

 <b>Regulatory Policy Committee</b>	<b>Opinion</b>	
<b>Impact Assessment (IA)</b>	Amendments to the Driving Licence Regulations to introduce changes required by EU legislation for vehicles used for taking driving tests.	
<b>Lead Department/Agency</b>	Department for Transport	
<b>Stage</b>	Consultation	
<b>IA Number</b>	DFT00221	
<b>Origin</b>	European	
<b>Expected date of implementation (and SNR number)</b>	31 December 2013 (SNR6)	
<b>Date submitted to RPC</b>	09/05/2013	
<b>RPC Opinion date and reference</b>	05/06/2013	RPC13-DFT-1788
<b>Overall Assessment</b>	<b>GREEN</b>	
<p><b>RPC comments</b></p> <p>The IA is fit for purpose. The IA provides a clear and detailed consideration of the individual measures that comprise the overall proposal, which should make for an effective consultation. The consultation should be used, in particular, to strengthen further the assessment in relation to the two measures that could, in principle, result in some additional costs (or lost savings) to business.</p>		
<p><b>Background (extracts from IA)</b></p> <p><b>What is the problem under consideration? Why is government intervention necessary?</b></p> <p>This IA assesses EU Directive 2012/36/EU which introduces changes to the statutory requirements for vehicles that can be used for taking driving tests. Manufacturers are phasing out production of older vehicles which are currently required to be used for taking the driving test, making it difficult for trainers to find suitable test vehicles. The power rating between medium and large motorcycles currently used for the test is not distinct enough and is not considered representative of the types of motorcycles a rider will have access to once they have passed their test. Government intervention is necessary as legislative change is required to introduce the EU changes, the majority of which were sought by the UK.</p> <p><b>What are the policy objectives and the intended effects?</b></p> <p>The objectives of the EU legislation are:</p> <ul style="list-style-type: none"> <li>• to simplify the minimum standards applied to vehicles used for taking driving tests (lorries, buses and motorcycles) and thereby provide a wider choice of vehicles for use by persons taking such tests; and</li> <li>• that the large motorcycle test is taken on a vehicle that is more representative of the type of vehicle a person can ride once they have passed their test.</li> </ul>		
<p><b>Identification of costs and benefits, and the impacts on business, civil society organisations, the public sector and individuals, and reflection of these in the choice of options</b></p>		

*Costs and Benefits.* Most of the proposed measures involve relaxation of the current rules and reflect UK negotiation in amending the EU Directive. They are therefore likely to be (mildly) beneficial to business. However, there are two measures that could, in principle, involve additional costs or lost savings to business/civil society organisations.

The first is the increased requirements for large motorcycles. The implementation date of this is being delayed by the maximum permitted five years, which will minimise any additional costs to business. The cost of this measure is not monetised, but the IA provides detailed discussion and figures to assist the consultation.

The second is the decision not to take up the option of introducing a new type of test for non-professional medium-sized lorry drivers. The IA explains that, based upon the current number of tests in this vehicle category, the expected take-up of the new test is so low that to recover the costs of setting it up would involve having to increase fees to those taking the existing tests. The proposal therefore is not to take up this option on the basis that this "*is the least burdensome approach - adopting the option would not offer any benefit and would introduce costs*" (page 16).

The assessment in relation to these two areas appears reasonable at this stage. However, the consultation should be used to provide any additional information, with a view to monetisation where this is proportionate.

#### **Comments on the robustness of the Small & Micro Business Assessment (SMBA)**

As these proposals are not of domestic origin, the SMBA is not applicable.

#### **Comments on the robustness of the OITO assessment.**

The IA says "*copy out is being used to implement all, but one of the requirements of the Directive which is optional*" (Paragraph 7). This is the option of introducing a new type of test referred to above. As this proposal is of European origin and there is no evidence that the increase in regulation would go beyond minimum requirements, or of a failure to take available derogations which would reduce the costs to business [and civil society organisations], it is out of scope of One-in, Two-out (Better Regulation Framework Manual - paragraph 2.9.8. ii). This is subject to the consultation confirming that there would be no net benefit to business of taking up the option of introducing the new type of test.,

However, to support balanced reporting of overall EU burdens in the Statement of New Regulation, an estimated EANCB figure, with supporting evidence, needs to be submitted for RPC validation as part of the final stage Impact Assessment.

**Signed**



**Michael Gibbons, Chairman**