



**Introduction of
Compulsory Basic
Training for
Learner Motorcyclists
and a
Motorcycle Instructor
Register**

CONTENTS

<u>Glossary</u>	3
1 <u>Chapter 1 – Background</u>	4
1.1 Introduction	4
1.2 Summary of Options	4
1.3 Regulatory Impact Assessment.....	4
1.4 Your invitation to comment	4
1.5 Freedom of Information Act 2000 – Confidentiality of Consultations.....	6
1.6 Application within the United Kingdom	7
2 <u>Chapter 2 – Compulsory Basic Training Options</u>	8
2.1 Who Will Be Affected?	8
2.2 Who Will Conduct the Course?	10
2.3 Recording Course Completion	11
2.4 Eligibility and Licence Duration	12
2.5 Compliance and Sanctions.....	12
2.6 Approval of Sites	13
2.7 Recognition of GB CBT Courses.....	14
3 <u>Chapter 3 – Motorcycle Register Options</u>	16
3.1 Eligibility of Instructors	16
3.2 Examination of Assessment	17
3.3 Period of Registration and Renewal.....	20
3.4 Quality Assurance	20
3.5 Trainee Instructors.....	21
3.6 Fees	22
3.7 Right of Appeal	23
3.8 Members of the Current DOE Voluntary Register	23
4 <u>Chapter 4 – Regulatory Impact Assessment</u>	26
4.1 Title of Regulations.....	26
4.2 Purpose and Intended Effect	26
4.3 Choices, Benefits and Costs	27
4.4 Equity and Fairness	30
4.5 Consultation with Small Businesses	31
4.6 Competition Assessment.....	31
4.7 Compliance and Sanctions.....	31
4.8 Monitoring and Review	31
4.9 Consultation.....	32
4.10 Summary and Recommendation.....	32
<u>Appendix A – Reply Form</u>	33
<u>Appendix B – List of Consultees</u>	40

Glossary

The table below outlines some abbreviations and technical terms used within this document.

Abbreviation	Meaning / Definition
DVA	Driver & Vehicle Agency
DSA	Driving Standards Agency
HPT	Hazard Perception Test
MCQ	Multiple Choice Questions
Category A licences	License for motorcycle riders
Category B licences	License for car drivers
CBT	Compulsory Basic Training
DOE	Department of the Environment
RIA	Regulatory Impact Assessment
MIR	Motorcycle Instructor Register
ADI	Approved Driving Instructor
AMI	Approved Motorcycle Instructor
PMI	Potential Motorcycle Instructor
PDI	Potential Driving instructor

1 Chapter 1 – Background

1.1 Introduction

This Consultation Paper seeks your views on the Driver and Vehicle Agency's (DVA) plans to introduce Compulsory Basic Training (CBT) in Northern Ireland, on behalf of the Department of the Environment, (DOE) for those wishing to ride a motorcycle as a learner rider.

This paper also seeks views on plans to simultaneously introduce a Mandatory Motorcycle Instructors' Register (MIR) for those wishing to give instruction in motorcycle riding in Northern Ireland for hire or reward.

1.2 Summary of Options

Each of the issues is discussed in more detail in **Chapters 2 and 3** of this consultation document. In summary you are invited to comment on various proposals relating to the introduction of the scheme in Northern Ireland including:

- a. Who would be required to take a CBT course?
- b. How long should the CBT course certificate be valid for?
- c. Who should conduct CBT courses?
- d. Should a Mandatory Motorcycle Instructor Register be introduced in Northern Ireland?
- e. How should Motorcycle Instructors be assessed?
- f. Should those instructors already on the DOE voluntary register receive any type of entitlement to a mandatory register?

1.3 Regulatory Impact Assessment

The Driver & Vehicle Agency (DVA) have completed a partial Regulatory Impact Assessment (RIA), which is included in **Chapter 4** of this document. This RIA outlines the possible impact of each of the proposals on the motorcycle industry, and will be developed in light of any comments received in response to this consultation paper. It outlines the benefits associated with the proposals, as well as any costs which may be incurred by those affected by the changes.

1.4 Your invitation to comment

All comments and views on the options outlined are welcome. Written

responses can be submitted using the reply form included in **Appendix A** to this report, and should be sent to:

Angie McClenaghan
Driver and Vehicle Agency
Balmoral Road
BELFAST
BT12 6QL
Email: angie.mcclenaghan@doeni.gov.uk

An electronic copy of Appendix A can be obtained for completion if required by using the contact details above, or by visiting the following link: <http://www.dvtani.gov.uk/consultationdocuments/home.asp>

Comments are also welcome on the findings outlined in the RIA. If you disagree with any of the costing figures, please indicate how you consider their accuracy could be improved.

The closing date for all responses is 31st December 2007. Any responses which do not arrive on or before this date may not be included in the summary of responses, and thus may not be included when considering recommendations.

A copy of this consultation document has been issued to the organisations listed in **Appendix B**. This list is not exhaustive, but is representative of the types of organisations this document has been sent to. Please advise DVA using the details above if you think other organisations or individuals should be sent a copy.

The text of this paper is also available on DVA's website at <http://www.dvtani.gov.uk/consultationdocuments/home.asp> and the Government's online consultation website at www.consultni.gov.uk.

If you are replying on behalf of an organisation, it would be helpful if you indicated who you are representing, what the organisation does and what its aims are, how many individuals' views are included in the response, as well as what steps you have taken to gather those views.

