
**TRAFFIC (DRIVERS' QUALIFICATION AND TRAINING)
REGULATIONS 2008**

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**Subsidiary
2008/076**

Subsidiary Legislation made under s. 57 and 101.

**TRAFFIC (DRIVERS' QUALIFICATION AND
TRAINING) REGULATIONS 2008**

(LN. 2008/076)

Commencement **25.9.2008***

Amending enactments	Relevant current provisions	Commencement date
LN. 2013/194	Sch. 2	1.7.2013
2020/190	rr. 2(3), 3(2)(b), (d)-(h), (2A), 8(1)-(3), 10(1)(a), 11(4)-(6), Sch. 1-3	23.5.2020
2020/540	rr. 11(4), Sch.1	24.12.2020

Transposing:

Directive 2003/59/EC
Directive 2013/22/EU
Directive (EU) 2018/645

* See regulation 1(2)(b) for commencement application regards the initial qualification required to drive vehicles in licence categories C1, C1+E, C and C+E.

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In exercise of the powers conferred on the Government by sections 57 and 101 of the Traffic Act 2005, and in order to transpose into the law of Gibraltar Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC, as amended by Council Directive 2004/66/EC of 26 April 2004, and Council Directive 2006/103/EC of 20 November 2006, the Government has made the following Regulations—

Title and commencement.

1.(1) These Regulations may be cited as the Traffic (Drivers' Qualification and Training) Regulations 2008.

(2) The provisions of these Regulations come into operation as follows—

- (a) on publication, as regards the initial qualification required to drive vehicles in licence categories D1, D1+E, D and D+E; and
- (b) from 10 September 2009, as regards the initial qualification required to drive vehicles in licence categories C1, C1+E, C and C+E.

Interpretation.

2.(1) In these Regulations, and unless the context otherwise requires—

“approved training centre” means a training centre approved by the competent authority in accordance with regulations 7 and 8;

“Community code” shall be construed in accordance with regulation 80 of the Traffic (Licensing and Registration) Regulations;

“competent authority” means the Minister responsible for transport or such person as he may appoint for the purposes of these Regulations;

“CPC” means a certificate of professional competence issued to a driver and certifying the driver's initial qualifications or periodic training;

“driver qualification card” shall be construed in accordance with regulation 11;

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“drivers” shall be construed in accordance with regulation 3.

(2) References in these Regulations to categories of licence, are to categories of licence as set out in section 31 of the Act.

(3) References in these Regulations to categories of driving licences containing a plus sign (“+”) shall be read in accordance with the correspondence table set out in Schedule 3.

Scope.

3.(1) These Regulations apply to drivers being—

- (i) nationals of a Member State; or
- (ii) nationals of third countries who are employed or used by an undertaking established in Gibraltar or in a Member State,

engaged in road transport within the Community, on roads open to the public, using—

- (a) vehicles for which a driving licence of category C1, C1+E, C or C+E, or a driving licence recognised as equivalent, is required;
- (b) vehicles for which a driving licence of category D1, D1+E, D or D+E, or a driving licence recognised as equivalent, is required.

(2) These Regulations shall not apply to the drivers of—

- (a) vehicles with a maximum authorised speed not exceeding 45 km/h;
- (b) vehicles used by, or under the control of, the armed forces, civil defence, the fire service, forces responsible for maintaining public order and emergency ambulance services, when the carriage is undertaken as a consequence of the tasks assigned to those services;
- (c) vehicles undergoing road tests for technical development, repair or maintenance purposes, or of new or rebuilt vehicles which have not yet been put into service;

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- (d) vehicles used in states of emergency or assigned to rescue missions including vehicles used in the non-commercial transport of humanitarian aid;
- (e) vehicles used in the course of driving instruction for, and examination of, any person wishing to obtain a driving licence or a CPC, as provided for in regulation 7 and regulation 9(1), provided that they are not being used for the commercial carriage of goods and passengers;
- (f) vehicles used for non-commercial carriage of passengers or goods;
- (g) vehicles carrying material, equipment or machinery to be used by the driver in the course of his work, provided that driving the vehicle is not the driver's principal activity;
- (h) vehicles for which a driving licence of category D or D1 is required and which are driven without passengers by maintenance personnel to or from a maintenance centre situated in the vicinity of the nearest maintenance base which is used by the transport operator, provided that driving the vehicle is not the driver's principal activity;

(2A) with regard to sub regulation (2)(e), these Regulations shall not apply to any person wishing to obtain a driving licence or CPC, as provided for in regulation 7 and regulation 9(1), when that person is undergoing additional driving training during work-based learning, where that person is accompanied by another person certified by a CPC, or a driving instructor, for the category of vehicle used for the purpose set out in that sub regulation.

