

May 2010

Welcome to this new edition of *Update*. This edition provides you with information on forthcoming changes to the car and bike theory and practical driving tests resultant from the Learning to Drive consultation which issued in May 2008. It also includes an update on a number of other on-going issues including CBT/AMI, CPD, case study trials in Approved Driving Instructor (ADI) Part 1 test and a range of other issues.

I hope you will find the contents of this edition both interesting and informative.

CASE STUDIES IN CAT A & CAT B TESTS

In the learning to drive consultation paper it was proposed that more should be done to assess knowledge and skills especially in the theory test. The multiple choice section of the existing theory test is good at assessing a candidate's knowledge but it was agreed that it must do more to assess a candidate's understanding of safe driving.

Therefore from the 19 July 2010, five car and motorcycle multiple choice questions in each theory test will be delivered in the format of a case study. However, the total number of questions asked will not change. The case study will present a scenario upon which the five questions will be based and are designed to probe a candidate's understanding and knowledge more thoroughly.

The subject of the scenario focuses on real life examples and experiences that drivers could come across when driving. The wording and structure of the five questions will remain unchanged from their current published format. Case studies were introduced into car and bike tests in Great Britain (GB) in September 2009.

OBSERVER ON TEST

Following the Driving Standards Agency's successful policy change on 6 April 2010, Driver & Vehicle Agency (DVA) is proposing on 19 July 2010 to make a similar policy change to the practical driving test in Northern Ireland (NI) by actively promoting the benefits of candidates having an 'observer on test'.

This involves an ADI, parent or friend sitting in on the test to observe and listen to the examiner's feedback – all with a view to providing critical support for the learner and newly qualified driver's ongoing development and lifelong learning.

Unlike at present, the examiner will ask the candidate if they wish their accompanying driver to sit in on the test. If they decide they do not want to be accompanied they will, at the end of their test, be given the opportunity to have their accompanying driver present for debrief at the conclusion of the test.

This policy change will also allow an ADI to act as an interpreter on the test for their own pupil.

COMPULSORY BASIC TRAINING (CBT) / AMI REGISTER

The DVA together with stakeholders are working on proposals to introduce a Compulsory Basic Training (CBT) scheme in NI for those wishing to ride a moped or motorcycle as a learner rider. In addition it is proposed that an Approved Motorcycle Instructor (AMI) Register, similar to the present ADI Register, will be introduced in order to regulate motorcycle training. Once introduced, it will be a mandatory requirement for anyone delivering motorcycle training for payment to be an AMI.

DVA plan to introduce CBT and an AMI register by December 2010. To assist with the development of both these schemes DVA set up a NI motorcycle stakeholder group which includes representatives from the motorcycle and driving instructors industry, ROSPA and PSNI. DVA believe the expertise of the group will be invaluable in ensuring the scheme delivers its full potential.

WHAT IS CBT?

The CBT scheme in NI is aimed at all learner motorcyclists on NI roads. Any person wishing to ride a moped or motorcycle using provisional entitlement will have to complete CBT prior to riding on public roads unaccompanied, whether this entitlement is on a separate provisional licence, or part of a full car driving licence.

In essence it is proposed that any moped rider or motorcyclist who does not have a full moped or motorcycle licence will have to complete CBT before riding unaccompanied on the public road and provide a certificate as proof of completion if requested. Certificates will be valid for two years and if the holder has not successfully complete the test at the expiry date they will be required to undergo further training to attain another certificate

WHO WILL BE AFFECTED BY THE CBT PROPOSALS?

- Following implementation all **new moped and motorcycle riders** will be required to have a CBT certificate. They will only be permitted on the public road whilst participating in CBT training or are in receipt of a CBT certificate..
- **Learner moped riders and motorcyclists** who have provisional entitlement prior to the introduction of CBT would be encouraged to complete a CBT course as soon as possible. However, they will have a 12 months period from introduction to continue riding on public roads without the certificate.
- **Full car licence holders** will continue to get full moped entitlement and provisional motorcycle entitlement on their licence after the introduction of CBT;

however, they will not be able to ride a moped or motorcycle on the road until they had a valid CBT certificate.

It must be pointed out that the above proposals are subject to scrutiny by Departmental Solicitors and can not be finalised until clearance has been received.

AMI REGISTER

The proposals are to introduce an AMI register in order to regulate the qualification and approval of motorcycle instructors who provide on-road motorcycle tuition and CBT training. An AMI will issue the CBT certificate once a learner has reached the standard expected within the CBT scheme.

The proposed scheme will be similar to the current ADI scheme; however it will be for those wishing to teach learner motorcyclists. Once introduced, it will be mandatory for anyone delivering motorcycle training for payment to be an AMI i.e. have successfully passed all three parts of the qualifying process. DINAC are represented on the stakeholder group.