This paper is produced in accordance with the principles of the Practical Guidance of Equality Impact¹. If you consider that it does not comply with the criteria, please write setting out the areas where you consider the

¹ <http://www.equalityni.org/uploads/pdf/PracticalGuidanceEQIA0205.pdf>

paper diverts from the criteria to:

Brian Morrison
Driver and Vehicle Testing Agency
Balmoral Road
BELFAST
BT12 6QL
Email: brian.Morrison@doeni.gov.uk

1.5 Freedom of Information Act 2000 – Confidentiality of Consultations

The Agency will compile a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Agency can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations. This will give you guidance on the legal position regarding any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely DVA in this case. This right of access to information includes information provided in response to a consultation. The Agency cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- a. The Agency should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Agency's functions and it would not otherwise be provided;

- b. The Agency should not agree to hold information received from third parties “in confidence” which is not confidential in nature; and
- c. Acceptance by the Agency of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner’s Office (or see the website at www.ico.gov.uk). For further information about this particular consultation please contact DVA.

1.6 Application within the United Kingdom

This consultation seeks views on introducing a scheme of Compulsory Basic Training (CBT) in Northern Ireland as well as Mandatory Motorcycle Instructor Registers. A CBT scheme already exists in Great Britain and is operated by the Driving Standards Agency (DSA). Any proposals to alter arrangements in Great Britain would be the subject of a separate consultation there.

2 Chapter 2 – Compulsory Basic Training Options

This chapter outlines the options for consideration relating to the introduction of a Compulsory Basic Training (CBT) scheme in Northern Ireland.

A CBT scheme has been in place in GB from 1990, and ensures that all learner motorcyclists have taken a basic level of training before being permitted to ride unaccompanied on public roads. This has improved road safety for both motorcyclists and other road users, as motorcyclists have received training in an off-road environment before having to address the challenges of driving in traffic.

Given the successful impact of CBT in GB, DVA wish to introduce a similar mandatory scheme in Northern Ireland aimed at improving the skills of new riders before allowing them to become exposed to the hazards of public roads.

Many motorcycle instructors in Northern Ireland already carry out off-road training, voluntarily, prior to allowing candidates onto the public road. The proposals included in consultation document will formalise this requirement and make it mandatory.

2.1 Who Will Be Affected?

Subsequent to implementation all new motorcycle riders would have to complete CBT before being permitted to ride unaccompanied on public roads.

DVA recommend all new motorcycle riders complete CBT.

Q1: Do you agree with the recommendation that all new learners should complete CBT?

For those learner motorcyclists currently riding on public roads unaccompanied, and full car licence holders with provisional motorcycle entitlement, a decision must be taken as to whether or not they should be required to take the CBT course. There are number of options relating to this issue.

Option One

It could be decided to allow all existing learner riders with provisional motorcycle entitlement to continue riding without undertaking the test,

and allow them to continue doing so indefinitely. This could cause problems for enforcement of the scheme as it may become difficult for an enforcement officer to establish if the learner had their provisional entitlement before the scheme was introduced, especially if their licence has been sent for renewal in the interim.

Option Two

A second option is to require all learner motorcyclists to take a CBT course before a fixed date in the future, allowing existing learner riders' time to take the course at their convenience before this time. Once the date had passed no learner rider could ride unaccompanied without the CBT course, regardless of when they first received their provisional entitlement. This may encourage those drivers who have held a provisional licence for some time to take their test and obtain a full driving licence, which in turn would improve road safety as their standard of riding should improve. However, this could be viewed by some riders as overly bureaucratic, requiring them to take a course in basic riding skills that some may have attained some time ago.

Option Three

Alternatively, those with existing motorcycle provisional licence entitlement could be required to complete a CBT course only on renewal of their provisional or full car licence. Currently provisional and full car licences are valid for 10 years from the date of issue, but this is renewable on request. Under this option existing learners would have to take a CBT course, once they were issued with a provisional licence, after the Northern Ireland scheme of CBT is fully in place. In the case of full car licence holders they would continue to get provisional motorcycle entitlement on their licence but on renewal they could not ride a motorcycle on the road until they had a valid CBT. This will encourage existing riders to take their driving tests to obtain a full motorcycle licence in order to avoid renewing this licence and having to take a CBT course. This option would therefore be less burdensome than setting a universal cut off date for all existing learners. This is likely to have a positive impact on road safety as the riders must train to the required standard in order to pass their test, something they may not have decided to do otherwise.

DVA recommend all existing learner motorcyclists take a CBT course on renewal of their provisional licence.

Q2: Do you agree with that all existing learners should take a CBT course before renewing their provisional licence?

2.2 Who Will Conduct the Course?

There are two alternatives concerning who would conduct CBT courses in Northern Ireland.

Option One

The first option is that only approved training centres which employ instructors approved to deliver CBT courses in Northern Ireland would be able to offer courses to members of the public. This would mirror the existing scheme in GB, and the approval of the training centre would be conducted by DVA. Instructors would be required to undergo further assessment by DVA to ensure they have acquired a satisfactory standard of course and instructional ability. This approval would be a separate approval process than that in GB, so trainers approved there would not be able to deliver courses in Northern Ireland, or vice versa, unless they make a separate application for approval. There could be quite a heavy administrative and financial burden on those wishing to delivery CBT in advance of them being able to recover costs from revenue, as they would have to ensure they had suitable arrangements in place to deliver courses safely to candidates. Fees would be charged for centre approval as well as individual instructor assessments on a cost recovery basis by DVA, as is currently the case with all other services provided by the Agency.

Given that a large proportion of the motorcycle training industry in Northern Ireland consists of small to medium sized business, DVA considers this option may be overly burdensome and problematic for the existing motorcycle instructor network. It has the potential to lead to an insufficient provision of CBT courses in localised regions where demand is too low to sustain a larger training establishment, leading to possible compliance problems for those motorcyclists who might have difficulty in having their motorcycle transported to a training area. Such problems might tempt some riders to ride unaccompanied.

