



Statutory Document No. 132/00

THE ROAD TRAFFIC ACT 1985

THE DRIVING LICENCES (THEORETICAL TESTS) REGULATIONS 2000

Approved by Tynwald
Coming into operation

11th. April 2000
1st July 2000

In exercise of the powers conferred on the Department of Transport by paragraph 6(2B) of Schedule 3 to the Road Traffic Act 1985¹, and of all other enabling powers, the following Regulations are hereby made:—

1. Citation, commencement and interpretation

(1) These Regulations may be cited as the Driving Licences (Theoretical Tests) Regulations 2000.

(2) Subject to section 74(3) of the Act, these Regulations shall come into operation on the 1st July 2000.

(3) In these Regulations —

"the Act" means the Road Traffic Act 1985;

"the Department" means the Department of Transport.

(4) References in these Regulations to a group (eg. "group K") are to a group of classes or descriptions of motor vehicles specified in column 2 of Schedule 1 to the Driving Tests Regulations 1992².

2. Theoretical test before grant of provisional licence

(1) Subject to paragraphs (2) and (3), the test described in Part 1 of the Schedule is prescribed for the purpose of paragraph 6(2A) and (2B) of Schedule 3 to the Act (provisional licence not to be granted unless applicant has passed theoretical test).

(2) Paragraph (1) does not apply to the grant of a provisional licence restricted so as to authorise the driving of vehicles of the following classes —

(a) group K (mowing machine or vehicle controlled by pedestrian);

¹ 1985 c.23

² GC 61/92

Price £1.20

(b) any group, where the applicant holds a full licence authorising the driving of a vehicle in group A, B or P.

(3) Paragraph (1) does not apply to the grant of a provisional licence on or before 31st December 2000 where the applicant has, within the 12 months ending on that date, held a licence authorising the driving of any motor vehicles other than vehicles in group K.

(4) Part 2 of the Schedule shall have effect with respect to the conduct of the theoretical test, and the forms in Part 3 of the Schedule are prescribed for use in notifying the result of the test.

SCHEDULE
THEORETICAL TESTS
PART 1
NATURE OF TEST

1. The theoretical test referred to in regulation 2 shall be a written examination conducted by the Department of Education, at such place and by such person as that Department may appoint.

2. The said test shall relate to the following matters —

A: Road traffic regulation

Road traffic regulations including road signs, road markings, signals, rights of way and speed limits.

B: The driver

1. The importance of alertness and attitudes to other road users.
2. Perception, judgement and decision-making, including especially reaction time and changes in driver behaviour due to the influence of alcohol, drugs and medicinal products, state of mind and fatigue.

C : The road

1. The most important principles concerning the observance of safe distance between vehicles, braking distances and roadholding under various weather and road conditions.
2. Driving risk factors related to various road conditions, in particular as they change with the weather and the time of day or night.
3. Characteristics of various types of road and the related statutory requirements.

D: Other road users

1. Specific risk factors related to the lack of experience of other road users and the most vulnerable categories of user such as children, pedestrians, cyclists and people whose mobility is reduced.
2. Risks involved in the movement and driving of various types of vehicle and the different fields of view of their drivers.

E: General rules and regulations and other matters

1. Rules concerning the administrative documents required for the use of vehicles.
2. General rules specifying how the driver must behave in the event of an accident (setting warning device and raising the alarm) and the measures which he can take to assist road accident victims where necessary.
3. Safety factors relating to persons carried —
 - (a) in relation to motor bicycles and mopeds, including balancing with a passenger;
 - (b) in relation to other vehicles.

F: Road and vehicle safety

1. Mechanical aspects of the vehicle with a bearing on safety, i.e. the detection of the most common faults, in particular in the steering, suspension and brake systems, tyres, lights and direction indicators, reflectors, rear-view mirrors, and the exhaust system —
 - (a) in relation to motor bicycles and mopeds;
 - (b) in relation to other vehicles, including windscreen and wipers, and seatbelts.
2. Vehicle safety equipment —
 - (a) in relation to motor bicycles and mopeds, including, in particular, the use of crash helmets and visors;

- (b) in relation to other vehicles, including, in particular, the use of seat-belts and child safety equipment.