(3) For the avoidance of doubt, nothing in these Regulations shall affect the provisions of the Act relating to driving licences.

Acquired rights.

4. The following categories of drivers are exempt from the requirement to obtain an initial qualification as provided in regulation 5–

- (a) drivers who hold a category D1, D1+E, D or D+E licence, or a licence recognised as equivalent, issued no later than 9 September 2008;

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- (b) drivers who hold a category C1, C1+E, C or C+E licence, or a licence recognised by the competent authority as equivalent, issued no later than 9 September 2009.

Qualification and training.

5.(1) The competent authority shall ensure that drivers are subject to the following requirements—

- (a) a system of initial qualification, consisting of one of the following two options—
 - (i) a combination of both course attendance and a test in accordance with section 2(2.1) of Schedule 1, involving compulsory course attendance for a specific period and concluding with a test. Upon successful completion of the test, the qualification shall be certified by a CPC as provided for in regulation 7(2); or
 - (ii) tests only in accordance with section 2(2.2) of Schedule 1 without any compulsory course attendance but only theoretical and practical tests. Upon successful completion of the tests, the qualification shall be certified by a CPC as provided for in regulation 7(3);and
- (b) a system of periodic training in accordance with section 4 of Schedule 1, involving compulsory course attendance certified by a CPC as provided for in regulation 9(1).

(2) Notwithstanding sub-regulation (1), the competent authority may authorise a driver to drive in Gibraltar for a maximum period of three years before obtaining a CPC, when he is undergoing a national vocational training course of at least six months. In the context of this vocational training course, the tests referred to in sub-regulation (1)(a)(i) and (ii) may be completed in stages.

(3) A driver may, in accordance with section 3 of Schedule 1, in cases referred to in regulation 6(2)(a)(ii) and (b), (3)(a)(i) and (b) as read with (4)(a) and (b), accelerate his initial qualification in a course involving compulsory course attendance and concluding with a test. Upon successful

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completion of the test, the qualification shall be certified by a CPC as provided for in regulation 7(4).

(4) The competent authority may exempt drivers who have obtained the certificate of professional competence provided for in paragraph 11 of Schedule 1 to the Transport Act 1998 from the tests referred to in sub-regulations (1) and (3) in the subjects covered by the test provided for in that Schedule.

Initial qualification.

6.(1) Access to an initial qualification shall not require the corresponding driving licence to be obtained beforehand.

(2) Drivers of a vehicle intended for the carriage of goods may drive—

- (a) from the age of 18—
 - (i) a vehicle in licence categories C and C+E, provided they hold a CPC as referred to in regulation 7(2) or (3);
 - (ii) a vehicle in licence categories C1 and C1+E, provided they hold a CPC as referred to in regulation 7(4);
- (b) from the age of 21, a vehicle in licence categories C and C+E, provided they hold a CPC as referred to in regulation 7(4).

(3) Subject to sub-regulation (4), drivers of a vehicle intended for the carriage of passengers may drive—

- (a) from the age of 21—
 - (i) a vehicle in licence categories D and D+E intended to carry passengers on regular services where the route does not exceed 50 kilometres and a vehicle in licence categories D1 and D1+E, provided they hold a CPC as referred to in regulation 7(4);
 - (ii) a vehicle in licence categories D and D+E, provided they hold a CPC as referred to in regulation 7(2) or (3);
- (b) from the age of 23, a vehicle in licence categories D and D+E, provided they hold a CPC as referred to in
- (c) regulation 7(4).

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(4) The competent authority may authorise drivers of a vehicle in one of the categories set out in—

- (a) sub-regulation (3)(a)(i) to drive such a vehicle within Gibraltar from the age of 18, provided they hold a CPC as referred to in regulation 7(2) or (3);
- (b) sub-regulation (3)(a)(ii) to drive such a vehicle within Gibraltar from the age of 20, provided they hold a CPC as referred to in regulation 7(2) or (3). The competent authority may reduce this age to 18 where the driver drives such a vehicle without passengers.

(5) Without prejudice to the age limits set out in sub-regulations (2) to (4), drivers undertaking carriage of goods who hold a CPC as provided for in regulation 7 for one of the categories provided for in sub-regulation (2) to (4) shall be exempted from obtaining such a CPC for any other of the categories of vehicles referred to in those sub-regulations.

