PREM 19/3577

Jm/MT

Confidential Filing

Proposed Increase in the Driving Test Fee.

and changes in the Driving Test procedure

Photographs on Driving Licences

TRANSPORT

December 1979

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
~~16.12.79~~							
~~20.12.79~~							
~~21.2.80~~							
~~12.3.80~~							
~~25.3.80~~							
~~18.11.87~~							
~~26.11.87~~							
~~7.4.88~~							
~~4.3.91~~							
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~~4.1.94~~							
~~12.1.94~~							
~~14.1.94~~							
~~28.1.94~~							
~~4.2.94~~							
22.2.94							
Series closed.							

PREM 19/3577

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

16 December 1991

Dear Simon,

DRIVING LICENCE FEES FOR THE OVER 70s

Thank you for your letter of 9 December indicating why your Secretary of State believes that the proposed new fee for renewal of driving licences by the over 70s should be introduced as planned. The Prime Minister has also seen the letter from the Chief Secretary's Private Secretary of 10 December.

The Prime Minister has concluded that in the light of the action already taken by Department of Transport, on balance, it is now sensible to go ahead with the proposed new licence fee for the over 70s.

I am copying this letter to Jeremy Heywood (HM Treasury) and Nicholas Holgate (Chief Secretary's Office).

Yours,

Barry

Barry H Potter

Simon Whiteley Esq
Department of Transport

I agree. In addition we need to think of repercussions to other concessions to pensioners eg TV licences

PRIME MINISTER

OT 13/12

So do I now — but it was silly to do this.

DRIVING LICENCE FEES FOR THE OVER 70s

You asked that we should pursue, with the Transport Secretary, the idea of cancelling the proposed new £6 licence fee, payable every three years, for over 70's who renew their driving licences. My commissioning letter is at Flag A.

At Flag B is the Transport Secretary's response, arguing that the Government should stick to this decision to introduce the £6 fee. At Flag C is a minute from Jonathan Hill, Policy Unit.

Jonathan sets out the arguments fairly and comprehensively. He leaves the final judgement to you on whether it is worth tackling Mr. Rifkind on this issue.

On balance, I would not take this further with Mr. Rifkind for three reasons.

(i) There will be a cost from the delay of a minimum of £4 million. That would fall on the general taxpayer. Is the general taxpayer really better placed to bear the burden than the relatively well off over 70s who still run a car?

(ii) The politics could seriously backfire. Over 70s who own and run cars are not poor. They clearly can afford an extra gallon of petrol once a year. However politically inept the original decision, reversing it now could look like a political gimmick. Quite simply it could damage your political standing, not enhance it.

(iii) Finally, there is a limit to how far everything can be controlled and monitored by the centre. Mr. Rifkind took a perfectly rational, if slightly politically

suspect, decision. It was a matter for DTp. You have also over-ruled Mr. Rifkind within the last few months on several important items - the Channel Tunnel rail link; the DLR; motorway service areas; and (perhaps) British Rail privatisation. You may judge this is better seen as one that slipped through the net - as will inevitably happen from time to time.

BHP

BARRY H. POTTER

13 December 1991

c:\economic\70s (kk)

C

PRIME MINISTER

13 December 1991

DRIVING LICENCE FEES FOR THE OVER-70s

You asked DTp to explore the scope for scrapping the proposed new £6 licence fee (payable every three years) for the over-70s and raising the revenue foregone by increasing substantially the charge for renewal after disqualification.

Their letter of 9 December makes it clear that it would be possible to lay new Regulations which would drop the charge for the over-70s and increase the fee for renewal after disqualification to £50 in order to compensate for lost revenue. Mr Rifkind is, however, opposed to re-opening the issue for five main reasons:

(i) a £6 fee once every three years is not unreasonable and is perfectly defensible (being equivalent to the price of a gallon of petrol a year);

(ii) a fee of £50 for renewal after disqualification would be difficult to defend;

(iii) changing the system would mean that the new fee structure could not be introduced as planned in February 1992. Each month's delay would cost about £1.3 million. (DTp, assuming an unrealistically long delay, mention a figure of £10 million for the total cost);

(iv) there would need to be a new consultation exercise;

(v) it would be "presentationally difficult" - ie Mr Rifkind would be left with egg on his face.

Of these, I detect that the fifth weighs most heavily with Mr Rifkind.

Treasury have written in supporting DTp on cost grounds - which is, of course, the only serious argument against laying new Regulations.

If I were feeling argumentative, I would point out that:

* the consultation exercise revealed that the majority of respondents favoured sparing the over-70s and hitting the disqualified drivers. Nor did they think that £50 was unreasonable;

* under our NHS reforms, GPs are required to give their patients three yearly checks and over-75s an annual medical check. Are the DVLA checks different from the ones carried out by GPs? If not, can the two systems be brought together, thereby reducing costs and eliminating the need to charge the over-70s?

* there have so far been 134 letters from MPs on this subject - and we are still two months away from the new system coming in. Whereas a volte face might be difficult presentationally, so might a growing row in February-May.

<u>Summary</u>

The new fee structure due to be introduced in February is a political own goal. There is no legislative obstacle to replacing the new fees for the over 70s with an increased charge for renewal after disqualification. I have no doubt that it would be popular. And if we moved fast, there is no reason why we could not get a new structure in place by April-May.

Against that, there would be some cost, and DTp would be involved in an embarrassing climbdown.

The judgement for you is really whether you think it is worth going into battle with Mr Rifkind over something which - although highly vexing - is, I suppose, not a first order issue. And whether you think that knocking him down on licence fees will make it easier or more difficult to take him on over BR privatisation.