Option Two

Chapter 3 of this document outlines proposals to introduce a mandatory Motorcycle Instructor Register (MIR). This presents the option to allow only instructors who are on this register to deliver training for motorcycle riding in Northern Ireland. This would include CBT courses, thus

removing the need for CBT instructors to undergo a separate assessment with DVA beyond that required for registration. This would mean there would be no additional burden on instructors wishing to deliver CBT, and their initial outlay prior to revenue earning activities would be reduced. Assessment for this register would involve ensuring the instructor was competent to deliver CBT courses safely and to a minimum standard, ensuring consistency for customers.

DVA propose that only an Approved Motorcycle Instructor would be able to deliver CBT courses anywhere in Northern Ireland.

Q3: Do you agree with DVA's recommendation to allow instructors more flexibility in their approach to training courses, with legislation specifying the general aims of the course?

2.3 Recording Course Completion

In GB, once a learner rider has taken a CBT course they are issued with a paper record which acts as a certificate allowing that rider to ride on the road unaccompanied. They must have this certificate with them at all times whilst on the road for production if requested by an enforcement officer.

DVA recommend that Northern Ireland issue all learners with a paper certificate

This would mirror the GB requirement, with the form and content of the certificate being specified in legislation. It would facilitate mutual recognition of CBT certificates across the UK.

Q4: Do you agree with a paper certificate as evidence of CBT completion?

In addition, an electronic record of course completion could be maintained by DVA which would allow learners to obtain duplicate certificates if the instructor was no longer trading. Instructors would inform DVA of the CBT certificates they had issued, along with certificate number, date issued, and candidate details. This information would be transferred to an electronic record by DVA and held for a period equating to the validity period of the certificate. Such a system would also reduce the potential for fraud as Instructors would have to account for all the certificates they had issued. Whilst this is desirable there

would be cost implications for the industry as DVA would have to recover the developmental expenditure.

DVA recommend a central electronic record of CBT be held

Q5: Do you agree DVA should maintain a central electronic record of training completed in Northern Ireland?

CBT certificates would be valid for a period of two years, as in GB, and if the learner had not taken the test within this period they would have to repeat the CBT course to get a further certificate. This will encourage learner riders to raise their driving ability to the level required to pass the driving test, and thus improve road safety in Northern Ireland. It mirrors the current validity of the theory test and practical test pass certificates for all licence categories, which is currently two years.

DVA recommend CBT certificates be valid for two years

Q6: Do you agree that a CBT certificate should be valid for two years?

2.4 Eligibility and Licence Duration

In order for a learner rider to be eligible to take a CBT course they would require a provisional Category A (motorcycle) licence. This will allow them to sign up for a course and to ride on the road under the supervision of the instructor. Without provisional entitlement learners would not be permitted on public roads so little instruction in riding technique would be possible, reducing the benefits of CBT.

DVA recommend motorcycle provisional entitlement become a requirement to take a CBT course

Q7: Do you agree that a provisional licence should be a requirement for those wishing to take a CBT course?

Currently a provisional licence for learner motorcyclists must be renewed every 10 years.

2.5 Compliance and Sanctions

There are a number of options relating to the sanctions for those riders found unaccompanied on the road without having taken a CBT course.

Such riders could be awarded a fixed penalty fine, the level of which is will be specified in the fixed penalty legislation. This could be a £30 fine or a £60 fine and 3 penalty points.

Given that new drivers who collect 6 penalty points within two years of passing their test revert to learner status, and must retake their tests again for a full licence, these changes will provide a greater incentive to new riders not to ride without first completing a CBT course.

In addition, the option of taking the case to court where a higher penalty could be imposed would also be in place. The court option would also provide an alternative where someone disputes the award of a fixed penalty ticket.

DVA recommend that an offence be created for riders on public roads who have no CBT certificate

Q8: Do you agree with the recommendation to create an offence for CBT evaders?

2.6 Approval of Sites

Training schools in GB, approved to deliver CBT courses, must submit details of the sites they will use for training as part of this approval. Given that DVA are proposing to allow all Motorcycle Instructors to deliver CBT from an appropriate site, consideration must be given as to whether individual sites would be inspected.

Requiring sites to be inspected would require Motorcycle Instructors to register the sites they wish to use for CBT in advance of delivering courses. Given that there could be relatively low numbers of courses delivered, this could be a burden for instructors, as they need to register and have the site inspected to deliver a small number of courses annually. This would involve an additional administrative and financial burden on instructors prior to them receiving any revenue from CBT.

As an alternative to inspecting each site, DVA could specify in legislation the requirements of such sites, and assess Motorcycle Instructors on their ability to select a suitable site against these criteria. This could involve theoretical and / or practical assessment, meaning that every instructor who is added to the DVA register proposed in **Chapter 3**

would be assessed in their ability to do this. The site requirements would cover such items as minimum space available for training per candidate, safety criteria for riders, ensuring permission from the landowner, and planning permission regulations which may apply. This assessment would take place during the theory test element and the test of instructional ability element of the examination of assessment proposed for Motorcycle Instructors in **Chapter 3** of this document. DVA would, on an ad hoc basis, visit sites to ensure compliance.

DVA recommend assessing CBT instructors on their ability to select suitable sites for CBT courses

Q9: Do you agree that DVA should inspect sites used for CBT courses, on and ad hoc basis, and issue a set of criteria which the sites must meet?

In order to ensure that riders taking CBT courses receive their training at an appropriate site, it is proposed that instructors who are found to be delivering courses in unsuitable areas could be suspended or removed from the instructors' register. The decision would be taken by DVA, and would be dependent on the nature and extent of the breach of the requirements.

Q10: Do you agree that DVA should have discretion to suspend / remove instructors from the register who are delivering CBT courses at unsuitable sites?

2.7 Recognition of GB CBT Courses

A decision is required as to whether learner riders who complete their CBT course in GB will be permitted to ride on Northern Ireland roads without completing a Northern Ireland based CBT course.

