

# **A CONSULTATION DOCUMENT ON THE FUTURE OF DRIVER LICENSING ARRANGEMENTS FOR DRIVERS OF INVALID CARRIAGES (NHS TRIKES)**

## **INTRODUCTION**

1. This consultation paper seeks your views on a proposed amendment to the Motor Vehicles (Driving Licences) Regulations 1999 (Statutory Instrument 1999 No. 2864). The change would amend the conditions attached to a provisional licence by lifting the requirement to be supervised, for certain drivers who currently drive NHS invalid carriages (those known as NHS trikes) and who transfer to alternative suitably adapted vehicles when invalid carriages are withdrawn from use early next year.
2. The changes apply to England, Wales and Scotland. Separate provision will be made by Northern Ireland.

## **NHS INVALID CARRIAGES (TRIKES)**

### **PRESENT POSITION**

3. The Invalid Vehicle Service (IVS) is a scheme that provides a range of invalid carriages (those known as “NHS trikes” or “blue trikes”) to a small group of disabled drivers. Following a review of the scheme in 1998, it was decided that it should close in March 2003, at which time these NHS vehicles would be withdrawn from use.

4. Many IVS customers would like to transfer to a type of quadricycle, suitably adapted for their use, when these vehicles are withdrawn. Motability, the organisation who leases vehicles to disabled drivers, has identified a suitable alternative B1 vehicle (quadricycle) and is understood to be intending to make this vehicle available to its customers. In order to drive a quadricycle, category B1 (3 or 4 wheeled light vehicles) or category B (ordinary cars) driving entitlement is needed. Those NHS Trike users who have either of these entitlements will be able to transfer to a suitably adapted quadricycle without the need for additional entitlement. A limited number, however, only hold provisional category B1 or B or hold full entitlement which is limited to driving invalid carriages, and these drivers would therefore have to take a driving test to gain full, unrestricted category B1 or B entitlement.

### **The Proposed Changes**

5. It is proposed to change the conditions attached to provisional licences as prescribed in the Motor Vehicles (Driving Licences) Regulations 1999 to allow current drivers of NHS trikes to retain their mobility when these vehicles are withdrawn in March 2003. The proposed amendment would allow these drivers to drive unaccompanied once they have learnt to drive the appropriately adapted category B1 vehicles to which they transferred, on a provisional licence, until such time as they feel able to take a test. At present, provisional licence holders are only able to drive unaccompanied under certain conditions.

6. When these drivers receive their first adapted vehicle, a course of driving tuition from a qualified driving instructor who has experience of teaching disabled drivers will be provided by IVS. The instructor’s support will continue until both parties are content that driving has reached test standard.

7. Drivers of the trikes have – because of the nature of those vehicles – always driven unaccompanied. The proposed change merely means that they would be allowed to drive much more modern vehicles under the same licence conditions.

# **Safeguards**

8. We are confident for a number of reasons that road safety will not be affected:
- they have all been driving unaccompanied for a significant length of time;
  - the specification of the alternative vehicle identified by Motability in terms of maximum speed and power is understood to be lower than that of the NHS trike;
  - the drivers will receive full training in the new vehicles;
  - any drivers about whom an instructor has serious concerns that unaccompanied driving will never be appropriate will be referred to DVLA for possible medical investigation, including a driving assessment at a mobility centre if appropriate;
  - in all other respects these drivers would be subject to the normal restrictions placed on holders of provisional licences, e.g. displaying an “L” plate and not driving on motorways.

## **Benefits of the proposed amendment**

9. The proposed amendment will allow the mobility, and in many cases thereby the independence, of those who currently drive NHS trikes to be maintained.

## **REGULATORY IMPACT ASSESSMENT**

10. None of the changes outlined will result in costs to businesses and therefore it has not been considered necessary to produce a regulatory impact assessment.

## **ENQUIRIES**

11. Enquiries about the proposal in this consultation document may be sent, faxed or e-mailed to Miss S Steadman at the address below.

## **DEADLINE FOR RESPONSE: DISCLOSURE OF COMMENTS**

12. A response form seeking your views is provided at Annex A. Please send this together with any comments you may have on the proposal in this consultation paper by 20 December 2002 at the latest, to:

**Miss S Steadman**  
**Drivers Policy Group**  
**DVLA**  
**3 Sandringham Park**  
**Swansea Vale**  
**Llansamlet**  
**Swansea**  
**SA7 0EP**  
**Fax: 01792 765242**

13. Alternatively, you can e-mail your response to [dpg.dvla@gtnet.gov.uk](mailto:dpg.dvla@gtnet.gov.uk)

14. Comments received after the date given above will only be taken into account in exceptional circumstances.

15. The standard minimum period for a consultation should be 12 weeks. The period for this consultation has been set at six weeks to ensure that the proposed changes, if implemented, are in place well before March 2003 when NHS trikes will be withdrawn.