Yours ever

JONATHAN HILL

129.JH

cst.ps/let/20dm9.12

CONFIDENTIAL

Treasury Chambers, Parliament Street SW1P 3AG
071-270 3000
Fax 071-270 5456

Barry Potter Esq
Private Secretary
10 Downing Street
London
SW1

10 December 1991

Dear Barry,

DRIVING LICENCES: FEES FOR THE OVER 70S

Thank you for sending me a copy of your letter of 2 December to Simon Whiteley about the decision to introduce a fee to renew a driving licence from age 70. I have now seen Simon's reply.

2. I appreciate the potential difficulties you mentioned with the introduction of this fee, which were shared by the Treasury when our approval was being sought. However, I think that Simon's helpful letter has fully addressed those concerns.

3. As I am sure you can understand, we would be reluctant to lose considerable amounts of revenue during the development of revised fee structures and, possibly, primary legislation. We could only recoup this money by introducing significant fee increases later next year, which would mean that the current crop of licence applicants would be subsidised to quite a considerable extent by those who apply after the increase.

4. I am copying this letter to Simon Whiteley.

Yours ever,

Nicholas

N I HOLGATE
Private Secretary

TRANSPORT: Driving Licences Dec 79

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B cc PU

SERIAL NO 1.
COPY NO 1 OF 3.

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

My ref:

Your ref:

Barry H Potter Esq
Private Secretary
10 Downing Street
LONDON
SW1A 2AA

-9 DEC 1991

Dear Barry,

Thank you for your letter of 2 December about the decision to introduce a fee of £6 to renew a driving licence from age 70.

The Secretary of State has given very careful consideration to this matter. We realised at an early stage that introducing a new fee for renewal of driving licences by the over-70s would not be a popular measure. Responses to the consultation document issued at the end of April suggested that there would be some resistance to it although most consultees accepted the need to introduce a charge for this major element of DVLA's work on driver licensing. The primary concern that emerged from the consultation was over the proposal to charge a fee for the issue and renewal of short period licences which are issued to drivers for medical reasons. That proposal has now been dropped.

We believe that the new fee structure achieves a greater degree of equity than at present. Although we must have regard to public acceptability, it is right in principle that those who give rise to costs to the public purse should pay something towards meeting them. The new £6 fee for the over-70s renewal remains less than the average cost of dealing with applications from this age group, especially as the cost of expensive medical examinations which are often required for the over 70 age group will continue to be paid by DVLA, at the Secretary of State's request.

Were we now to reconsider the fee for renewal at age 70, and to offset the income that would have accrued from it further onto the fee for renewal after disqualification, this latter fee would have to be increased to £50.00. This would generally represent a tenfold increase, except in the case of those disqualified for drink-driving, but even here the increase would still be more than double.

Whilst it is possible, from a legal standpoint, to cross-subsidise, it would be very difficult to defend an increase of this magnitude as being reasonable. Although the 1988 Fees Order

allows an element of cross-subsidy, it would not allow a punitive charge to be made; primary legislation would be required to introduce that. The increased level of fee could also encourage the more unscrupulous to drive without renewing their licences.

To date we have answered four Parliamentary Questions on this topic and between 3 September (when a Press Notice was issued) and 4 November, (when the Regulations were laid before Parliament), DVLA received 55 enquiries from MPs about the matter. From 4 to 25 November, the laying period, another 41 enquiries were received. A further 38 letters from MPs have been received since then. However, despite this, the fee Regulations were not prayed against during the time they were laid. The strongest reaction came from the House of Lords in the discussion of an oral PQ. There has been little adverse press criticism.

My Secretary of State feels that, given the issue of the Press Notice, the laying of the Regulations and the line we have taken in response to Parliamentary Questions and correspondence, changing the proposed fees now would be embarrassing and could cause the Government to be accused of not knowing its own mind.

In addition, there would be substantial practical problems to overcome in taking this step at this late stage. The new Regulations, which were agreed on 25 November, would need to be revoked in their entirety before 1 February so that the existing fees could continue in force. As applicants can apply for their licences up to two months in advance, and some may already have done so, DVLA would need to reimburse those who have submitted the new fee with applications for licences required to commence on or after 1 February 1992.

We would need to construct a new fee structure which would require interdepartmental agreement, followed by consultation with interested bodies (which is required by the legislation). After that, any new Regulations would need to be made two months before coming into effect in order to allow applicants the statutory two months in which they may apply in advance of their licences.

All of this would significantly delay the introduction of a new fee structure with a consequential loss of revenue - estimated to be some £10 million by October 1992. This is because the DVLA would lose all the increases in fees that were due to take effect on 1 February 1992, not only those from renewals of licences for the over-70s. Treasury will no doubt have a view on the acceptability or otherwise of DVLA carrying a deficit of this dimension on the driver licensing fee account.

In conclusion, the Secretary of State considers that the new £6 fee is defensible - over the three year period it is equivalent to the price of a gallon of petrol each year. That is hardly unreasonable. To introduce a further change at this stage would also be both costly, complex and presentationally difficult.

CONFIDENTIAL (Controlled Distribution)

I am copying this letter to Jeremy Heywood (HM Treasury) and Nicholas Holgate (Chief Secretary's Office).

Yours,

Simon

S C WHITELEY
Private Secretary

file GAM
bc. PU
(C:\Economic\
licences)

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

2 December 1991

Dear Simon,

DRIVING LICENCES: FEES FOR THE OVER 70s

The Prime Minister's attention has recently been drawn to the plans for introducing a new £6 licence fee, payable every three years, for over 70s who renew their driving licences.