All learner riders in GB will be completing a CBT course, albeit one slightly different to that operating in Northern Ireland, subject to the proposals outlined above. For the most part the course in Northern Ireland and GB will cover the same basic riding elements. It therefore seems logical that riders would not be required to duplicate their effort and complete two CBT courses.

Recognition of Northern Ireland CBT courses for riders in GB would be a decision for the Driving Standards Agency (DSA), and DVA intend to liaise with DSA to investigate the feasibility of this.

DVA recommend GB CBT certificates are accepted in Northern Ireland.

Q11: Do you agree that GB riders with a GB CBT certificate should be allowed to ride in Northern Ireland without completing an additional CBT course here?

3 Chapter 3 – Motorcycle Register Options

DVA propose that in conjunction with the introduction of CBT in Northern Ireland, a mandatory register of Approved Motorcycle Instructors (AMIs) be established. This would mirror the register of Approved Driving Instructors (ADIs) which exists for those eligible to deliver training to car learner drivers. AMIs on this register would be permitted to conduct training for motorcycle riders for hire or reward in Northern Ireland, and permitted to conduct CBT courses for new motorcyclists.

DVA proposes to introduce a mandatory Motorcycle Instructors' Register in Northern Ireland

Q12: Do you agree with the suggestion to introduce a compulsory register of Motorcycle Instructors?

3.1 Eligibility of Instructors

In order to apply to be on the AMI register, DVA would assess eligibility by checking the applicant against the specified criteria. The criteria would reflect the current requirements for those wishing to be added to DVA's ADI register.

- a. They had not been disqualified from motorcycle riding in the previous four years
- b. In four of the previous six years they had held a full motorcycle driving licence
- c. They had passed an examination of assessment with DVA within the previous year
- d. They are a fit and proper person

A criminal history check would be conducted on new applicants to determine if they were a fit and proper person for the purposes of the final criterion.

DVA recommend these ADI eligibility criteria be adopted as the criteria for eligibility for an AMI licence.

Q13: Do you agree with the proposed eligibility criteria for Motorcycle Instructors?

If an applicant satisfies these criteria they could apply to be added to the Motorcycle Instructors Register (MIR) upon payment of the appropriate

fee. An outline of what these fees could be is included further in this document.

3.2 Examination of Assessment

DVA propose to introduce a three part assessment for those wishing to become Motorcycle Instructors in Northern Ireland in line with the current ADI process. These three parts would be:

- a. A Theory Test
- b. A Riding Ability and Fitness Test
- c. An Instructional Ability Test

All three parts must be passed in this order. A pass in any one part of the examination would be valid for two years, by which time the next part of the examination must be passed to enable the candidate to continue towards registration. If a potential instructor failed any part of the examination three times, they would have to wait two years before being able to begin the examination process again. All parts of the examinations must be passed within a two year period.

Whilst this may be a lengthy and difficult process, it ensures a satisfactory standard of instruction for all learners in Northern Ireland and will bring a level of professionalism to the motorcycle driving instruction industry.

DVA recommend a three stage examination for Motorcycle Instructors as outlined above.

Q14: Do you agree with a three stage examination for Motorcycle Instructors wishing to be added to the DVA register?

The first part of the exam would consist of a Theory Test of 100 Multiple Choice Questions (MCQs), followed by a Hazard Perception Test (HPT) with 14 clips containing 15 hazards. Both parts of the theory test would be taken together, and both must be passed individually in order to receive a pass for this part of the examination.

The MCQs would relate to general road safety issues as applicable to motorcycle riding. It would also include areas of assessment on things such as site selection for CBT courses, tuition techniques used with new riders including error correction, as well as issues relating to learning,

teaching and assessment. The HPT will be the same test as taken by learner motorcycle riders, testing the instructors' ability to anticipate moving hazards on the road and to react to these in a timely fashion.

The pass mark for the MCQ element would be 85/100, as is currently the pass mark for ADIs. The pass mark for the HPT section will be higher for a potential instructor than for a learner rider. Currently ADIs must score 57/75 in the HPT for Category B (car) to pass, whereas learner drivers can pass with 44/75. It is anticipated AMIs would have a similar pass mark to ADIs in the Category A HPT. This will ensure the instructor is able to anticipate hazards well in advance, allowing them time to instruct a candidate to take action to avoid danger.

A Theory Test of this type will ensure potential instructors have reached a high level of knowledge in the areas of motorcycle rider and teaching. The latter parts of the examination will then assess the application of this knowledge to practical riding and delivery of tuition.

DVA propose to introduce a 100 MCQ and 14 HPT clip Theory Test as part 1 of the examination of assessment

Q15: Do you agree with the content and duration proposed for the Theory Test part of assessment for AMIs?

The second part of the examination would consist of a Riding Ability and Fitness Test. This would examine the potential instructors' ability to apply their theoretical knowledge of road safety matters into practical riding on the road. It would involve an eyesight test and a riding technique test, both of which must be passed at the same time in order to obtain a pass for this part of the examination. Candidates would be expected to demonstrate a more advanced standard of riding than would be required from a learner rider coming to DVA for their licence acquisition test. This will ensure that all Motorcycle Instructors are highly competent in the application of their road safety knowledge, before they are assessed on their ability to convey this knowledge and application to others.

Currently ADIs must obtain no more than 6 driving faults in order to pass this part of the test, and it is anticipated this criterion would be mirrored for AMIs.

This part of the test would be conducted by DVA from those testing centres which currently offer part two ADI testing, Belfast and

Londonderry. This part of the test must be passed within two years of the person passing their AMI theory test, as outlined above and can only be taken a maximum of three times. If the Potential Driving Instructor fails a third time they must wait for two years before beginning the complete examination again.

The legislation dealing with the motorcycle register would specify the minimum test vehicle that could be used for this practical test, and this would ensure that all potential instructors had the ability to ride motorcycles beyond the power of those on which they are likely to be training novice riders.