(6) Drivers undertaking carriage of goods who broaden or modify their activities in order to carry passengers, or vice versa, and who hold a CPC as provided for in regulation 7, shall not be required by the competent authority to repeat the common parts of the initial qualification, but only the parts specific to the new qualification.

CPC certifying the initial qualification.

7.(1) Sub-regulations (2) and (3) apply in the case of a CPC certifying an initial qualification, and sub-regulation (4) applies in the case of a CPC certifying an accelerated qualification.

(2) Where this sub-regulation applies and a CPC is awarded on the basis of course attendance and a test in accordance with regulation 5(1)(a)(i) the competent authority shall—

- (a) require trainee drivers to attend courses in a training centre approved by the competent authority in accordance with section 5 of Schedule 1;
- (b) ensure that the courses referred to in paragraph (a) cover all subjects referred to in section 1 of Schedule 1 and that the training concludes with the successful completion of the test provided for in section 2(2.1) of Schedule 1;

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- (c) itself or an entity designated by it, organise and supervise the test referred to in paragraph (b), in order to check whether, for the aforementioned subjects, the trainee driver has the level of knowledge required in section 1 of Schedule 1,

and upon successful completion of the test, the competent authority or entity, as the case may be, shall issue the driver with a CPC certifying an initial qualification.

(3) Where this sub-regulation applies and a CPC is awarded on the basis of tests only in accordance with regulation 5(1)(a)(ii), the competent authority shall—

- (a) require trainee drivers to pass the theoretical and practical tests referred to in section 2(2.2) of Schedule 1;
- (b) itself, or an entity designated by it, organise and supervise the tests referred to in paragraph (a), in order to check whether, for all the subjects referred to in section 1 of Schedule 1, the trainee driver has the level of knowledge required in section 1 of Schedule 1,

and upon successful completion of the tests, the competent authority or entity, as the case may be, shall issue the driver with a CPC certifying an initial qualification.

(4) Where this sub-regulation applies, and a CPC is awarded on the basis of an accelerated initial qualification in accordance with regulation 5(3), the competent authority shall—

- (a) require trainee drivers to attend courses in an approved training centre, covering all the subjects referred to in section 1 of Schedule 1;
- (b) ensure that the courses referred to in paragraph (a) conclude with the test provided for in section 3 of Schedule 1 organised and supervised by the competent authority or an entity designated by it;
- (c) ensure that the test referred to in paragraph (b) serves to check whether, for the aforementioned subjects, the trainee driver has the level of knowledge required in section 1 of Schedule 1,

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and upon successful completion of the test, the competent authority or entity, as the case may be, shall issue the driver with a CPC certifying an accelerated initial qualification.

Periodic training.

8.(1) The requirements in these Regulations relating to periodic training shall consist of training to enable holders of a CPC to update the knowledge which is essential for their work, with specific emphasis on road safety, health and safety at work, and the reduction of the environmental impact of driving.

(2) The training referred to in sub-regulation (1) shall be organised by an approved training centre, in keeping with section 5 of Schedule 1 and shall consist of classroom teaching, practical training and training by means of information and communication technology tools, if available or, in part, on top of the range simulators, and where a driver moves to another undertaking, the periodic training already undergone must be taken into account.

(3) Periodic training shall be designed by the competent authority to expand on, and to revise, some of the subjects referred in section 1 of Schedule 1. The training shall cover a variety of subjects and shall-

- (i) include at least one road safety related subject;
- (ii) take into account developments in relevant legislation and technology; and
- (iii) where appropriate, take into account the specific needs of the driver.

CPC certifying periodic training.

9.(1) When a driver has completed the periodic training referred to in regulation 8 the competent authority or the approved training centre on behalf of the competent authority shall issue the driver with a CPC certifying periodic training.

(2) The following categories of drivers shall undergo a first course of periodic training-

- (a) holders of a CPC as referred to in regulation 7, within five years of the issue of that CPC;

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- (b) the drivers referred to in regulation 4, within five years of the respective dates referred to in regulation 1(2) in accordance with such timetable as the competent authority may see fit to impose.

(3) The competent authority may reduce or extend the periods of time referred to in sub-regulation (2), *inter alia*, so that they coincide with the date of expiry of the driving licence or so as to ensure the gradual introduction of periodic training, but the period may not, however, be shorter than three years or longer than seven years.