This letter should be copied ONLY to Ministers and officials directly concerned with handling the subject of the letter.

The Prime Minister sees that there is a case for introducing the new charge. There is a growing demand for licence renewals from over 70s. The fee is only a modest charge, well below actual costs, bearing in mind the frequent need for medical inspections; so over 70s will continue to be heavily subsidised by other licence payers. And the driving licence system as a whole must remain self-financing.

The Prime Minister is concerned, however, that the proposed licence renewal fee for over 70s might be deeply unpopular and is anxious about the proposed timing (introduction in February 1992). He has noted that there is already cross-subsidy between groups of licence payers. No 10 Policy Unit has suggested that the present pattern of cross-subsidy might be changed: specifically, the fee for licence renewal after disqualification might be set at £40, rather than the £20 fee now envisaged. There is likely to be little popular sympathy for those renewing licences following disqualification. And, according to the DVLA, such a fee to renew licences after disqualification would generate the same income as the proposed charge to over 70s for licence renewal every three years.

The Prime Minister would like to know what your Secretary of State's reaction to such a proposal is. Would it be possible to cross-subsidise in this manner under the 1980s Fees Order? If so, would it be sensible and desirable to amend now the regulation proposing the new fee for over 70s licence renewal - bearing in mind that the regulation has been laid and approved by Parliament and consultation has already taken place? Might the proposed fees for over 70s still be delayed; if so, how could the loss be recovered from other licence payers? What is your Secretary of State's judgment of the politics?

DTS.

I am copying this letter to Jeremy Heywood (HM Treasury) and Nicholas Holgate (Chief Secretary's Office) only at this stage.

Yours,

Barry

BARRY H POTTER

Simon Whiteley Esq
Department of Transport

Prime Minister

You will see Jill's logic. You may well agree. On the other hand:

i) it means U-turn;
ii) it is a row with DTp;
iii) the over 70 fee is justified on a cost basis; and
iv) how vulnerable is over 70 political affiliation?

a) Content to intervene as Jill proposes? or
b) Content to let matters proceed?

BHP
28/11

PRIME MINISTER

28 November 1991

DRIVING LICENCES: FEES FOR THE OVER 70s

When we were at Chequers, we discussed briefly DTp plans to introduce a new £6 fee - payable every three years - for over 70s who renew their driving licences. You asked me to explore the background to the decision and to advise whether it were desirable or possible to reverse it.

1. The current situation

Regulations to introduce a new system of charges were laid before Parliament on 4 November. They were not prayed against, and so have been agreed.

The existing and revised fee levels for motorists are as follows:

	Present (£)	Revised (from 1.2.92) (£)
First Application	17	21
First full licence	FREE	FREE
Renewal at 70 (and 3 yearly intervals)	FREE	6
Renewal after disqualification	5	12
(for drink/driving offences)	20	20
Exchange	5	6
Duplicate	5	6
Replacement (Change of name and address)	FREE	FREE

Barry,
Let's try it on N.Tp.
Send a note to M.R. from setting out the transition approach.
We'll see what the response is.

29.11

DVLA's explanation of why they are introducing the new charge for the over 70s runs as follows:

* the driving licensing system has to be self-financing;

* the number of 17 year olds applying for their first provisional licence is set to fall sharply (for demographic reasons);

* DVLA's income is therefore shrinking (in 1990/91, fee income was nearly £5m lower than administrative costs);

* a growing number of over 70s want to renew their licences (an increase of more than a quarter of a million over the last four years). This puts up the cost because a high proportion of over 70s require medicals (average cost £30-£40) before their licence can be renewed.

* the £6 fee - payable once every three years at renewal - therefore represents only a modest charge. The over 70s will still be heavily subsidized by other licence payers.

On one level this is a perfectly defensible decision. But I do not need to spell out the politics of it.

2. <u>Is there another way of raising the revenue</u>?

The new charge for the over 70s is expected to raise c £3.3m a year. Could this be raised from other categories of licence payer?

Although there are a number of permutations (eg a bigger increase for first time applicants, more loaded on to HGV licences, a

bigger increase for duplicates), there is one obvious and, in my view, very attractive way of raising the income - **increase the fee charged for renewal of licences after disqualification.** Indeed, so obvious is it that of the 17 written comments that the DVLA received, 9 recommended raising the charge for a new licence after disqualification.

DVLA tell me that a fee of c £40 (ie double what they plan to introduce) would raise the necessary income. They argue, however, that it would "not be possible" to introduce such a charge since under the 1980s Fees Order, the fee level is supposed to reflect the cost of providing the service. They further contend that they have no authority to include a punitive element.

<u>However</u>:

(i) the aim of the 1980 Fees Order was to ensure that the licensing system was self-financing - ie it was to prevent under-charging;

(ii) the current system - and DVLA's revised scheme - does <u>not</u> reflect the true cost of providing the service. So charging more than cost for renewal after disqualification will not be breaching any hard and fast principle. And there is currently a huge difference between the fee for renewal after drink driving offences and after other motoring offences. In other words, **there is a punitive element already.** And, as I understand it, there is nothing explicit in the 1980 Fees Order to stop them increasing it further.

(iii) who will complain (apart from DVLA officials)? So, I believe we should spare the law-abiding over 70s and instead hit the drunks and speedmerchants.

3. <u>How can we do it</u>?