16. A list of all being consulted is at Annex B.

17. Representative groups are asked to provide a summary of the people and organisations they represent.

## **DISCLOSURE OF INFORMATION**

19. DVLA may be asked to make public the content of replies it receives to this document. When submitting comments please state whether or not you would be content for your reply to be included in a summary of responses which the Agency may compile or divulge on request. No reference to this in your response will be taken as agreement to your reply being included.

20. DVLA may also be asked, under the Code of Practice on Access to Government Information, to provide copies of individual responses. Subject to the consent of the person submitting the comments, the Agency proposes to do so, making reasonable charge for processing and copying. Please make it clear if you do not wish this to happen with regard to your response. Again, no reference to this in your response will be taken as agreement to your reply being included.

## **CODE OF PRACTICE ON WRITTEN CONSULTATION**

21. This document seeks to comply with the “Code of Practice on Written Consultation” issued by the Cabinet Office. If you consider that this document does not, without reasonable explanation, comply with the consultation criteria reproduced at Annex C, please write, setting out the areas where you feel the document departs from the criteria, to:

**Mrs Anne McAleer**  
**Consultation Co-ordinator**  
**DVLA**  
**3 Sandringham Park**  
**Swansea Vale**  
**Llansamlet**  
**Swansea**  
**SA7 0EP**

***RESPONSE FORM***

***Your Details***

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Post town \_\_\_\_\_

Postcode \_\_\_\_\_

\_\_\_\_\_

Are you prepared to allow your responses or name to be quoted, or made available to the public? (If you do not answer this question, it will be assumed that you are prepared to allow your responses or name to be quoted or made available to the public.)

Yes  No

**NHS Invalid Carriages**

It is proposed to amend legislation to allow current drivers of NHS Trikes to drive a suitably adapted quadricycle unaccompanied, on provisional entitlement, until such time as they feel able to take a test.

Are you in favour of this change?

Yes  No

Please use the space below to record any comments you may have

## ANNEX B

### LIST OF CONSULTEES

AGE CONCERN (ENGLAND)  
AGE CONCERN (SCOTLAND)  
AGE CONCERN (WALES)  
ARTHRITIS CARE  
ASSOCIATION OF CHIEF POLICE OFFICERS  
ASSOCIATION OF CHIEF POLICE OFFICERS (SCOTLAND)  
ASSOCIATION OF RETIRED & PERSONS OVER 50  
AUTOMOBILE ASSOCIATION

BRITISH MEDICAL ASSOCIATION  
BVRLA

COMMUNITY TRANSPORT ASSOCIATION  
CONFEDERATION OF PASSENGER TRANSPORT UK  
COUNCIL OF CIVIL SERVICES UNION

DEPARTMENT OF HEALTH  
DISABLED DRIVERS ASSOCIATION  
DISABLED DRIVERS MOTOR CLUB  
DISABLED PERSONS TRANSPORT ADVISORY COMMITTEE  
DRIVING INSTRUCTORS ASSOCIATION  
DRIVING STANDARDS AGENCY  
DVLNI

FORUM OF MOBILITY CENTRES

HOUSE OF COMMONS LIBRARY  
HOUSE OF LORDS LIBRARY  
HELP THE AGED

INSTITUTE OF LOGISTICS AND TRANSPORT  
INSTITUTE OF ROAD SAFETY OFFICERS  
INVALID VEHICLE SERVICE

JOINT COMMISSION ON MOBILITY FOR THE DISABLED  
JUSTICE CLERKS SOCIETY

LOCAL GOVERNMENT ASSOCIATION

MOBILITY AND INCLUSION UNIT  
MOTABILITY

NATIONAL ASSEMBLY OF WALES (LIBRARY)  
NATIONAL ASSOCIATION OF CITIZENS ADVICE BUREAUX  
NATIONAL COUNCIL FOR CIVIL LIBERTIES

ROSPA  
ROYAL AUTOMOBILE CLUB

SCOTTISH MOTOR TRADE ASSOCIATION  
SCOTTISH PARLIAMENTARY LIBRARY  
SOCIETY OF MOTOR MANUFACTURERS AND TRADERS

THE JOINT MOBILITY UNIT

## ANNEX C

### CODE OF PRACTICE ON WRITTEN CONSULTATION

- ❖ Timing of consultation should be built into the planning process for a policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left at each stage.
- ❖ It should be clear who is being consulted, about what questions, in what time scale and for what purpose.
- ❖ A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain.
- ❖ Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals.
- ❖ Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for a consultation.
- ❖ Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decision finally taken.
- ❖ Departments should monitor and evaluate consultations, designating a consultation co-ordinator who will ensure the lessons are disseminated.