

Subsidiary Legislation made under ss.57 and 101.

Traffic (Compulsory Basic Training) Regulations 2013

LN.2013/109

| | | <i>Commencement</i> | 1.9.2013 |
|---------------------|--|---------------------|-----------------|
| Amending enactments | Relevant current provisions | Commencement date | |
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PERMIT FOR MODULE 3 OF COMPULSORY BASIC TRAINING COURSE

Traffic (Compulsory Basic Training) Regulations 2013 2013/109

In exercise of the powers conferred on it by sections 57 and 101 of the Traffic Act 2005, and all other enabling powers, the Government has made the following Regulations—

Title.

1. These Regulations may be cited as the Traffic (Compulsory Basic Training) Regulations 2013.

Commencement.

2.(1) Subject to subregulation (2) these Regulations and shall come into operation on 1 September 2013.

(2) Notwithstanding subregulation (1), a person who was born on or before 1 September 1997 may undertake Modules 1 and 2 of the Compulsory Basic Training Course as from the date of publication of these Regulations, and these Regulations shall apply to that extent.

Interpretation.

3. In these Regulations—

“Act” means the Traffic Act 2005;

““CBT certificate” means a certificate issued by an instructor on successful completion of the CBT;

“Compulsory Basic Training Course” and “CBT” mean the training given to a person prior to the issue to that person of a learner’s licence in respect of motor vehicles in categories AM, A1 and A2 (mopeds, motorcycles and motor tricycles) and which is comprised of the 3 Modules set out in the Schedule;

“instructor” means a person authorised by the licensing authority to conduct the Compulsory Basic Training Course;

“learner’s licence” means a licence issued under section 34 of the Act;

“Minister” means the Minister with responsibility for traffic;

“Module” means a Module of the Compulsory Basic Test Course, which is set out in the Schedule;

“trainee” means a person undergoing a Compulsory Basic Training Course.

Requirement for Compulsory Basic Training Course.

4.(1) Subject to subregulations (2) and (3), these Regulations apply to a person who seeks a learner's licence in respect of a motor vehicle in category AM, A1 or A2 and that person is over 17 years of age.

(2) Nothing in these Regulations shall prevent a person who is at least 16 years and 6 months old from undertaking Modules 1 and 2 of the Compulsory Basic Training Course save that a person must be at least 17 years old before taking Module 3.

(3) A person who has been issued with a CBT Certificate shall not be required to undertake a further Compulsory Basic Training Course in relation to other motor vehicle categories.

Compulsory Basic Training Course Licence.

4A.(1) In order to undertake Module 3 of the Compulsory Basic Training Course, an eligible person will need to apply to the licensing authority for a Compulsory Basic Training Course licence using the Form set out in Schedule 2.

(2) Every licence issued in pursuance of this regulation shall be in the form set out in Schedule 3 and shall be valid only in respect of Module 3 of the Compulsory Basic Training Course.

Provision of the Compulsory Basic Training Course.

5.(1) The licensing authority, or such other person as the Minister designates by notice in the Gazette, must—

- (a) take such steps as may be required to permit an eligible person to undertake a Compulsory Basic Training Course or any Module thereof;
- (b) *Deleted*
- (c) keep proper records of courses undertaken and the results.

(2) Where the Minister appoints another person in place of the licensing authority, a reference in these Regulations to the licensing authority shall be deemed to be a reference to that other person.

Authorisations by the licensing authority.

5A. The licensing authority may authorise instructors for the purposes of these regulations.

Compulsory Basic Training Course: structure.

6.(1) The Compulsory Basic Training Course shall consist of Modules 1, 2 and 3, as set out in the Schedule.

(2) The requirements of Module 1 must be fulfilled before any practical instruction is given to a person.

(3) A person shall be deemed to have successfully completed the Compulsory Basic Training Course if that person—

- (a) has fulfilled the requirements set out in Module 2 (Part A);
- (b) in the opinion of an instructor can execute the manoeuvres set out in the Module 2 (Part B);
- (c) has fulfilled all the requirements of Module 3 (Part A); and
- (d) can ride safely on roads in a variety of road traffic situations, including as many as practicable of those set out in Module 3 (Part B),

and has undertaken and successfully completed Modules 1 to 3 within 30 months from the commencement of Module 1.

(4) If all 3 Modules are not successfully completed within the period specified in subregulation (3), all the Modules have to be re-taken.

Eligibility to undertake Module 3.

7. No person shall be eligible to undertake Module 3 unless that person has successfully completed Modules 1 and 2.

Evidence of successful completion.

8.(1) The instructor who conducted Module 3 (Part B) of the Compulsory Basic Training Course shall furnish a person who successfully completes the Compulsory Basic Training Course with a CBT certificate signed by that instructor upon payment of £30.

(2) The issuing instructor may, if satisfied that a CBT certificate issued to a person who has successfully completed the Compulsory Basic Training Course has been lost or destroyed, issue a duplicate CBT certificate upon payment of £10.

Ratio of trainees to instructors.

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9.(1) Where, during the CBT, more than one trainee is receiving on-site instruction and practical on-site riding as part of Module 2 (Part A) and (Part B) of the prescribed course, there shall be no more than four trainees in the charge of any one instructor at any one time.