To effect the change I have in mind, we would need to amend the Regulation which has just been agreed. I am advised that we would have to go out to consultation again - but there would still be time to do so before February, when the new charges are due to be implemented. (But given that the majority of respondents to the last consultation exercise favoured what I am proposing, I would want to push hard to see whether further consultation was strictly necessary.)

4. <u>Conclusions</u>

To amend the Regulation so soon would obviously represent a fairly spectacular U-turn, and would leave DVLA and DTp with egg on their face. But I would relish peddling a story which ran "PM forces U-turn on bureaucrats to help the over 70s and hit drink drivers". My clear recommendation therefore is that you should intervene as a matter of urgency to reverse the decision reached and ask DTp to introduce new Regulations to put a new fee system in place.

Jonathan Hill

JONATHAN HILL

082.JH

copy

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

The Rt Hon Malcolm Rifkind QC MP
Secretary of State for Transport
Department of Transport
2 Marsham Street
LONDON
SW1P 3EB

19 March 1991

Dear Malcolm,

PHOTOGRAPHS ON DRIVING LICENCES

Thank you for copying to me your letter of 22 February to Kenneth Baker.

I fully support the approach you propose to adopt on the substance and handling of this Directive. I have taken the opportunity of consulting, briefly, with the Association of Chief Police Officers (Scotland). They are unanimous in their support for the proposal. They have indeed suggested to me that as well as including the driver's photograph on the driving licence we should also consider the question of requiring drivers to carry their driving licences. ACPO(S) believe that public opinion may well support this extension of the proposal if the considerable crime prevention and detection benefits were explained to them. There would also be a welcome reduction in the number of mundane but necessary driving licence follow-up enquiries which would result and which would allow the police to target their resources on more important areas of concern.

The mandatory carrying of licences will of course be seen by the civil rights lobby as identity cards by the back door, nor do I think that the public at large will accept that failure to carry a licence should constitute a crime. I agree with Kenneth Baker that we should oppose any calls for such a legal obligation.

Copies of this reply go to the recipients of yours.

Yours ever,

Ian

IAN LANG

JMC00213.031

TRANSPORT: Photographs on Driving Licence. Dec 79

NBPM

CCPU

FCS/91/062

SECRETARY OF STATE FOR TRANSPORT

Photographs on Driving Licences

Flas

1. Thank you for copying to me your letter of 22 February to Kenneth Baker.

2. I agree with the line you propose. I think your tactical assessment is right.

3. I hope you can give a positive steer to the consultation exercise, not least given the support for the change from the police and the RAC.

4. I am copying this minute to the Prime Minister, the Home Secretary, the Lord Chancellor, the Chancellor of the Exchequer, the Attorney-General, the Lord Advocate, the Secretary of State for Scotland, the Secretaries of State for Wales, Northern Ireland and Trade and Industry, and to Sir Robin Butler.

DH

(DOUGLAS HURD)

Foreign and Commonwealth Office
13 March 1991

TRANSPORT: Driving Licences, Dec 79.

CCPU

LORD ADVOCATE'S CHAMBERS
REGENT ROAD
EDINBURGH EH7 5BL
Telephone: 031-557 3800
Fax (GP3): 031-556 0154

The Rt Hon Malcolm Rifkind QC MP
Secretary of State for Transport
2 Marsham Street
London SW1P 3EB

12 March 1991

N Bolt

Dear Malcolm,

PHOTOGRAPHS ON DRIVING LICENCES

I have seen a copy of your letter to Kenneth Baker of ~~22~~ 21 February explaining that you consider we should no longer resist the idea that photographs should be mandatory on driving licences.

Your letter outlined the two grounds for opposition to their use which we have maintained to date, namely the question of impracticability and the public's perception that it would act as some kind of identity card. I am pleased to note that recent technological developments mean that our needs could be met within a couple of years without substantially increasing the driving licence fee. I entirely agree that attitudes to the use of photographs on official documents have, over the last few years, altered fairly dramatically and I envisage little resistance to the idea of including photographs on driving licences as well. I also firmly believe that there would be substantial law enforcement benefits to be derived from introducing photographs in this way and these benefits will not necessarily be confined to the area of road traffic law.

I should therefore like to record my view that we should no longer maintain our opposition to the concept and allow the second EC directive to make the use of photographs mandatory on **all** community driving licences.

I am copying this letter to the recipients of yours.

Yours ever,

Peter.

FRASER OF CARMYLLIE

TRANSPORT : Driving Licences

Dec 79

file

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

11 March 1991

Dear Peter,

PHOTOGRAPHS ON DRIVING LICENCES

The Prime Minister is aware of your Secretary of State's proposal as set out in his letter of 22 February to the Home Secretary. He is content with the proposals, subject to the consultation making clear that driving licence photographs should not be seen as a precursor of compulsory or voluntary identity cards.

I am copying this letter to the Private Secretaries to the recipients of yours.

Yours sincerely,

William

WILLIAM E CHAPMAN

Peter McCarthy, Esq.,
Department of Transport.

PRIME MINISTER ①

(D)

Content /.

PHOTOGRAPHS ON DRIVING LICENCES

Malcolm Rifkind seeks colleagues' agreement to consult publicly on the question of prescribing photographs on driving licences. You may wish to be aware, because of possible public sensitivities.

The Commission want to make such photographs mandatory. Mr. Rifkind considers we should agree. A proposal may be put to a Council vote on 27 March. If we were to oppose, we would be out-voted (all other Member States have mandatory photographs).

Such photographs would have law enforcement benefits. Computer technology would make them practicable in 2-3 years, at a cost of an extra 10 per cent on the licence fee. But some people will see them as identity cards by the back door. Although photographs are now common on season tickets etc, it makes a difference that a driving licence is a government document.