PROPOSALS FOR THE QUALIFICATION PROCESS TO BECOME AN AMI

To become an AMI, a person will have to complete the following three stages in the examination process:

- AMI Theory Test (IT based including a hazard perception test) (Part 1)
- AMI Riding Ability & Fitness Test (a test of eyesight and riding skills) (Part 2)
- Instructional Ability Test (test of ability to teach) (Part 3)

All 3 parts of the examination will have to be taken and passed in this order and the whole examination must be completed within 2 years of passing the theory test. If a person had not completed the examination within this time, he or she, must start again from the beginning and pass each part once again.

It is proposed that individuals with relevant motorcycle training qualifications or experience, gained prior to the introduction of the register, may be exempt from certain stages but these cases will be considered on an individual basis by a panel of three one of which will be an independent member from the stakeholder group.

To cater for those individuals who are already listed on the DOE voluntary motorcycle register it is proposed they will have “grandfather rights” to the register and a maximum 6 month period to apply for registration once the register is introduced.

QUALITY ASSURANCE

It is proposed that AMIs will be subject to a check carried out by DVA examiners on a regular basis to ensure the quality of instruction being delivered is to an acceptable standard. These checks will also include checks on the delivery of CBT and audits of the CBT certificates that will be issued to AMIs by the department. Penalties for non compliance and an appeals process would also be put in place.

Further information on both CBT and AMI will be available soon at: www.nidirect.gov.uk and www.dvani.gov.uk

DISPLAY OF LICENCES

The draft regulations to allow the display of ADI licences are still being scrutinised by Departmental Solicitors.

Progress has been made and we remain hopeful that the regulations will be laid before the summer recess enabling them to become law in July. Subject to this timetable the new licences will be issued in July 2010.

INDEPENDENT DRIVING

Another change we will be introducing into the practical driving test during 2011 is a requirement for the candidate to drive independently for ten minutes. Independent driving is intended to assess a candidate's ability to take responsibility for route finding and manage traffic as well as the vehicle. It will provide an assessment of a more 'real world' situation than at present. This will coincide with a reduction in the number of manoeuvres, from two to one, required during the test.

MODERNISING DRIVER TRAINING

The Learning to Drive consultation, referred to in the opening paragraph, proposed a number of reforms to the learning and testing process to ensure newly qualified drivers are better prepared for driving in modern conditions. As well as the measures outlined above another integral part of the overall proposals is to modernise driver training by encouraging driver trainers to maintain, develop and expand their teaching skills and to ultimately consider a mandatory continuous professional development (CPD) scheme for the industry.

This idea is at an embryonic stage in NI and will be discussed in more detail with stakeholders in the future. However, as a first step DVA propose writing to ADIs asking if they are committed to the concept of CPD. If an ADI endorses the concept by indicating they are committed, this will be published openly on the internet.

The Agency therefore plans to issue, in the autumn, a consultation on Modernising Driver Training, which will include proposals on mandatory CPD. More information on this should be available in the next edition of *Update* in September.

FORTHCOMING TRIALS

The Agency is considering the introduction of case studies into the ADI Part 1 theory test inline with their inclusion in other categories of theory test. Similar to the case studies being introduced into the car and motorcycle test they are designed to probe a candidate's understanding and knowledge more thoroughly, with the case scenarios

focusing on real life examples and experiences that instructors could encounter. From 19th July 2010, the optional trial section at the end of the ADI Part 1 theory test is being enhanced to deliver trial case studies. This will give candidates the opportunity to partake in case studies and whilst results will be monitored they will not be included in the overall test mark.

Also from 19th July 2010 candidates sitting car and bike theory tests will have the opportunity to partake in a trial scheme to assess hazard perception test clips based on 3D animation. The current video footage used in the hazard perception test is outdated and has not been refreshed for some time. The introduction of 3D clips will introduce flexibility enabling continuous refreshing of material.

Participation will be via the optional trial section at the end of the test, and like the ADI case study, trial results will be analysed but not be included in the overall pass mark.

SUPERVISION OF TRAINEE LICENCE HOLDERS

As some of you are involved in the supervision of trainee licence holders, I would like to remind you of your responsibilities in this regard and of the conditions under which a second trainee licences is granted.

Whilst under supervision the Agency expect you to ensure that trainees are properly licensed at all times during their training period with you and that instruction does not continue to take place beyond the expiry date on the licence.

In this regard, you should be aware that Regulation 19 (2)(a) of the Motor Cars (Driving Instruction) Regulations (Northern Ireland) 2004 states that “where a person applies for a new licence in substitution for a licence held by him and current at the date of application, the previous licence shall not expire until the commencement of the new licence.”

Therefore, if it is your trainee’s intention to apply for a second licence, they **must** submit their application **before** the expiry of their first licence in order to remain entitled to give instruction for payment or reward. Failure to do so may result in their application being refused.

Your co-operation in regard to the trainee licence scheme is absolutely necessary to ensure that the scheme is not abused.

DRIVING TEST ARRANGEMENTS FOR FULL LICENCE HOLDERS FROM EUROPEAN COMMUNITY/EUROPEAN ECONOMIC AREA AND OTHER COUNTRIES

We have been asked to clarify the driving test arrangements for residents in NI who are the holders of full licences issued in the EU Community or other countries.