DVA propose the test of Riding Ability and Fitness as outlined above.

Q16: Do you agree with the proposed format for the Riding Ability and Fitness Test for Motorcycle Instructors?

The final part of the examination of assessment for AMIs would involve an Instructional Ability Test. This would assess the ability of the Potential Motorcycle Instructor (PMI) to convey their knowledge which has been assessed and demonstrated to date in the examination. The DVA examiner would play the role of a pupil, and the PMI would have to instruct them on a number of topics which the examiner would indicate. This would include such things as CBT delivery, training in manoeuvres on the motorcycle, dealing with junctions and road hazards or driving styles of various road types. The topics that could be asked to the instructor would be specified in legislation and the examiner would have discretion to select freely from this list. Therefore PMIs would need to be prepared for all items on this list before applying for this test.

Tests would be conducted in Belfast and Londonderry test centres, as with the previous part of the examination. They must be taken within two years of the candidate having passed their theory test, and can only be taken a maximum of three times. If the PDI fails a third time they must wait for two years before beginning the complete examination again. Any test which is started, but for any reason is not completed, would be recorded as a failure for the purposes of this requirement.

DVA recommend the examination for Motorcycle Instructors conclude with the assessment of Instructional Ability as outlined.

Q17: Do you agree with the format suggested for the final part of the examination to be an AMI?

Once the examination of assessment is completed, the instructor can apply to have their name added to the AMI Register along with the payment of the required fee.

3.3 Period of Registration and Renewal

Once a PMI applied successfully to be added to the Register of Motorcycle Instructors in Northern Ireland, DVA propose they would remain on that register for a period of four years, as long as they continued to comply with the eligibility criteria for the register, as outlined at the beginning of this chapter.

Once the four year period had ended instructors could reapply to be added to the register. Upon payment of the specified fee, and assuming they remained eligible for the register, their name would remain for a further four years. This would be subject to them continuing to demonstrate that they have a satisfactory instructional ability, as required in the quality assurance proposals laid out in the next section. This period of registration is in line with the current ADI registration period.

DVA suggest that each period of Registration of AMIs last for four years.

Q18: Do you agree with the four year period of registration proposed for Motorcycle Instructors?

3.4 Quality Assurance

During the period of registration each instructor would be assessed by DVA to ensure their ability to instruct remains at a satisfactory standard. This would be a continued ability and fitness test.

The test would be conducted by a DVA examiner attending a lesson being delivered to a pupil of the instructor. They would observe the lesson and the instruction given, assessing this for appropriateness in terms of the ability and needs of the pupil. For the purpose of the quality check the pupil is not being assessed in any way. However, the instructor will be examined on their ability to deliver appropriate instruction based on the need of his pupil. This could involve a normal driving lesson with a learner rider or the delivery of a CBT course with a new provisional entitlement holder.

This test may be supplemented with a role play exercise with the examiner playing the part of the pupil. At this stage the instructor could be asked to demonstrate their instructional ability in any of the areas which feature as areas of possible assessment in the test of instructional ability for new instructors.

If the instructor fails this test they will be given a further date when they must take a further assessment. If they fail a second time they would be given a third assessment. If they fail for a third time a recommendation would be made to remove their name from the register. Again this keeps the motorcycle instruction register in line with the ADI register.

This will allow learner riders to have continued confidence in instructors who are on the motorcycle register, and assure them that the level of instruction is consistent across the industry.

DVA propose to assess all AMIs at least once within their registration period, and remove those who are not able to demonstrate a satisfactory instructional ability.

Q19: Do you agree with the quality assurance methods proposed for AMIs involving a continued ability test?

3.5 Trainee Instructors

It is proposed to allow Potential Motorcycle Instructors access to training to allow them to learn to instruct candidates, and to help them with their DVA assessment. A system of training will allow Potential Instructors to practice their instructional skills.

Currently Potential Driving Instructors (PDIs) can apply for a six month trainee licence after passing the second part of their DVA assessment. They can instruct on revenue earning duties provided they can demonstrate that during their working period with an Approved Driving Instructor that a minimum percentage of this time was spent being trained in instructional techniques. This prepares them for part three of their examination of assessment, increasing their chances of a successful result. A trainee licence is applied for within two years of the PMI passing part two, and they must not have failed their part three test more than twice. This licence is be valid for six months from the date of issue, but would expire within that time period if they fail part three for the third time. Upon expiry a further trainee licence can be applied for,

however ADI legislation states that only two trainee licenses may be issued.

DVA must consider whether this scheme should be replicated for Motorcycle Instructors, or if it should be adapted to better suit the needs of the candidate and industry. With motorcycle instruction it is more difficult for an approved instructor to accompany lessons delivered by others and give advice on their instructional techniques.

Given the additional requirement when delivering CBT courses to select suitable sites, it must be decided if permitted trainee instructors should deliver CBT unaccompanied by an AMI. This will ensure new riders are given training from fully qualified instructors only, and are therefore receiving this training in a conducive environment.

DVA propose to introduce a training scheme for Potential Motorcycle Instructors, with further consideration being given to its format.

Q20: Do you agree with the proposal for a training scheme for Potential Motorcycle Instructors in Northern Ireland?

3.6 Fees

DVA testing division operates on a cost recovery basis, and fees charged to customers reflect this. This ensures there is a direct link between the service received by the customer and the amount they have to pay.

Given the fact that the proposals outlined above are very similar to the current ADI registration process, it is anticipated the fees for Motorcycle Instructor Registration would be similar. The table below shows the current fees for ADI registration. These should only be taken as a guide to what the fee levels would be for Motorcycle Instructors, if the scheme is introduced as proposed in this paper.