Mr. Rifkind wants to consult before the Council meeting. It is a pity that Transport did not start consultation sooner; although in the time it will be pretty much of a formality, it would:

a) enable at least some assessment of public and interested parties' mood;

b) meet the recommendation of the Lords Select Committee on European Communities.

Should comments be markedly against, we would continue to oppose the proposal in Brussels although, ultimately, we would still be out-voted.

The Home Secretary, Chief Secretary and Attorney General are content with the proposal.

Are you content, subject to making clear in the consultation that licence photographs are not precursors of either compulsory or voluntary identity cards?

WEC

WILLIAM E. CHAPMAN

8 MARCH 1991

CCPU

QUEEN ANNE'S GATE LONDON SW1H 9AT

8 March 1991

Dear Malcolm

PHOTOGRAPHS ON DRIVING LICENCES

Thank you for your letter of 22 February about the possible inclusion of photographs on driving licences.

I am aware that British police forces are very much in favour of this idea for the reasons mentioned in your letter. However, inclusion of photographs on driving licences would undoubtedly lead to renewed calls from the police service for a mandatory requirement for the carrying of these documents by motorists at all times, something we shall continue to oppose as we have done recently during the Committee stage of the Road Traffic Bill.

In looking at public perceptions, you say that a driving licence is not a form of identity card because a licence is not compulsory. I agree that a driving licence is not a form of compulsory identity card, but I think it might be regarded as a form of voluntary card since a licence - particularly one with a photograph - would in practice be used to demonstrate identity for many everyday purposes. The extent to which it would be so regarded could only really be assessed through consultation with a range of outside interests, including the police. My preliminary view is that because no checks are made to verify that an applicant is indeed who he claims to be - perhaps by reference to a passport or birth certificate - a driving licence with a photograph, as currently issued, could not enjoy any official recognition as a form of voluntary identity document. It would perhaps be desirable to make this clear if the change is to be made in the future.

There would probably be objections from the civil rights interests, but on balance I think that the time has come to test public opinion in the way that you suggest. We might well find a considerable amount of support for it. I agree, therefore, to proceeding as you propose.

I am copying this letter to the recipients of yours.

Yours ever

Douglas

The Rt Hon Malcolm Rifkind, QC., MP.
Secretary of State for Transport
2 Marsham Street
LONDON SW1P 3EB

c: t.ps/let/ldm4.3

UNCLASSIFIED

CCPU

Treasury Chambers, Parliament Street SW1P 3AG
071-270 3000
Fax 071-270 5456

The Rt Hon Malcolm Rifkind QC MP
Secretary of State for Transport
Department of Transport
2 Marsham Street
London
SW1P 3EB

6 March 1991

Dear Malcolm

PHOTOGRAPHS ON DRIVING LICENCES — no request required

Thank you for your letter of 22 February to Kenneth Baker, copied to Norman Lamont.

2. I agree that you should go to public consultation on this issue, and I note your view that the introduction of photographs on driving licences may in any case be inevitable since the UK would be outvoted in the Council. We should clearly take full advantage of the 10 year lead-in period. I would not therefore expect to see proposals for expenditure on this proposal in the near future.

3. I am copying this letter to the Prime Minister, Douglas Hurd, James Mackay, Norman Lamont, Patrick Mayhew, David Waddington, Ian Lang, David Hunt, Peter Brooke, Peter Lilley and Sir Robin Butler.

Yours ever
David

DAVID MELLOR

APU

9 BUCKINGHAM GATE
LONDON SW1E 6JP

071-828 1884

The Rt. Hon. Malcolm Rifkind QC MP
Secretary of State for Transport
2 Marsham Street
London
SW1P 3EB

4 March 1991

Dear Malcolm:

PROPOSED EC REQUIREMENT THAT PHOTOGRAPHS SHOULD BE INCLUDED ON DRIVING LICENCES

– will respond if reqd.

You copied to me your letter to Kenneth Baker dated 22 February 1991.

On the basis of the information which I have, there are no legal considerations which weigh against this proposal. I understand that both the 1980 Directive and the proposed second Directive are intended to facilitate the achievement of the objectives of the Treaty within the meaning of Article 74 (Treaty objectives to be pursued within the framework of a common transport policy), and that it is therefore accepted that the measures fall within the scope of Community competence. In the circumstances, the chosen legal basis of Article 75.1 (c) seems entirely appropriate.

As to other considerations, I take the view that there would be valuable law enforcement benefits which would flow from the proposal for the reasons which you give in your letter. I would therefore support your proposal both on substance and on handling.

I am copying this letter to the recipients of yours.

Yours ever,

Paddy

cc PU

THE DEPARTMENT OF TRANSPORT

SECRETARY OF STATE FOR TRANSPORT

FROM THE SECRETARY OF STATE

2 MARSHAM STREET LONDON SW1P 3EB
TELEPHONE 071-276 3000

The Rt Hon Kenneth Baker MP
Secretary of State for the Home
Department
Home Office
50 Queen Anne's Gate
LONDON
SW1H 9AT

My Ref:

Your Ref:

22 FEB 1991

Dear Kenneth,

PHOTOGRAPHS ON DRIVING LICENCES

The United Kingdom is the only Member State of the European Community which does not include a photograph on the driving licence (although Northern Ireland, which has its own driver licensing system, has included a photograph on its driving licences since the 1920s). The First EC Directive on driver licensing (adopted in 1980) prescribed a model licence but left the use of photographs optional.