(2) When trainees are undertaking Module 3 (Part B) of the course there must be no more than two trainees in the charge of any one instructor at any one time.

SCHEDULE 1

Regulation 6

ELEMENTS OF THE COMPULSORY BASIC TRAINING COURSE

MODULE 1

Theory

1. Trainees must be told and must understand—
 - (a) the aims of the CBT; and
 - (b) the importance of having the right equipment and clothing.
2. Trainees' eyesight must be tested. Trainees must be able to read, in good daylight (with the aid of corrective lenses if worn) a vehicle number plate from a distance of 20 metres.

MODULE 2

Practical on-site training

Part A

Trainees must receive practical on-site training at the conclusion of which they must fulfil the following requirements, that is to say they must—

- (a) be familiar with the motor cycle, motor tricycle or moped, its controls and how it works;
- (b) be able to carry out basic machine checks to a satisfactory standard and (except in a case where the course is to be completed on a motor cycle and side-car combination or a motor tricycle) be able to take the bike on and off the stand satisfactorily;
- (c) be able to wheel the machine around to the left and right showing proper balance and bring the motor cycle, motor tricycle and moped to a controlled halt by braking; and
- (d) be able to start and stop the engine satisfactorily.

Part B

Trainees must undertake practical on-site riding at the conclusion of which they must be able to—

- (a) ride the machine under control in a straight line and bring the machine to a controlled halt;
- (b) ride the machine round a figure of eight circuit under control;
- (c) ride the machine slowing under control;
- (d) carry out a U-turn manoeuvre satisfactorily;
- (e) bring the machine to a stop under full control as in an emergency;
- (f) carry out controlled braking using both brakes;
- (g) change gear satisfactorily (if applicable);
- (h) carry out gear observation correctly (if applicable); and
- (i) carry out simulated left and right hand turns correctly using the Observation-Signal-Manoeuvre (OSM) and Position-Speed-Look (PSL) routines.

MODULE 3

Practical on road training

Part A

1. Before undertaking practical on road riding trainees must be instructed in the matters set out in paragraphs 2 and 3 below and achieve the objectives mentioned therein.
2. Trainees must understand the following—
 - (a) the need to be clearly visible to other road users (the use of conspicuity aids);
 - (b) the importance of knowing the legal requirements for riding on the road;
 - (c) why motor cyclists are more vulnerable than most road users;
 - (d) the need to drive at the correct speed according to road and traffic conditions;

- (e) the importance of knowing the Highway Code;
 - (f) the need to ride defensively and anticipate the actions of other road users;
 - (g) the need to use rear observation at appropriate times;
 - (h) the need to assume the correct road position when riding;
 - (i) the need to leave sufficient space when following another vehicle; and
 - (j) the need to pay due regard to the effect of varying weather conditions when riding.
3. Trainees must be aware of—
- (a) the effect on a vehicle of the various types of road surface that can be encountered;
 - (b) the dangers of drug and alcohol use;
 - (c) the consequences of aggressive attitudes when riding; and
 - (d) the importance of hazard perception.

Part B

1. Trainees must undertake on road training. They must encounter all the following traffic situations and demonstrate their ability to handle each one competently and safely—
- (a) roundabouts;
 - (b) junctions;
 - (c) pedestrian crossings;
 - (d) traffic lights;
 - (e) gradients;
 - (f) bends; and
 - (g) obstructions.
2. Trainees must also repeat the following exercises in normal road conditions—

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- (a) carry out a U-turn manoeuvre satisfactorily; and
- (b) bring the machine to a stop under full control as in an emergency.

SCHEDULE 2

Regulation 4A

APPLICATION FOR A COMPULSORY BASIC TRAINING PERMIT

YOUR DETAILS

Surname:

Address:

First Names:

Mr. Mrs. Miss. Ms.

Date of Birth:

Telephone Number:

Place of Birth:

Mobile Number:

Email:

RESIDENCE

Have you lived in Gibraltar, Great Britain or Northern Ireland for at least 185 days in the preceding 12 months?

No Yes

If you are a student have you been attending a course of study in Gibraltar, Great Britain or Northern Ireland for at least 6 months?

No Yes

Signature of Applicant:

Dated this day of 20

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SCHEDULE 3

Regulation 4A

DRIVER AND VEHICLE LICENSING DEPARTMENT

PERMIT FOR MODULE 3 OF COMPULSORY BASIC TRAINING COURSE

Date of Permit:

Name:

Address:

This Permit is valid for one day only.

TRAFFIC ACT 2005

TRAFFIC (COMPULSORY BASIC TRAINING) REGULATIONS 2013

Title and Commencement.

These Regulations may be cited as the Traffic (Compulsory Basic Training) Regulations 2013 and come into operation on the day of publication.

Application of these Regulations.

These Regulations apply to all learners of motor cycle, motor tricycle and moped riders in category A.

No person shall be entitled to a learner's licence unless that person successfully completes the CBT.

The minimum age to undertake module 3 as set out in the Schedule is 17 years of age.