(4) A driver who has completed a first course of periodic training as referred to in sub-regulation (2) shall undergo periodic training every five years, before the end of the period of validity of the CPC certifying periodic training.

(5) Holders of the CPC as referred to in regulation 7 or the CPC as referred to in sub-regulation (1) and the drivers referred to in regulation 4 who have ceased pursuit of the occupation and do not meet the requirements of this regulation shall undergo a course of periodic training before resuming pursuit of the occupation.

(6) Drivers undertaking the carriage of goods or passengers by road who have completed courses of periodic training for one of the licence categories provided for in regulation 6(2) and (3) shall be exempt from the obligation to undergo further periodic training for another of the categories provided for in those sub-regulations.

Place of training.

10.(1) Drivers referred to—

- (a) in regulation 3(1)(i) whose normal residence, as defined in Article 12 of Directive 2006/126/EC, is in Gibraltar shall obtain the initial qualification referred to in regulation 6 in Gibraltar;
- (b) in regulation 3(1)(ii) shall obtain the initial qualification referred to in regulation 6 in the place where the undertaking is established or which issued a work permit to them, be it Gibraltar or a Member State;

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- (c) in regulation 3(1)(i) and (ii) shall undergo the periodic training referred to in regulation 8 in the place where they have their normal residence or in which they work, be it Gibraltar or a Member State.

Community code.

11.(1) On the basis of the CPC referred to in regulation 7 and the CPC referred to in regulation 9(1), there shall be marked, taking into account the provisions of regulation 6(2) and (3) and regulation 9, Community code 95, as provided for in regulation 80 of the Traffic (Licensing and Registration) Regulations, alongside the corresponding categories of licence—

- (a) on the driving licence; or
- (b) on the driver qualification card drawn up in accordance with the model shown in Schedule 2,

as the competent authority sees fit.

(2) Driver qualification cards issued by Member States in accordance with provisions in their domestic legislation equivalent to these Regulations shall be recognised by the competent authority as conferring on the holders the same rights and privileges as driver qualification cards issued under these Regulations.

(3) Upon the issue of a driver qualification card, the competent authority shall check the validity of the driving licence whose number is mentioned on the card.

(4) A driver referred to in regulation 3(1)(ii) who drives a vehicle used for the carriage of goods by road shall prove to the competent authority that he has the qualification and training provided for in these Regulations by means of the driver's attestation provided for in Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market provided that it bears the Community code 95.

(5) For the purposes of these Regulations, the competent authority shall indicate the Community code 95 in the remarks section of the attestation if the driver concerned has fulfilled the qualification and training requirements provided for in these Regulations.

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(6) Driver attestations that do not bear the Community code 95 and that were issued before 23 May 2020 in accordance with Article 5 of Regulation (EC) No 1072/2009 with a view to certifying compliance under these Regulations shall be accepted as a proof of qualification until their date of expiry.

Schedules.

12. The Schedules shall have effect.

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SCHEDULE 1

Regulations 5, 12

MINIMUM QUALIFICATION AND TRAINING REQUIREMENTS**Section 1: List of subjects.**

The knowledge to be taken into account by the competent authority when establishing the driver's initial qualification and periodic training must include at least the subjects in this list. Trainee drivers must reach the level of knowledge and practical competence necessary to drive in all safety vehicles of the relevant licence category.

The minimum level of qualification shall be comparable at least to level 2 of the European Qualifications Framework as provided for in Annex II to Recommendation of the European Parliament and of the Council of 23 April 2008.

1. Advanced training in rational driving based on safety regulations.All licences.

1.1 Objective: to know the characteristics of the transmission system in order to make the best possible use of it:

curves relating to torque, power, and specific consumption of an engine, area of optimum use of revolution counter, gearbox-ratio cover diagrams.

1.2 Objective: to know the technical characteristics and operation of the safety controls in order to control the vehicle, minimise wear and tear and prevent disfunctioning:

limits to the use of brakes and retarder, combined use of brakes and retarder, making better use of speed and gear ratio, making use of vehicle inertia, using ways of slowing down and braking on downhill stretches, action in the event of failure, use of electronic and mechanical devices such as Electronic Stability Program (ESP), Advanced Emergency Braking Systems (AEBS), Anti-Lock Braking System (ABS), traction control systems (TCS) and in vehicle monitoring systems (IVMS) and other, approved for use, driver assistance or automation devices.