The European Commission now want, as part of a second Directive, to make the use of a photograph mandatory on Community driving licences, although they are prepared to allow a lead in time of 10 years for the UK. They are supported by all the other Member States except the UK. The directive will be discussed in Brussels in the coming weeks by the Council Working Group who are finalising the text of the second directive on driver licensing. The question of photographs is likely to come to a head at the Council of Ministers meeting on 27 March if the Luxembourg Presidency decides to force it to the vote.

We therefore need to form a view on the approach which the UK should adopt. I consider that we should not continue to resist. There have been two grounds for our opposition to date: impracticability and public perception. Photographs have been impractical on British driving licences because of our method of computer printing and issue. But their inclusion is now becoming feasible. Computer technology, using optical storage, is likely, in 2 to 3 years time, to be capable of meeting our needs at an increased cost of only around 10% on the driving licence fee.

This leaves the issue of public perception. Here attitudes may have changed over the last few years. Photographs are now commonplace on season tickets and office passes and there may now be less resistance to the idea of including them on driving licences too. A driving licence is not an identity card by the back door; there is no compulsion to obtain one and we would continue to resist those who suggest that motorists should be required to carry their licences with them. The House of Lords Select Committee on the European Communities (Session 1989 - 90 23rd Report) recognised the case for photographs but stressed the need for prior public consultation and careful handling of any move in this direction. In their evidence to the Committee the RAC and the police supported the inclusion of photographs. They regard this as the safest possible method of identification and an important aid to law enforcement. The AA and the Freight Transport Association remained neutral. In addition we also know that the Vehicle Rental Association are strongly in favour of photographs.

The law enforcement benefits which might be gained from having photographs on driving licences include making it harder for drivers to present to the police false, stolen or "borrowed" licences; helping to prevent an experienced driver impersonating an unqualified one at a driving test and making it harder for unqualified and disqualified drivers to hire cars.

On the handling, time is short. There is a distinct possibility that the Luxembourg Presidency will aim to put the Directive before the March Council of Ministers. If it comes to a vote the UK would be out voted. It would be a disproportionate step to invoke the Luxembourg Compromise. Having been out voted, the introduction of photographs would then be seen as another Brussels imposition and would be resented as such. On the other hand if we accept the Commission proposal, we could present it positively and the long lead in time would enable us to introduce photographs in our own time and in our own way.

It will be important for us to measure accurately the public mood. I would therefore like, even in the limited time available, to go to public consultation on the basis that it will soon be technically feasible at modest cost and will bring some advantages. Should this demonstrate a balance in favour of the introduction of photographs then our way would be clear to accept the Commission proposal in the Council. Should the public be markedly and strongly against photographs on driving licences then we could continue to argue vigorously in Brussels, although at the end of the day we would be out voted.

It would be very helpful if colleagues could let me have their comments on this matter within the next two weeks.

I am copying this letter to the Foreign and Commonwealth Secretary, the Lord Chancellor, the Chancellor of the Exchequer, the Attorney General, the Lord Advocate, the Secretary of State for Scotland, the Secretary of State for Wales, the Secretary of State for Northern Ireland and the Secretary of State for Trade and Industry. Copies also go to the Prime Minister and Sir Robin Butler.

Yours ever,

MALCOLM RIFKIND

010

cc PC

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

My ref:

Your ref:

The Rt Hon Sir Geoffrey Howe QC MP
Secretary of State for Foreign and
Commonwealth Affairs
Foreign Office
Downing Street
LONDON
SW1A 2AL

7 APR 1988

Dear Geoffrey

COMMISSION REASONED OPINION : COMMUNITY DRIVING LICENCE

We face a challenge in the European Court over the design of the British driving licence. In a Reasoned Opinion issued on 15 February, the Commission contend that the new style British driving licence introduced in January 1986 is not in conformity with the Community model specified in Directive 80/1263.

I am sure that we must resist the Commission's arguments on licence design. Legally, the Commission have failed to take account of a derogation in the Directive covering licences issued by computer (the UK is currently the only Member State issuing computer-produced driving licences). Full consultation took place with the Commission before the new-style driving licences were brought in. If the British licence had to conform in every detail with the Community model, new computer equipment costing at least £½ million would have to be installed at the Driver and Vehicle Licensing Centre at Swansea. Also, a separate licence document would have to be introduced to record licence endorsements and disqualifications, which would mean an extra 50 staff at DVLC, add over £1 million a year in running costs and complicate Road Traffic Law enforcement.

The Reasoned Opinion also covers the separate licences which are currently issued to drivers of buses and heavy goods vehicles in the UK. We have already told the Commission that we intend to introduce a new unified driver licensing system as soon as possible. Primary legislation is to be introduced in the next Parliamentary Session. Planning of the new system is, however, being considerably complicated by the continuing failure of the Commission to present a proposal for a second Community Driving Licence Directive on harmonised categories.

I attach a draft response which has been cleared with the Law Officers. It deals robustly with the question of licence design; and on vocational licences explains the progress being made and our willingness to carry forward a constructive dialogue with the Commission in relation to the forthcoming second Directive. This line in my view offers the best opportunity of dissuading the Commission from taking an ill-timed and unproductive action to the European Court.

In order to meet the 2-month deadline for the response to the Reasoned Opinion I shall be grateful for comments by 12 April. I am copying this to other members of OD(E), the Attorney General and to Sir Robin Butler.