G: Environmental matters

Rules regarding vehicle use in relation to the environment, including the appropriate use of audible warning devices, moderate fuel consumption, limitation of pollutant emissions and matters of a similar nature.

PART 2

CONDUCT OF TESTS ETC.

Form and duration of test

3. (1) The test shall be conducted as a written examination consisting of at least 35, and not more than 56, questions, drawn from a set of questions approved by the Department, in either a multiple choice or multiple response format.
- (2) The examination shall last —
- (a) 40 minutes, plus eight-sevenths of a minute for each question over 35; or
- (b) if the candidate requires the assistance of a suitably qualified person because he has reading difficulties, 80 minutes, plus sixteen-sevenths of a minute for each question over 35.

Publicity for questions

4. The Department shall —
- (a) make available at the Isle of Man College and at the Central Reference Library for reference by the public every set of questions approved by the Department for the purpose of theoretical tests, and
- (b) cause a notice of such availability to be published in a newspaper published and circulating in the Island,

not less than one month before any such set of questions is used for the purpose of a theoretical test.

Scope of questions

5. (1) Subject to paragraph (2), the test shall include questions on all the matters specified in paragraph 2.
- (2) The test need not include questions on all the matters in sections F and G of paragraph 2, provided that at least one question, chosen at random, is asked on each of those sections.
- (3) If the candidate has stated that he intends to apply for a provisional licence for the purpose of taking a test to drive a motor bicycle or a moped, the test shall include questions relating to the driving of a motor bicycle, but otherwise shall not include any such questions.

Persons by whom tests may be conducted

6. A test shall be conducted by a person designated by the Department of Education and approved by the Department for the purpose.

Application for test

7. (1) An application to take a test shall —
- (a) be made in writing to the Department of Education on a form supplied by that Department;
- (b) state the full name, address in the Island and date of birth of the candidate, and such other details as may reasonably be required;
- (c) state the preferred location for the test (if arrangements are made for tests to be held at more than one place);

- (d) certify that the candidate, at the date of the application, has attained the age of 16 and is not disqualified for driving by order of a court;
- (e) be signed and dated by the candidate;
- (f) be countersigned by a person resident in the Island who is of such a capacity as is acceptable to the Department for the purpose, and who shall certify that he is resident in the Island, verify the identity of the candidate and specify —
 - (i) his full name and address and a telephone number at which he may be contacted by the Department or the Department of Education, and
 - (ii) the capacity in which he countersigns the application;
- (g) be accompanied by —
 - (i) a fee of such amount as the Department of Education may reasonably prescribe; and
 - (ii) a photograph of the candidate, bearing on the reverse a certificate by the counter-signatory in the following terms —

"I [name] certify that this is a true likeness of [candidate's name] who has been known to me for . . . years"

followed by the signature of the counter-signatory and the date.

(2) Subject to sub-paragraph (3), the Department of Education shall, as soon as practicable after receiving an application complying with sub-paragraph (1), notify the candidate of the time and place where the test will take place, and the notice shall include a notification of the effect of paragraph 9.

(3) The Department of Education shall reject an application for a test if a statement has been issued to the candidate under paragraph 10(3) or (4) less than 21 days before the date of the application.

(4) Where the candidate cancels the appointment for a test more than 3 clear working days before the time appointed, the Department of Education shall refund the fee paid to him.