<u>Process Stage</u>	<u>Fee</u>
Theory Test	£72
Driving Ability and Fitness Test	£130
Instructional Ability	£138
Entry onto Register	£240
Renewal of Entry on Register	£240

DVA propose to continue its current cost recovery method for setting the fees for the Motorcycle Instructor Register.

Q21: Do you agree with the method setting fees for the motorcycle register on a cost recovery basis?

3.7 Right of Appeal

It is proposed that anyone wishing to appeal any decision taken by the Registrar regarding the refusal to add a name to the register or the revoking of this licence, would be able to do so.

The appeal would begin with a notice in writing by the aggrieved party to DOE which must arrive within 28 days of the decision being appealed if it relates to the register. The appeal will then be investigated.

This appeals procedure mirrors that currently in legislation for the ADI register. Given the similarity proposed between the two registers, this approach is preferred to maintain consistency with both instruction industries in Northern Ireland.

DVA recommend duplicating the ADI appeals procedure for the motorcycle register.

Q22: Do you agree with the proposed appeals procedure?

3.8 Members of the Current DOE Voluntary Register

For over 20 years DOE has operated a Voluntary Register of Motorcycle Instructors in Northern Ireland. The register currently has 94 members which is believed to be a large proportion of the motorcycle training industry at present.

In order to be added to this register, candidates must submit for one and a half day's training followed by a half day assessment. The assessment consists of a Theory Test of 40 questions and an assessment of the candidates Riding and Instructional Ability. Successful candidates are added to the register for a period of 4 years, after which time they must submit for an interim reassessment to remain there. Instructors on this register can advertise their services as a DOE registered instructor.

A decision must be taken regarding those members of the DOE register who wish to transfer to the MIR to be held by DVA, and whether they

should be given any type of exception to all or part of the examination of assessment.

Whilst it is anticipated that the DVA assessment methods would have higher pass criteria than currently is the case, particularly in terms of the candidates instructional ability, the cumulative duration of the examination of assessment is expected to be in the region of 4 to 5 hours. There are therefore arguments for and against various levels of exemption for such instructors.

One option is to allow a grace period during which the voluntary instructors would be permitted to continue operating. By the end of this period they would have to have successfully completed the entire DVA examination of assessment. This would mitigate against some of the problems outlined above, however a certain level of a demand surge would be inevitable. It would also be seen as over burdensome as instructors would be repeating a lot of what was in their two day assessment.

A further option is to allow exemption to part two of the examination of assessment only. This would mean that candidates would still complete a longer Theory Test than that for the Voluntary Register, which would also incorporate HPT clips. In addition DVA would assess their instructional ability as with other applicants to the register. Those instructors who have registered voluntarily may find this onerous given that many have been instructing in Northern Ireland for some time. It will also lead to a demand surge for the third part of the examination of assessment just prior to implementation of the Register. If an instructor fails this test initially and has no opportunity to repeat it prior to implementation, there would be issues surrounding their continued ability to instruct for hire or reward.

Alternatively voluntary instructors may only be required to complete the HPT within a certain grace period, since this is the only part of the examination which they have not taken at least in some level. A demand surge for this test would not be a problem as it would be delivered through the existing theory test network.

The final option is to exempt all DOE registered instructors from the registration examination process. This would mean they would be able to continue instructing as they currently do now, and their names would be automatically transferred without any action on their part except payment of the required fee and meeting the criteria specified at 3.1.

This option would require DVA to quality assure the standard of such instructors within a relative short period of time. DVA could do this by the process of continued ability and fitness tests which is proposed as the quality assurance method above. This would take place for each instructor as soon as possible after they joined the register. If problems with their ability were highlighted further visits by DVA would be scheduled. Each visit would include at least one role play exercise with a DVA examiner playing the role of the pupil, to assess the instructor more fully. There would also be a need to ensure that all current DOE registered Motorcycle Instructors have a thorough understanding as to the requirement of CBT as such they would be required to attend a one day familiarisation courses to outline what will be expected.

DVA propose to grant complete exception to the DVA MIR for DOE registered Motorcycle Instructors, with a test of continued ability and fitness being conducted as soon as reasonably practical and attendance at a familiarisation course.

Q23: Do you agree that DOE registered instructors should be given exemption to the examination of assessment for the DVA instructor register?

Q24: Should this be total exemption, or until their current license expires?

4 Chapter 4 – Regulatory Impact Assessment

4.1 Title of Regulations

The introduction of a Compulsory Basic Training (CBT) scheme for Northern Ireland motorcyclists would require changes to be made to the Motor Vehicles (Driving Licence) Regulations (Northern Ireland) 1996.

As there is currently no legislation in place requiring Motorcycle Instructors to be on a register to enable them to instruct for hire or reward, a new piece of secondary legislation would be required. This would outline all of the areas where proposals have been made, including how to apply for registration and the process of appeal.

This RIA will be revised using information provided by the motorcycle industry and other interested parties following the public consultation exercise.

4.2 Purpose and Intended Effect

4.2.1 Objective

The objective of introducing a CBT scheme is to improve road safety and reduce the number of motorcycle casualties on Northern Ireland's roads.

The objective of introducing a mandatory Motorcycle Instructors' Register (MIR) is to ensure that all those providing instruction to motorcyclists demonstrate a minimum level of ability to do so. This will ensure a consistent standard is maintained and riders can be assured of the quality of the instruction they are receiving.

The Government welcomes measures to improve road safety in an effective and efficient manner. The Government announced, in its Road Safety Strategy 2002-2012, its intention to consider the merits of introducing CBT for all new riders, as a means of improving the safety of motorcyclists in Northern Ireland.

4.2.2 Background and Risk Assessment

All car licence holders automatically receive provisional motorcycle entitlement and as such it is difficult to estimate how many riders will be affected. However there is the potential for large numbers of learner

riders who have not taken a test and have been riding on the road for more than 10 years. The aim of introducing a CBT scheme with two year validity is to encourage riders to train to the standard of riding required to pass the driving test and obtain a full licence. This will improve their safety on the road, as well as making them less hazardous to other road users.