1.3 Objective: ability to optimise fuel consumption:

optimisation of fuel consumption by applying know-how as regards points 1.1 and 1.2, importance of anticipating traffic flow, appropriate distance to other vehicles and use of the vehicle's momentum, steady speed, smooth driving style and appropriate tyre pressure, and familiarity with intelligent transport systems that improve driving efficiency and assist in route planning.

1.3A Objective: ability to anticipate, assess and adapt to risks in traffic:

to be aware of and adapt to different road, traffic and weather conditions, anticipate forthcoming events; to understand how to prepare and plan a journey during abnormal weather conditions; to be familiar with the use of related safety equipment and to understand when a journey has to be postponed or cancelled due to extreme weather conditions; to adapt to the risks of traffic, including dangerous behaviour in traffic or distracted driving (through the use of electronic devices, eating, drinking, etc.); to recognise and adapt to dangerous situations and to be able to cope with stress deriving therefrom, in particular related to size and weight of the vehicles and vulnerable road users, such as pedestrians, cyclists and powered two wheelers;

identify possible hazardous situations and properly interpret how these potentially hazardous situations may turn into situations where crashes can no longer be averted and selecting and implementing actions that increase the safety margins to such an extent that a crash can still be averted in case the potential hazards should occur.

Licences C, C+E, C1, C1+E.

1.4 Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, calculation of total volume, load distribution,

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consequences of overloading the axle, vehicle stability and centre of gravity, types of packaging and pallets;

main categories of goods needing securing, clamping and securing techniques, use of securing straps, checking of securing devices, use of handling equipment, placing and removal of tarpaulins.

Licences D, D+E, D1, D1+E.

1.5 Objective: ability to ensure passenger comfort and safety:

adjusting longitudinal and sideways movements, road sharing, position on the road, smooth braking, overhang operation, using specific infrastructures (public areas, dedicated lanes), managing conflicts between safe driving and other roles as a driver, interacting with passengers, peculiarities of certain groups of passengers (disabled persons, children).

1.6 Objective: ability to load the vehicle with due regard for safety rules and proper vehicle use:

forces affecting vehicles in motion, use of gearbox-ratios according to vehicle load and road profile, use of automatic transmission systems, calculation of payload of vehicle or assembly, load distribution, consequences of overloading the axle, vehicle stability and centre of gravity.

2. Application of regulations.

All licences

2.1. Objective: to know the social environment of road transport and the rules governing it:

maximum working periods specific to the transport industry; principles, application and consequences of Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport, and Regulation (EU) No 165/2014 on tachographs in road transport; penalties for failure to use, improper use of and tampering with the tachograph; knowledge of the social environment of road transport: rights and duties of drivers as regards initial qualification and periodic training.

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Licences C, C+E, C1, C1+E.

2.2 Objective: to know the regulations governing the carriage of goods:

transport operating licences, documents to be carried in the vehicle, bans on using certain roads, road-use fees, obligations under standard contracts for the carriage of goods, drafting of documents which form the transport contract, international transport permits, obligations under the Convention on the Contract for the International Carriage of Goods by Road, drafting of the international consignment note, crossing borders, freight forwarders, special documents accompanying goods.

Licences D, D+E, D1, D1+E.

2.3 Objective: to know the regulations governing the carriage of passengers:

carriage of specific groups of passengers, safety equipment on board buses, safety belts, vehicle load.

3. Health, road and environmental safety, service, logistics.

All licences

3.1 Objective: to make drivers aware of the risks of the road and of accidents at work:

types of accidents at work in the transport sector, road accident statistics, involvement of lorries/coaches, human, material and financial consequences.

3.2 Objective: ability to prevent criminality and trafficking in illegal immigrants:

general information, implications for drivers, preventive measures, check list, legislation on transport operator liability.

3.3 Objective: ability to prevent physical risks:

ergonomic principles; movements and postures which pose a risk, physical fitness, handling exercises, personal protection.

3.4 Objective: awareness of the importance of physical and mental ability:

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principles of healthy, balanced eating, effects of alcohol, drugs or any other substance likely to affect behaviour, symptoms, causes, effects of fatigue and stress, fundamental role of the basic work/rest cycle.

3.5 Objective: ability to assess emergency situations:

behaviour in an emergency situation: assessment of the situation, avoiding complications of an accident, summoning assistance, assisting casualties and giving first aid, reaction in the event of fire, evacuation of occupants of a lorry/bus passengers, ensuring the safety of all passengers, reaction in the event of aggression; basic principles for the drafting of an accident report.