The following information has been provided by DVA’s Driving Licence Section and any queries should be addressed to 0845 402 4000 (local rate).

Licences issued in the European Community (EC) and three other countries in the European Economic Area (EEA) make up two groups that are treated equally. The full list is:-

EC COUNTRIES

- Austria
- Belgium
- Bulgaria
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania

- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Republic of Cyprus
- Romania
- Slovenia
- Slovakia
- Spain
- Sweden
- United Kingdom

EEA COUNTRIES

- All EC countries
- Iceland
- Liechtenstein
- Norway

The above countries collectively are referred to as Community in the notes below

Visitors:

If you hold a valid Community licence and you are visiting NI, you can drive any vehicle for as long as your licence remains valid. The appropriate full entitlement for the vehicle you wish to drive must be shown on your licence.

Residents:

If you have a valid Community licence, this will authorise you to drive in this country for the periods set out below. Alternatively, you can apply to exchange your licence for a NI one providing you meet the specified conditions for exchange.

Provided your licence remains valid you may drive in NI:

Ordinary Licence Holders:

Until aged 70 or for 3 years after becoming resident whichever is the longer period.

Vocational Licence Holders:

Until aged 45 or for 5 years after becoming resident whichever is the longer period.

If you are aged over 45 (but under 65) until your 66th birthday or for 5 years after becoming resident whichever is the shorter period.

If you are aged 65 or over you may drive for 12 months after becoming resident.

In order to continue driving after these periods, an NI driving licence must be obtained.

Register of Community Licence Holders:

Holders of Community licences with vocational entitlement who live in NI must register their details with DVA. For further information please contact DVA's Customer Enquiries Unit, Telephone 0845 402 4000.

Taking a driving test:

If you want to take a NI driving test you must be normally resident in NI. However, if you have moved to NI having recently been permanently resident in another state of the EC/EEA, you must have been normally resident in NI or GB for 185 days in the 12 months prior to your application for a driving test and a full licence.

To take a NI driving test you will need to:

Exchange your Community licence for the NI equivalent and request the appropriate provisional entitlement.

Vehicles which Community licence holders may also drive in NI:

Community licence holders with category B (car) entitlement can also drive certain vehicles in NI, which are exempt from the normal large vehicle driver licensing requirements. These include non-commercial minibuses driven on a voluntary basis, permit buses and large vehicles such as agricultural motor vehicles and road construction vehicles. Further details about these vehicles and the conditions that apply to them can be found at www.dvni.gov.uk

Community Licences issued in exchange for licences from elsewhere:

- A Community licence issued on the strength of a licence from a **designated country** will be valid for driving in NI for 12 months only and is acceptable for exchange purposes.
- A Community licence issued on the strength of a licence from a **non-designated country** will be valid for driving in NI for 12 months only but is NOT valid for exchange purposes.
- A licence from any country outside the EC/EEA, which was originally issued on the basis of a Community licence, will be valid for driving in NI for 12 months only and is acceptable for exchange purposes. Evidence of the original EC/EEA entitlement must be provided.

All Other Countries

Visitors:

You may drive vehicles up to 7.5 tonnes and with up to 16 passenger seats not for hire or reward, provided your full licence or driving permit remains valid for up to 12 months from the date of entering NI. However, you may only drive large vehicles which have been registered outside NI and which you have driven into this country.

Residents:

Ordinary Licence Holders:

Provided your full licence remains valid, you can drive any category of small vehicle shown on your licence for up to 12 months from the time you became resident. To ensure continuous driving entitlement a provisional NI licence must have been obtained and a driving test(s) passed before the 12 month period elapses. If you obtain a provisional licence during this period, you are not subject to provisional licence conditions e.g. displaying 'L' plates or being supervised by a qualified driver or being precluded from motorways.

However, if you do not pass a test within the 12 month concessionary period you will not be allowed to drive as a full licence holder and provisional licence conditions will apply.

If you do not apply for a provisional licence within the first 12 months you must stop driving and obtain a NI provisional licence with a view to passing a driving test. Provisional licence conditions will then apply.

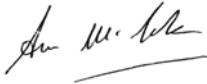
Vocational Licence Holders:

New residents may not drive large vehicles until they have passed the relevant NI driving test. Driving test candidates are required to pass a motor car (category B) test first before applying for provisional entitlement for larger vehicles.

Further information on this subject can be found at www.dvani.gov.uk

COMMENTS

Comments, views or ideas on any of the items mentioned in this *Update* or suggestions for subjects we should cover in future editions would be most welcome. We are happy to receive these by telephone to 028 9068 5206, email to angie.mcclenaghan@doeni.gov.uk or by letter to Angie at DVA, Balmoral Road.

A handwritten signature in black ink, appearing to read 'Ann McCabe', with a horizontal line underneath.

Ann McCabe