At present there is no compulsory system of regulation for Motorcycle Instructors and anyone wishing to give instruction in motorcycle riding may do so without meeting any criteria. A process of compulsory registration for Category B (car) instructors has been in place from the December 1968, and from this time all those giving instruction in car driving for hire or reward must have been on the ADI (Approved Driving Instructor) Register.

In order to ensure a minimum standard of instruction for all motorcycle riders, instructors need to be assessed and monitored as to their continued ability to provide quality instruction. For this reason DVA propose to introduce a Motorcycle Instructor Register (MIR) similar to the ADI register.

4.3 Choices, Benefits and Costs

4.3.1 Option A – Do Nothing

This option involves no change to the current situation for both learner motorcycle riders and their instructors. This would bring no road safety benefits to Northern Ireland.

For this reason option A has been rejected.

4.3.2 Option B – Introduce CBT and an Instructors Register (MIR)

This option involves introducing the proposals outlined in the consultation document for CBT and the MIR. These are outlined respectively below.

4.3.2.1 *Compulsory Basic Training*

The table below outlines the proposals for the introduction of a Compulsory Basic Training Scheme in Northern Ireland. These are the proposals contained in the public consultation exercise.

<u>Area of CBT Scheme</u>	<u>Proposal</u>
Those to be affected	New riders; and existing riders on renewal of their provisional entitlement
Format of the CBT course	Define aims of course in legislation
Recording course completion	New drivers would be issued with a paper certificate; an electronic record would be maintain by DVA as well; certificates have a two year validity
Eligibility and licence duration	Provisional entitlement is required to take a CBT course.
Compliance and Sanctions	Penalty points for unaccompanied riders without a CBT certificate
Approval of sites	Instructors are assessed on their ability to select suitable sites
Mutual recognition	Northern Ireland would accept GB CBT certificates; liaise with GB on acceptance of Northern Ireland CBT certificates there

These proposals would require approximately 2500 new motorcycle riders to take a CBT course annually. Currently the courses in GB cost around £100-£120 depending on the area and availability of training, and most are delivered in 1 day. Whilst the format of the Northern Ireland test may differ slightly, these costs provide the best available estimate as to the potential impact on learner riders.

4.3.2.2 *Motorcycle Instructors' Register (MIR)*

The table below outlines the proposals for the introduction of a mandatory MIR for all those giving motorcycle instruction for hire or reward in Northern Ireland.

<u>Area of MIR Scheme</u>	<u>Proposal</u>
Eligibility of instructors	Must not have been disqualified in the last four years; have four years motorcycle riding in the last six; passed examination of assessment with DVA; fit and proper person
Examination of Assessment	Three parts: Theory Test, Riding Ability and Fitness Test, Instructional Ability Test
Theory Test	100 multiple choice questions and 14 hazard perception clips; must wait two years after

	three failed attempts before reapplying
Riding Ability and Fitness Test	Exam riding ability, including eyesight test and driving technique assessment; more advanced standard required than for licence acquisition test
Instructional Ability Test	Role play situation with the examiner taking the part of a candidate; would include CBT training course delivery assessment; topics covered taken from a pre-set list
Period of Registration and Renewal	Each registration lasts four years
Quality Assurance	Each instructor assessed at least once in each period of registration whilst they are providing instruction; removal from register of below standard instructors
Training scheme	This will be investigated by DVA.
Fees	Cost recovery method used to set fees, as for all DVA tests
Right of Appeal	Appeals against a decision of the registrar made to DOE in writing
Grandfather rights	These are given to anyone on the existing DOE voluntary instructors register, and they will be assessed for quality assurance as soon as reasonably practicable.

This scheme would impose additional costs on anyone wishing to become a Motorcycle Instructor, as currently there is no specific requirement before working in this profession. The fees would be determined by cost recovery once the full format of the assessment was determined. As an estimate to the level of fees the table below shows the current fees for those wishing to be registered to provide car instruction.

<u>Process Stage</u>	<u>Fee</u>
Theory Test	£72
Driving Ability and Fitness Test	£130
Instructional Ability Test	£138
Entry onto Register	£240
Renewal of Entry on Register	£240

Existing Motorcycle Instructors on the DOE voluntary register would only be required to pay the registration fee and would not be required to take any of the tests, thus reducing their financial burden.

4.3.3 Environmental Benefits

The increased ability of motorcycle riders following training on the basic riding skills associated with their vehicle, from an instructor who has proven their ability to provide this instruction, should reduce road collisions involving motorcycle riders in Northern Ireland.

Introducing a scheme of registration for Motorcycle Instructors in Northern Ireland will introduce a level of professionalism associated with this industry. This will allow candidates to feel more confident in those they seek for instruction, and encourage them to take instruction beyond the minimum requirement of their CBT course. This will improve their riding ability and make them safer on our roads.

4.3.4 Economic Benefits

Reducing the number of collisions should impact positively on the insurance for motorcyclists in Northern Ireland.

4.3.5 Social Benefits

Less collisions results in less casualties and fatalities, which will reduce the distress for families of the victims and the community in which they live.

The Road Safety Strategy for Northern Ireland 2002-2012 supports education and training for riders, both pre and post licence acquisition. This introduction of CBT is a measure which sits well within this context.

4.4 Equity and Fairness

Since these proposals will apply uniformly to all motorcycle riders and instructors, DVA consider there is no one minority group that would be adversely affected by the proposals. No differences would be made in terms of geographical locations, as provision of training would be demand led throughout Northern Ireland. DVA would provide testing at both Londonderry and Belfast centres for instructors wishing to be registered, as is currently the situation for car instructors.