3.6 Objective: ability to adopt behaviour to help enhance the image of the company:

behaviour of the driver and company image: importance for the company of the standard of service provided by the driver, the roles of the driver, people with whom the driver will be dealing, vehicle maintenance, work organisation, commercial and financial effects of a dispute.

Licences C, C+E, C1, C1+E.

3.7 Objective: to know the economic environment of road haulage and the organisation of the market:

road transport in relation to other modes of transport (competition, shippers), different road transport activities (transport for hire or reward, own account, auxiliary transport activities), organisation of the main types of transport company and auxiliary transport activities, different transport specialisations (road tanker, controlled temperature, dangerous goods, animal transport, etc.), changes in the industry (diversification of services provided, rail-road, subcontracting, etc.).

Licences D, D+E, D1, D1+E.

3.8 Objective: to know the economic environment of the carriage of passengers by road and the organisation of the market:

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carriage of passengers by road in relation to other modes of passenger transport (rail, private car), different activities involving the carriage of passengers by road, disability awareness, crossing borders (international transport), organisation of the main types of companies for the carriage of passengers by road.

Section 2: Compulsory initial qualification provided for in regulation 5(1)(a).**2.1 Option combining both course attendance and a test.**

Initial qualification must include the teaching of all subjects in the list under section 1. The duration of this initial qualification must be 280 hours.

Each trainee driver must drive for at least 20 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles as set out in Directive 2006/126/EC of the European Parliament and of the Council on driving licences.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each trainee driver may drive for a maximum of eight hours of the 20 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

The competent authority may allow part of the training to be delivered by the approved training centre by means of ICT tools, such as e-learning, while ensuring that the high quality and the effectiveness of the training are maintained, and by selecting the subjects where ICT tools can most effectively be deployed. In particular the competent authority shall require reliable user identification and appropriate means of control. The competent authority may count specific training required under other Union legislation as part of the training. This includes, but is not restricted to, training required under Directive 2008/68/EC of the European Parliament and of the Council for the transport of dangerous goods, training on disability awareness under Regulation (EU) No 181/2011 of the European Parliament and of the Council and training on animal transport under Council Regulation (EC) No 1/2005.

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For the drivers referred to in Regulation 6(6) the length of the initial qualification must be 70 hours, including five hours of individual driving.

At the end of that training, the competent authority or the entity designated by it shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under Section 1.

2.2 Option involving a test.

The competent authority or the entity designated by it shall organise the aforementioned theoretical and practical tests to check whether the trainee driver has the level of knowledge required in section 1 of this Schedule for the subjects and objectives listed there.

- (a) The theoretical test shall consist of at least two parts—
 - (i) questions including multiple-choice questions, questions requiring a direct answer, or a combination of both;
 - (ii) case studies.

The minimum duration of the theoretical test must be four hours.

- (b) The practical test shall consist of two parts—
 - (i) a driving test aimed at assessing training in rational driving based on safety regulations. The test must take place, whenever possible, on roads outside built-up areas, on fast roads and on motorways (or similar), and on all kinds of urban highways presenting the different types of difficulties that a driver is liable to encounter. It would be desirable for this test to take place in different traffic density conditions. The driving time on the road must be used optimally in order to assess the candidate in all traffic areas likely to be encountered. The minimum duration of this test must be 90 minutes;
 - (ii) a practical test covering at least points 1.4, 1.5, 1.6, 3.2, 3.3 and 3.5.

The minimum duration of this test must be 30 minutes.

The vehicle used for the practical test must meet at least the requirements for test vehicles as defined in Directive 2006/126/EC.

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The practical test may be supplemented by a third test taking place on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way they change with different atmospheric conditions and the time of day or night.

The duration of this optional test is not fixed. Should the driver undergo such a test, its duration may be deducted from the 90 minutes of the driving test referred to under (i), but the time deducted may not exceed 30 minutes.

For the drivers referred to in regulation 6(6), the theoretical test must be limited to the subjects, referred to in section 1 of this Schedule, which are relevant to the vehicles to which the new initial qualification applies. However, such drivers must undergo the whole practical test.

Section 3: Accelerated initial qualification provided for in Regulation 5(3).

Accelerated initial qualification must include the teaching of all subjects in the list in section 1. Its duration must be 140 hours.

Each trainee driver must drive for at least 10 hours individually in a vehicle of the category concerned which meets at least the requirements for test vehicles set out in Directive 2006/126/EC.

