic (Courses of Instruction) (Cars) Regulations 2011.

(2) These Regulations come into operation on 4 April 2011.

Definitions

2. (1) In these Regulations—

“Authority” means Road Safety Authority;

“code 73” has the meaning assigned to it in Regulation 32 of the Regulations of 2006;

“car” means a vehicle in category B;

“category B” means a vehicle in category B as set out in the Table to Regulation 6 of the Regulations of 2006;

“courses of instruction” means a course of instruction given by a driving instructor to a learner driver;

“driving instructor” means a person whose name is entered in the Register in respect of driving licence category B;

“Essential Driver Training for Car Drivers” has the meaning assigned to it by Regulation 4 of the Regulations of 2011;

“Register” means the Register of Approved Driving Instructors established under Part 3 of the Regulations of 2009;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 12th April, 2011.*

“Regulations of 2006” means Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006);

“Regulations of 2009” means Road Traffic (Driving Instructor Licensing) (No. 2) Regulations 2009 (S.I. No. 203 of 2009);

“Regulations of 2011” means Road Traffic (Courses of Instruction) (Learner Permit Holders) Regulations 2011 (S.I. No. — — of 2011).

Vehicle Standards

3. (1) Where a driving instructor provides a vehicle to be used in a course of instruction, the instructor shall ensure the vehicle complies with the minimum vehicle standards as applies to vehicles first registered on or after 1 January 2004 specified in Schedule 5 to the Regulations of 2006.

(2) A driving instructor shall not provide a course of instruction in a vehicle unless a vehicle insurer has issued a certificate of insurance in respect of the vehicle for the purposes of carrying out courses of instruction.

(3) This Regulation is a penal regulation.

Logbooks

4. (1) Logbooks for the purposes of Essential Driver Training for Car Drivers shall be made available for driving instructors by the Authority.

(2) A driving instructor where satisfied that a person who holds a learner permit for category B, other than where code 73 is denoted on it, has completed a lesson shall complete, sign and stamp the relevant pages of the person’s logbook.

(3) A driving instructor shall—

(a) check the learner permit of the pupil so as to ascertain his or her identity and shall sign the logbook to confirm completion of this exercise,

(b) sign the logbook to confirm completion by the pupil of the pre-training checks.

(4) A driving instructor where satisfied that a person who holds a learner permit for category B, other than where code 73 is denoted on it, has satisfactorily completed a lesson of a course of Essential Driver Training for Car Drivers in respect of the category, shall indicate this in the person’s logbook by completing and stamping the relevant page.

(5) Only a driving instructor or an examiner appointed under Regulation 42 of the Regulations of 2009 may complete any part of a logbook which is to be completed by a driving instructor.

(6) Only a driving instructor may complete any part of a logbook which is to be completed by a driving instructor and any such part which is completed by a person who is not a driving instructor is null and void.

Training records

5. (1) A driving instructor shall keep a record, in a form determined by the Authority, for each pupil to whom he or she gives instruction.

(2) A driving instructor, when recording in a logbook that a person has completed a course of training in respect of category B, shall notify the Authority and shall maintain a record of this notification.

(3) The notification under paragraph (2) shall be forwarded in an electronic format or such other form as determined by the Authority.

(4) A driving instructor shall make the records referred to in paragraphs (1) and (2) available for inspection by the Authority at any reasonable time and place on reasonable notice.

(5) A driving instructor shall retain the records for a pupil for 2 years after the date of the last instruction he or she gives to the pupil.

(6) This Regulation is a penal provision.

Essential Driver Training Stamp

6. (1) The Authority shall issue a personal stamp known as an Essential Driver Training Stamp with a unique identification number to a driving instructor in the form as set out in the Schedule.

(2) A driving instructor shall only use the personal Essential Driver Training stamp issued to him or her when stamping a logbook when required to stamp the document.

Return to Authority of stamps and logbooks

7. (1) A person whose approval as a driving instructor is cancelled or suspended under the Regulations of 2009 or who otherwise ceases to be a driving instructor shall return to the Authority within 14 days of being notified of the Authority's decision to suspend or cancel the approval the following:

(a) logbooks, and

(b) essential driver training stamp,

held by the person.

(2) This Regulation is a penal provision.

Inspection of records

8. (1) An examiner appointed under Regulation 42 of the Regulations of 2009 may attend any part of a course of essential driver training for a car and may request any of the following details from a driving instructor:

- (a) name of any persons currently receiving training or who received training at any time within the previous two years,
- (b) copies of training logs currently applicable or applicable any time within the previous two years,
- (c) insurance cover for trainer, and
- (d) insurance cover for the vehicles which he or she provided for use by pupils.

Amendment of Regulation 34 of Regulations of 2009 — suspension or cancellation of driving instructor's licences

9. The Regulations of 2009 are amended by substituting for Regulation 34 the following:

“34. The Authority may cancel or suspend a driving instructor’s licence held by a person if—

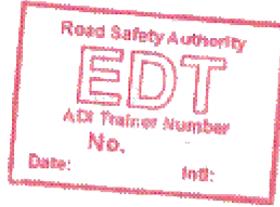
- (a) the person has been prohibited from giving driving instruction or his or her right to give driving instruction has been cancelled or suspended in another Member State or Norway, Liechtenstein or Iceland,
- (b) it becomes aware that the person’s application was false or misleading in a material particular, or
- (c) the person has failed to comply with Regulation 3 of the Road Traffic (Courses of Instruction) (Cars) Regulations 2011 (S.I. No. — of 2011).”.

Application

10. These Regulations apply in respect of learner drivers to which the Regulations of 2011 apply.

SCHEDULE

ESSENTIAL DRIVER TRAINING STAMP





GIVEN under my Official Seal,
1 April 2011.

LEO VARADKAR,
Minister for Transport.

EXPLANATORY NOTE

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

The purpose of these Regulations is to require learner drivers in future (i.e. learner drivers whose first learner permit is issued on or after 4 April, 2011) to undergo Essential Driver Training (EDT) before sitting a driving test.

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