Identification and conduct of candidate

8. (1) When the candidate for a test presents himself for the test, he shall, before the test commences, produce to the person conducting the test one of the following documents —

- (a) a passport;
- (b) an identity card, licence or transport pass issued by a Department, Statutory Board, local authority, employer, trade union, students' union or professional body; or
- (c) such other document as appears to the person conducting the test sufficiently to identify the candidate;

together with such evidence of the candidate's date of birth as appears to that person to be sufficient, if that document does not include the date of birth.

(2) The candidate shall also, before the test commences, sign a record of his attendance.

(3) The candidate shall during the test comply with such reasonable instructions as the person conducting the test may give for the purpose of ensuring the proper and orderly conduct of the test.

Power to refuse to conduct test

9. (1) The person conducting a test shall refuse to allow the candidate to take the test if he has not complied with all the requirements of paragraph 8.

(2) The person conducting a test may refuse to allow the candidate to take the test if he has not, at least 14 days before the time appointed, notified the Department of Education of any special needs he has.

(3) For the purpose of sub-paragraph (2) "special needs" means a reasonable requirement for special treatment during the test because of —

- (a) reading difficulties;
- (b) the test not being available in a language the candidate understands;
- (c) physical disablement.
- (4) The person conducting a test shall refuse to allow the candidate to take the test if he requires the assistance of an interpreter and attends the test —
 - (a) without an interpreter approved by the Department of Education to act as such, or
 - (b) with an interpreter to whom the candidate is related or with whom he is closely associated.

Marking and notification of result of test

10. (1) As soon as practicable after completion of a test, the Department of Education shall cause the test paper returned by the candidate to be marked for the purpose of ascertaining whether the candidate has demonstrated knowledge and a sound understanding of the matter on which the questions were set in accordance with paragraph 5.

(2) If the candidate has passed the test, the Department of Education shall as soon as practicable —

- (a) furnish him with a certificate in form A in Part 3, and
- (b) send a copy of the certificate, with a copy of his application made under paragraph 7, to the Department.

(3) If the candidate has failed the test, the Department of Education shall as soon as practicable furnish him with a statement in form B in Part 3.

(4) If the Department of Education is satisfied that a certificate or statement issued under sub-paragraph (2) or (3) has been issued in error, it shall cancel the certificate or statement and furnish the candidate with a statement or certificate, as the case may be, in its place; and if it cancels a certificate under this sub-paragraph it shall notify the Department of the cancellation.

(5) For the purpose of the grant of a provisional licence, a certificate furnished under paragraph (2) shall, unless it is cancelled under sub-paragraph (4), be valid for a period of 2 years commencing with the date on which the test was taken.

Appeal

11. (1) A candidate may, within 14 days after a statement is issued to him under paragraph 10(3) or (4), request the Department of Education to cause his test paper to be marked afresh.

(2) A request under sub-paragraph (1) shall be made in writing and be accompanied by the statement and a fee of the amount prescribed under paragraph 7(1)(g)(i).

(3) On receipt of a request under sub-paragraph (1) the Department of Education shall cause the candidate's test paper to be marked afresh, and paragraph 10 (but not this paragraph) shall apply with any necessary modifications in relation thereto.

(4) If on a marking under this paragraph it is determined that the candidate has passed the test, the fee paid under sub-paragraph (2) shall be refunded.

Communications with Department of Education

12. The Department of Education may direct that any communication with it for the purpose of this Schedule shall be made with such person, at such address, as may be specified in the direction.

PART 3
FORMS
FORM A
PASS CERTIFICATE

Road Traffic Act 1985
Driving Licences (Theoretical Tests) Regulations 2000
CERTIFICATE OF PASSING THEORETICAL TEST

Certificate serial no.
Candidate identification no.

Date of test:

Location of test:

I certify that *[name of candidate]* has been examined and has PASSED the theoretical test prescribed under paragraph 6(2B) of the Road Traffic Act 1985 in respect of:

*motor bicycles in group A (including group A1) and mopeds in group P

*motor vehicles other than those in groups A and P

Signed

On behalf of the Department of Education

*Delete whichever does not apply

FORM B
STATEMENT OF FAILURE

Road Traffic Act 1985
Driving Licences (Theoretical Tests) Regulations 2000
STATEMENT OF FAILURE TO PASS THEORETICAL TEST

Certificate serial no.
Candidate identification no.