When driving individually, the trainee driver must be accompanied by an instructor, employed by an approved training centre. Each trainee driver may drive for a maximum of four hours of the 10 hours of individual driving on special terrain or on a top-of-the-range simulator so as to assess training in rational driving based on safety regulations, in particular with regard to vehicle handling in different road conditions and the way those road conditions change with different atmospheric conditions, the time of day or night, and the ability to optimise fuel consumption.

The provisions of the fourth paragraph of point 2.1 shall also apply to the accelerated initial qualification.

For the drivers referred to in Regulation 6(6), the length of the accelerated initial qualification must be 35 hours, including two-and-a-half hours of individual driving.

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At the end of that training, the competent authority or the entity designated by it shall give the driver a written or oral test. The test must include at least one question on each of the objectives in the list of subjects under section 1.

Section 4: Compulsory periodic training provided for in Regulation 5(1)(b).

Compulsory periodic training courses must be organised by an approved training centre. Their duration must be of 35 hours every five years, given in periods of at least seven hours, which may be split over two consecutive days. Whenever e-learning is used, the approved training centre shall ensure that the proper quality of the training is maintained, including by selecting the subjects where ICT tools can most effectively be deployed. In particular, the competent authority shall require reliable user identification and appropriate means of control. The maximum duration of the e-learning training shall not exceed 12 hours. At least one of the training course periods shall cover a road safety related subject. The content of the training shall take into account training needs specific to the transport operations carried out by the driver and relevant legal and technological developments and should, as far as possible, take into account specific training needs of the driver. A range of different subjects should be covered over the 35 hours, including repeat training where it is shown that the driver needs specific remedial training.

The competent authority may consider counting the completed specific training as required under other Union legislation for up to one of the stipulated seven-hour periods. That includes, but is not restricted to, training required under Directive 2008/68/EC for the transport of dangerous goods, training on animal transport under Regulation (EC) No 1/2005, and, for the carriage of passengers, training on disability awareness under Regulation (EU) No 181/2011. However, Member States may decide that completed specific training as required under Directive 2008/68/EC for the transport of dangerous goods counts as two of the seven-hour periods, provided that this is the only other training that is taken into account in the periodic training

Section 5: Approval of the initial qualification and periodic training.

5.1. The training centres taking part in the initial qualification and periodic training must be approved by the competent authority. Approval may be given only in response to a written application. The application must be accompanied by documents including:

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- 5.1.1. a suitable qualification and training programme specifying the subjects taught and setting out the proposed implementing plan and teaching methods;
 - 5.1.2. the instructors' qualifications and fields of activity;
 - 5.1.3. information about the premises where the courses are given, the teaching materials, the resources made available for the practical work, and the vehicle fleet used;
 - 5.1.4. the conditions regarding participation in the courses (number of participants).
- 5.2 The competent authority must give approval in writing subject to the following conditions—
- 5.2.1. the training must be given in accordance with the documents accompanying the application;
 - 5.2.2. the competent authority must be entitled to send authorised persons to assist in the training courses of the approved centres, and must be entitled to monitor such centres, with regard to the resources used and the proper running of the training courses and tests;
 - 5.2.3. the approval may be withdrawn or suspended if the conditions of approval are no longer complied with.

The approved centre must guarantee that the instructors have a sound knowledge of the most recent regulations and training requirements. As part of a specific selection procedure, the instructors must provide certification showing a knowledge of both the subject material and teaching methods. As regards the practical part of the training, instructors must provide certification of experience as professional drivers or similar driving experience, such as that of driving instructors for heavy vehicles.

The programme of instruction must be in accordance with the approval and must cover the subjects in the list in section 1 of this Schedule.

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SCHEDULE 2

Regulations 11, 12

**ARRANGEMENTS FOR THE EUROPEAN COMMUNITIES
MODEL FOR A DRIVER QUALIFICATION CARD**

1. The physical characteristics of the card must comply with ISO standards 7810 and 7816-1.

The methods for verifying the physical characteristics of the card to ensure that they are consistent with international standards must comply with ISO standard 10373.