PAUL CHANNON

005/4212

CONFIDENTIAL

cc BG
nbpm

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Paul Channon MP
Secretary of State for Transport
Department of Transport
2 Marsham Street
London
SW1P 3EB

26 November 1987

Dear Secretary of State,

BUS AND GOODS VEHICLE DRIVER LICENSING

I have seen a copy of your letter of 18 November to Willie Whitelaw. ✓ Top

I am content for you to introduce legislation setting up a unified driver licensing system. I am pleased to see that this will pave the way for a significant efficiency improvement.

I am copying this letter to other members of H and OD(E) Committees and to Sir Robert Armstrong.

Yours sincerely,

John Rutter

pp JOHN MAJOR

(Approved by the Chief Secretary and signed in his absence).

TRANSPORT: Proposed Increase in Driving Test Fee: Rec 79

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

01-212 3434

The Rt Hon Viscount Whitelaw PC CH MC
Lord President of the Council
Privy Council Office
68 Whitehall
LONDON
SW1 2AT

18 NOV 1987

Dear Willie,

BUS AND GOODS VEHICLE DRIVER LICENSING

I should like colleagues' agreement to my introducing legislation to change the system for issuing driving licences for bus and lorry drivers.

Early legislation is required because the format of Member States' driving licences is governed by the 1980 Community driving licence Directive and the Commission now hold that British vocational driving licences do not conform with the Directive. The proposed legislation would transfer responsibility for issuing these vocational licences from the independent Traffic Commissioners to my Department. This will allow the issue of a single driving licence document covering all types of entitlement. The Commission have made clear that they are considering action in the Court against us. We shall be better placed to resist legal challenge if we can demonstrate that we are making progress towards setting up a unified driver licensing system. Without such a change we would not be able to adopt further harmonisation measures in this field (a proposal for a second Directive is expected from the Commission in the next few weeks).

The proposed legislation will also pave the way for a significant efficiency improvement. Issuing all licences from DVLC at Swansea should lead to long term savings of about 100 staff, equivalent to 30% of overall vocational licensing fee income.

I propose to issue the attached consultation document in the next few days announcing the decision to set up a unified driver licensing system and seeking views on some of the consequential changes required. The reaction to the proposed legislation should be positive, particularly from business. The consultation document does not of course make any commitment as to the timing of legislation.

If colleagues are content, I will pursue a bid for legislative time in the usual way.

I should be grateful to have any comments by 27 November.

I am sending copies of this letter to other members of H, OD(E) and to Sir Robert Armstrong.

Yours -

Paul

PAUL CHANNON

DRAFT
CONSULTATION PAPER ON SETTING UP NEW UNIFIED DRIVER LICENSING SYSTEM IN GREAT BRITAIN

Introduction

1.1 This consultation document invites comments on proposals to introduce new primary legislation to alter the arrangements in Great Britain for issuing driving licences to drivers of heavy goods vehicles (HGV) and public service vehicles (PSV) and make consequential changes. These changes are needed to enable the United Kingdom to comply fully with present and forthcoming European Community obligations and also to provide for a more efficient and cost effective driver licensing system which continues to preserve high standards of road safety.

The Present System

2.1 The legislation governing driving licences in Great Britain makes separate arrangements for the treatment of ordinary and vocational driving. Everyone who drives must hold an ordinary licence. Anyone who drives a heavy goods vehicle or a public service vehicle must hold an additional vocational licence.

2.2 Ordinary licences are issued centrally by the Secretary of State for Transport through the Driver and Vehicle Licensing Centre in Swansea under the provisions of Part III of the Road Traffic Act 1972 as amended. These licences are normally valid until the driver reaches 70 years of age after which they are renewed for 3 yearly periods, subject to medical fitness.

2.3 The Traffic Commissioners are the licensing authorities for HGV and PSV licensing. Under Part IV of the Road Traffic Act 1972 as amended they have powers to issue, refuse, revoke or suspend HGV licences and to disqualify HGV drivers whom they consider to be unfit because of their driving conduct or physical disability. The powers provided by the legislation are wider than for ordinary licensing insofar as driving conduct is a material consideration for holding a HGV licence and higher medical standards are required for entitlement. HGV licences must be renewed every 3 years when fresh health declarations have to be completed.

2.4 The Public Passenger Vehicles Act 1981 as amended gives the Traffic Commissioners similar powers in relation to drivers of public service vehicles except that the Commissioners are empowered to take non driving conduct as well as driving conduct into consideration when deciding on fitness to hold a PSV licence. The other main difference is that PSV licences normally remain valid for 5 years.

The need for change

3.1 The separate arrangements for issuing vocational driving licences have been in existence since the early 1930's and have in general served their purpose well. In particular the co- location of operator and vocational driving licensing powers has enabled Traffic Commissioners to make judgements on driving entitlement based on considerable expertise about local driving and industrial circumstances.

3.2 However the UK is out of step with other European countries which issue a single driving licence document. Over the last 20 years there has been a good deal of interest in bringing the various national licensing systems into conformity as far as possible. The International Convention on Road Traffic drawn up in Vienna in 1968 provided amongst other matters for standard classification of driving entitlement, a common format of driving licence and international recognition of licences following that format. Most Member States have followed the lines of the Convention and their respective national systems contain many similar features.

3.3 The European Commission has for some time been seeking to bring the licensing systems of Member States closer together as part of its efforts to facilitate the free movement of citizens across national frontiers. In December 1980 the First Council Directive on the introduction of a Community Driving Licence (80/1263/EEC) was adopted requiring Member States to adopt a common format licence, to harmonise their licence categories and to provide common standards of competence and fitness to drive.