Date of test:

Location of test:

I certify that *[name of candidate]* has been examined and has FAILED the theoretical test prescribed under paragraph 6(2B) of the Road Traffic Act 1985 in respect of:

*motor bicycles in group A (including group A1) and mopeds in group P

*motor vehicles other than those in groups A and P

Signed

On behalf of the Department of Education

*Delete whichever does not apply

MADE 15th March

2000



A handwritten signature, appearing to be "J. Brown", is enclosed within a hand-drawn oval. The signature is written in dark ink on a white background.

Minister for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe the theoretical test to be taken before a person may be granted a provisional driving licence, and also the cases where a theoretical test is not required to be taken.



**DEPARTMENT OF EDUCATION
DEPARTMENT OF TRANSPORT**

Road Traffic Act 1985
The Driving Licences (Theoretical Tests) Regulations 2000
(Statutory Document No. 132/00)

**THEORETICAL DRIVING TESTS
for persons aged 16 or over, wishing to take out
a Provisional Driving Licence
on or after 1st. July 2000**

A person who applies to Treasury Licensing Office for a Provisional Driving Licence on or after 1st. July 2000 will be required to provide a certificate, issued by the Department of Education at the Isle of Man College, to show that he or she has passed the THEORETICAL DRIVING TEST.

There are exceptions. The following persons do NOT need to produce a THEORETICAL DRIVING TEST PASS CERTIFICATE in order to obtain a Provisional Driving Licence-

- * If the Provisional Licence is granted in respect of a licence to drive only vehicles in group/category K (mowing machines and pedestrian-controlled vehicles); or
- * If the Provisional Licence is granted to a person who, at that time, already holds a FULL licence to drive -
 - any class of motor bicycles in **group/category A (including A1)**, or
 - any class of cars or other vehicles in **group/category B (including B1)**, or
 - mopeds in **group/category P**; or
- * If the provisional licence is granted on or before 31st. December 2000 to a person who has held a full or provisional licence at any time during that year.

Application Forms to take a Theoretical Test on or after 1st. July will be available, before and after that date, from -

- * The Isle of Man College, Homefield Road, Douglas;
- * Sea Terminal reception counter (Department of Transport);
- * The Vehicle and Driver Test Centre, Tromode;
- * Licensing Office, Treasury, Government Offices, Buck's Road, Douglas.

They will also become available from other places throughout the Island.

Application Forms, when completed, should be returned to the Isle of Man College using the address given on the Application Form. Applicants, who MUST be aged 16 or over, will be required to send with their Application Form a countersigned "passport size" photograph and the Fee of £15 to take the Test (for which a cheque should be made payable to *Isle of Man Government*). Full details of these requirements and of other requirements are given on the Application Form. Completed Application Forms may be sent by post or be delivered by hand to the College. *The College are unable to accept applications by telephone, fax or e-mail.*

On the Application Form the applicant must specify in one of the boxes printed on it whether the test is to be taken for obtaining a provisional licence to drive-

EITHER -

a motor bicycle or moped,

for driving, on a provisional licence, motor bicycles in group/category A1 (and A with sidecar), and mopeds in group/category P;

OR

a motor car or other vehicle (but NOT a motor bicycle or moped),

for driving, on a provisional licence, cars and other vehicles EXCEPT motor bicycles and mopeds.

This choice must be made by the Applicant because a prospective driver who wishes to learn to drive motor bicycles or mopeds, before he or she is granted a FULL licence to drive a car etc., is required to take a Theoretical Test which contains specific questions on the driving of bikes.