2. The card has two sides—

Side 1 contains:

- (a) the heading “driver qualification card” printed in large type in the official language or languages of the Member State issuing the card;
- (b) the name of the Member State issuing the card (optional) and, in the case of Gibraltar, the word “Gibraltar” appearing immediately below it in the same size, print and font;
- (c) the distinguishing sign of the Member State issuing the card, printed in negative in a blue rectangle and encircled by 12 yellow stars; the distinguishing signs are as follows—

B	:	Belgium
BG	:	Bulgaria
CZ	:	The Czech Republic
DK	:	Denmark
D	:	Germany
EST	:	Estonia
GR	:	Greece
E	:	Spain
F	:	France
HR	:	Croatia
IRL	:	Ireland
I	:	Italy
CY	:	Cyprus
LV	:	Latvia

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LT	:	Lithuania
L	:	Luxembourg
H	:	Hungary
M	:	Malta
NL	:	The Netherlands
A	:	Austria
PL	:	Poland
P	:	Portugal
RO	:	Romania
SLO	:	Slovenia
SK	:	Slovakia
FIN	:	Finland
S	:	Sweden
UK	:	The United Kingdom (also being the distinguishing sign for the purposes of cards issued by Gibraltar given that the United Kingdom is the Member State responsible for Gibraltar's external affairs);

- (d) information specific to the card, numbered as follows—
1. surname of the holder;
 2. first name of the holder;
 3. date and place of birth of the holder;
 4. (a) date of issue;
(b) date of expiry;
(c) the name of the issuing authority (may be printed on side 2), being, in the case of Gibraltar, the Government of Gibraltar;
(d) a different number from the driving licence number for administrative purposes (optional);
 5. (a) driving licence number;
(b) serial number;
 6. photograph of the holder;

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7. signature of the holder;
 8. normal place of residence, or postal address of the holder (optional);
 9. the categories of vehicles for which the driver satisfies the initial qualification and periodic training requirements;
- (e) the title “European Union model” in the language or languages of the Member State issuing the card and the heading “driver qualification card” in the other official languages of the Union, printed in blue so as to form the background to the card:

tarjeta de cualificación del conductor
 карта за квалификация на водача
 Osvědčení profesní způsobilosti řidiče
 chaufføruddannelsesbevis
 Fahrerqualifizierungsnachweis
 juhi ametipädevuse kaart
 δελτίο επιμόρφωσης οδηγού
 driver qualification card
 carte de qualification de conducteur
 kvalifikacijska kartica vozača
 cárta cáilíochta tiomána
 carta di qualificazione del conducente
 vadītāja kvalifikācijas apliecība
 vairuotojo kvalifikacinė kortelė
 gépjárművezetői képesítési igazolvány
 karta ta' kwalifikazzjoni tas-sewwieq
 kwalificatiekaart bestuurder
 karta kwalifikacji kierowcy
 carta de qualificação do motorista
 Cartela de pregătire profesională a conducătorului auto
 preukaz o kvalifikácii vodiča
 kartica o usposobljenosti voznika
 kuljettajan ammattipätevyyskortti
 yrkeskompetensbevis för förare;

- (f) the reference colours–
- blue : Pantone Reflex blue,
 - yellow : Pantone yellow;

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Side 2 contains:

- (a) 9. the categories of vehicles for which the driver satisfies the initial qualification and periodic training requirements;
- 10. the harmonised Union code, "95", provided for in Annex I to Directive 2006/126/EC;
- 11. a space reserved for the possible entry of essential administrative details or details relating to road safety (optional). If the details relate to a heading set out in this Schedule, such details must be preceded by the corresponding heading number;
- (b) an explanation of the numbered entries appearing on sides 1 and 2 of the card (at least headings 1, 2, 3, 4(a), 4(b), 4(c), 5(a), 5(b) and 10).
- (c) in the case of Gibraltar, the words "the United Kingdom is the Member State responsible for Gibraltar's external affairs".

3. Security, including data protection.

The aim of the various constituent parts of the card is to rule out any forgery or tampering and to detect any attempts to do so.

The competent authority must ensure that the level of security of the card is at least comparable to the level of security of the driving licence.

4. Particular arrangements.

After consulting the Commission, the competent authority may add colours or markings, such as a bar code, national symbols and security features, without prejudice to the other provisions of this Schedule.

In connection with the mutual recognition of cards, the bar code may not contain any information other than that already legibly appearing on the driver qualification card or which is essential for the card-issuing process.

5. Transitional Provisions.

Driver qualification cards issued before 23 May 2020 shall be valid until their date of expiry.

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SCHEDULE 3

Regulation 2

**CORRESPONDENCE TABLE FOR THE REFERENCES TO
CERTAIN CATEGORIES OF DRIVING LICENCES**

Reference in these Regulations	Reference in the Traffic Act 2005
C + E	CE
C1 + E	C1E
D + E	DE
D1 + E	D1E