4.5 Consultation with Small Businesses

The majority of Motorcycle Instructors in Northern Ireland operate on their own or as a small business. DVA has given particular attention to the need to introduce these requirements in a way that does not discriminate against them, or cause them undue difficulties.

4.6 Competition Assessment

The only sector to be affected by these proposals is the motorcycle instructor industry, as well as any new provisional entitlement holders post implementation. These new drivers and instructors will incur additional costs to comply with their legal requirements, and will bear these costs themselves.

Existing instructors would incur costs to have their name added to the register, even though they will not have any testing obligations.

4.7 Compliance and Sanctions

The PSNI will largely be involved in enforcement of the CBT scheme and DVA will be involved in the enforcement of the motorcycle register.

It is envisaged unaccompanied riders would be subject to a fixed penalty notice if they had not complied with their requirements to hold a CBT certificate.

Those found giving instruction without being on the instructors' register would be guilty of an offence under the Road Traffic Order 1981.

4.8 Monitoring and Review

DVA will assess the effectiveness of the two new schemes against their planned objectives five years after they have been implemented in Northern Ireland.

4.9 Consultation

A list of the people to whom this consultation document has been sent is enclosed in **Appendix B** to this document. This list is not exhaustive, and includes representatives from the motorcycle industry.

4.10 Summary and Recommendation

DVA recommend the introduction of the CBT and MIR schemes as soon as practicably possible in Northern Ireland. All new riders would have to take a CBT course, and all instructors not on the DOE voluntary register would be required to undergo DVA assessment to instruct for hire and reward in Northern Ireland.

Appendix A – Reply Form

Please Note: DVA is unable to consider any views submitted anonymously. Please complete your name and address below.

Reply Form:

Name: Title: Mr /Mrs/Miss/Ms.

Organisation (if applicable).....

Address:.....

.....

.....

Postcode:

Telephone number:

Email address:

Please tick the appropriate box.

If you need to use a separate sheet to complete your answer to any of the proposals, please ensure the sheet is cross referenced with the proposal number.

Q1: Do you agree with the recommendation that all new learners should complete CBT?	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
Additional comments:		

Q2: Do you agree with that all existing learners should take a CBT course once they need renewed their provisional licence?	Yes	
	No	
Additional comments:		

Q3: Do you agree with DVA's recommendation to <i>allow instructors more flexibility in their approach to training courses, with legislation specifying the general aims of the course?</i>	Yes	
	No	
Additional comments:		

Q4: Do you agree with a paper certificate as evidence of CBT completion?	Yes	
	No	
Additional comments:		

Q5: Do you agree DVA should maintain a central electronic record of training completed in Northern Ireland?	Yes	
	No	
Additional comments:		

Q6: Do you agree that a CBT certificate should be valid for two years?	Yes	
	No	
Additional comments:		

Q7: Do you agree that a provisional licence should be a requirement for those wishing to take a CBT course?	Yes	
	No	
Additional comments:		

Q8: Do you agree with the recommendation to create an offence for CBT evaders?	Yes	
	No	
Additional comments:		

Q9: Do you agree that DVA should inspect sites used for CBT courses on an ad hoc basis and issue a set of criteria which the sites must meet?	Yes	
	No	
Additional comments:		

Q10: Do you agree that DVA should have discretion to suspend / remove instructors from the register who are delivering CBT courses at unsuitable sites?	Yes	
	No	
Additional comments:		

Q11: Do you agree that GB riders with a GB CBT certificate should be allowed to ride in Northern Ireland without completing an additional CBT course here?	Yes	
	No	
Additional comments:		

Q12: Do you agree with the suggestion to introduce a compulsory register of Motorcycle Instructors?	Yes	
	No	
Additional comments:		

Q13: Do you agree with the proposed eligibility criteria for Motorcycle Instructors?	Yes	
	No	
Additional comments:		

Q14: Do you agree with a three stage examination for Motorcycle Instructors wishing to be added to the DVA register?	Yes	
	No	
Additional comments:		

Q15: Do you agree with the content and duration proposed for the theory test part of the examination of assessment for AMIs?	Yes	
	No	
Additional comments:		

Q16: Do you agree with the proposed format for the Riding Ability and Fitness Test for Motorcycle Instructors?	Yes	
	No	
Additional comments:		

Q17: Do you agree with the format suggested for the final part of the examination to be an AMI?	Yes	
	No	
Additional comments:		

Q18: Do you agree with the four year period of registration proposed for Motorcycle Instructors?	Yes	
	No	
Additional comments:		

Q19: Do you agree with the quality assurance methods proposed for AMIs involving a continued ability and fitness test?	Yes	
	No	
Additional comments:		

Q20: Do you agree with the proposal for a training scheme for Potential Motorcycle Instructors in Northern Ireland?	Yes	
	No	
Additional comments:		

Q21: Do you agree with the method setting fees for the motorcycle register on a cost recovery basis?	Yes	
	No	
Additional comments:		

Q22: Do you agree with the proposed appeals procedure?	Yes	
	No	
Additional comments:		

Q23: Do you agree that DOE registered instructors should be given exemption to the examination of assessment for the DVA instructor register?	Yes	
	No	
Additional comments:		

Q24: <i>Should this be total exemption, or until their current license expires?</i>	Yes	
	No	
Additional comments:		

Appendix B – List of Consultees

We have written to the following organisations informing them of this consultation exercise

The following is not an exhaustive list, but is indicative of the types of organisations this document was sent to.

Motorcycle Trainers
Motorcycle Retailers
Advanced Driving Instructors
DOE
DVA
PSNI
Equality Consultees
NIPSA
House of Lords Library
House of Commons Library
Northern Ireland Assembly Library
MP's and MEP's
MLAs
Northern Ireland Party Leaders
Road Safety Organisations
Individuals/Organisations who requested further information.