NOTE: If a person wishes to learn to drive BOTH a motor bicycle or moped AND a car or other vehicle before a FULL licence is held for any of those vehicles, BOTH forms of Theoretical Test must be taken and passed in order to obtain a Provisional Licence which will authorise the person to drive BOTH motor bicycles/mopeds AND other vehicles as a "learner driver". In that case, two separate Application Forms must be completed and submitted to the College. The two tests would be taken on different days.

ESSENTIAL BOOKS TO READ -

In addition to the *Manx Highway Code* Applicants for a Theoretical Test should read:

- * **The "Theory Test Manual"** entitled, ***Official Theory Test for car drivers and motorcyclists*** published by the Driving Standards Agency in Great Britain through the Stationery Office, containing questions and answers which have been applicable for Tests in Great Britain since **2nd. August 1999**. The manual will be available from book retailers in the Island.

The current editions which are suitable for tests taken in the Isle of Man from 1st. July 2000 are -

ISBN 0-11-552196-8, or
ISBN 0-11-552202-6 ("*touch-screen edition*")

which contain the set of questions and answers to them which are approved by the Department of Transport to be used for Isle of Man Theoretical Driving Tests until further notice is given. For the time being, Theoretical Tests in the Isle of Man will be of the written type, using test papers, not the "*touch screen*" type using PCs; the questions and answers in the "*touch screen*" edition of the manual are the same as in the other edition mentioned, and the "*touch screen*" edition is therefore just as suitable for preparing to take the Isle of Man Theoretical Driving Test.

NOTE : The introductory and supplementary "information" sections of the Manual, and Parts 1, 2 and 4 of it, are not necessarily appropriate to the application for, taking of, and passing or failing of a THEORETICAL DRIVING TEST IN THE ISLE OF MAN. For information relevant to the Isle of Man, the information printed on the Application Form should be consulted;

Copies of at least one of the current editions of the "Theory Test Manual", listed above, are available for reference by the public, free of charge, at-

The Isle of Man College Library, Homefield Road, Douglas; and

The Central Reference Library in Government Offices, Buck's Road, Douglas.

For further information-

About obtaining an Application Form to take the Theoretical Driving Test in the Isle of Man, contact the Isle of Man College (Government Theoretical Test Department), Homefield Road, Douglas (telephone 648348).

An applicant may request, on the Application Form, for the Test to be taken at the Isle of Man College, Douglas, OR at Castle Rushen High School, Castletown, OR at Ramsey Grammar School, Ramsey.

Issued by the Department of Transport. May 2000.



Cyngor y Llybrary

DEPARTMENT OF TRANSPORT

Rheynn Arraghey

**Sea Terminal Building,
Douglas,
Isle of Man
IM1 2RF.**

Telephone: Douglas (01624) 686600

Fax: (01624) 686915

Mr G Haywood,
Central Reference Library,
Clerk of Tynwald's Office,
Government Offices,
DOUGLAS.

22nd May 2000

Dear Mr Haywood

THE DRIVING LICENCES (THEORETICAL TESTS) REGULATIONS 2000

For the purposes of the Regulations, and the validation of Theoretical Tests from 1st. July 2000, I should be grateful if you could confirm, please (by signing and dating this letter in the space provided below), that the enclosed copy of the "Theory Test Manual" (mentioned below) is received by the Library and is available for reference by the public.

*Official Theory Test for car drivers and motorcyclists published by the Driving Standards Agency in Great Britain through the Stationery Office,
ISBN 0-11-552202-6 ("touch screen" edition).*

I enclose also a copy of the Public Notice which will be published in the Isle of Man Courier and the Isle of Man Examiner.

Yours Sincerely

D K Kyme

From the Central Reference Library, to Department of Transport:

I confirm that a copy of the "Theory Test Manual", referred to in the letter above, is lodged at the Library and is available for reference by the public.

M Bannery

Signed (for Central Reference Library, Clerk of Tynwald's Office)

23/5/00

Date