3.4 The UK has taken steps to comply with Directive 80/1263/EEC. A new style ordinary licence on the lines of the community model was introduced in 1986 and the regulations have been changed to allow licences from other Member States to be exchanged for UK driving licences without the need for a further driving test. The precise interpretation of Directive 80/1263/EEC to the vocational driving licence is not entirely clear but at the very least it implies the existence of a single licence document covering the range of an individual's driving entitlement. Directive 80/1263/EEC allows Member States to continue with their existing national licence categories until harmonised EC categories are adopted under a second Community Driving Licence Directive. A proposal from the Commission is expected shortly (see section 5 below).

3.5 A unified British driving licence document is therefore needed to fit in with the terms of the first Community Driving Licence Directive and to enable the UK to comply with the expected terms of the second Directive with the minimum difficulty and delay.

3.6 The creation of a single licence document will also offer considerable advantages in terms of greater efficiency. The present system creates substantial duplication of records between DVLC and the 11 Traffic Area Offices which handle vocational driving licence applications. Creation of a single licence document will allow the existing multiplicity of records to be merged and fully computerised. Vocational licence holders will benefit from lower overall fees than would otherwise have been required and there should also be faster processing of applications.

Proposed new arrangements

4.1 This section describes the main legislative changes which will be required to enable the single licence document to be introduced. It is important that any measure put before Parliament should maintain the primary objective of promoting road safety while providing a system that will operate in an efficient and cost effective way.

Licensing Authority

4.2 Unification of ordinary and vocational licences will require a single issuing authority to replace the present division of responsibilities between the Secretary of State and the Traffic Commissioners. Under the new system the Secretary of State will become the sole licensing authority. From then on all driving licences will be issued by DVLC on his behalf. This will allow the 1 million records of vocational drivers currently in the 11 Traffic Area Offices to be integrated with the 30 million ordinary records already held at DVLC. This arrangement should be the most efficient in terms of service to the public and the effective use of resources.

4.3 The alternative of issuing all driving licences through the Traffic Area Offices is not considered feasible. A considerable expansion in space, equipment and personnel would be needed to handle even part of the 10 million ordinary licence transactions currently tackled by DVLC each year. This additional expenditure would inevitably have to be reflected in the licence fees charged to the public. Centralising the system at DVLC will save about 100 staff and up to £1m per year at present values when the system is fully operational (the overall annual cost of the vocational driving licensing system is currently £3m).

Licence Duration

4.4 The integration of ordinary and vocational licences presents an opportunity to bring the three entitlements more into line. At present ordinary licences normally last without renewal until 70 years of age while PSVs run for 5 years and HGVs for 3 years. Vocational licence applicants have to submit a medical report with their first application and with all applications for renewal after the age of 46 for PSVs and 60 for HGVs. All other applications for renewal of vocational licences have to be accompanied by declarations about certain medical conditions.

4.5 For road safety purposes it is essential that the health of drivers of large vehicles continues to be monitored regularly. This rules out "till 70" licences for these drivers. However, a first licence that remains valid until 45 years of age would not prejudice road safety as medical evidence shows that the great majority of serious illnesses among vocational drivers arise from the mid-forties onwards. The incidence of medical conditions affecting driving among the 18-45 age group is very small. At the same time it is proposed to reduce the age for mandatory medical reports from 60 to 45 for goods vehicle drivers to bring them in line with bus drivers. It is also proposed to introduce a standard renewal period of 5 years for driving licences for larger vehicles in order to help streamline the system and provide a better service for licence holders.

Reconsideration of medical decisions

4.6 At present Section 118 of the Road Traffic Act 1972 allows applicants refused a licence to drive HGVs or holders whose entitlement has been suspended or revoked to have the decision reconsidered by the Traffic Commissioner. A similar power applies in the case of PSV licences by virtue of Section 23 of the Public Passenger Vehicles Act 1981.

Over 800 cases are reconsidered by the Traffic Commissioners annually. The great majority of these arise from decisions taken on medical grounds. In most cases the original decision is upheld but the arrangement allows the dissatisfied driver to state his case in a local forum.

4.7 Under the new unified system decisions on medical questions will be taken on behalf of the Secretary of State by the Senior Medical Adviser and no formal reconsideration provision will be retained. This will remove the lay discretion in matters of medical judgement, bringing occupational licensing in line with ordinary driver licensing. It will also reflect the reduced scope for discretion because of the need to comply with the medical standards prescribed in the first Community Directive.

4.8 Proceeding in this way will ensure consistency of decision making on medical issues. Where new material information comes to light the Licensing Authority would always be willing to take a second look at the case. Drivers of larger vehicles who are dissatisfied with the decision on their licence applications will retain the right to appeal to the Magistrates' Court. The number of such cases should be very small and the distribution so wide that the overall impact on the courts will be negligible.

Conduct of Vocational Drivers

4.9 The treatment of misconduct by HGV/PSV drivers is one of the special features of vocational licensing. The Traffic Commissioners currently have the power to withdraw the right to drive heavy goods or public service vehicles for conduct they consider inappropriate to the holding of a vocational licence. In the case of HGVs this is restricted to conduct as a driver. Even though the full sanction of withdrawal is used sparingly its availability is thought

to add weight to a licensing authority's warning to a driver to improve. In practice, the Traffic Commissioners generally take an endorsement of the ordinary licence as the occasion for a written warning about the vocational licence; give an oral warning before restoring a vocational licence at the end of an ordinary licence disqualification; and consider refusing to restore it at the end of a second disqualification.

4.10 This aspect of vocational licensing seems to have worked well for over 50 years. The Traffic Commissioners are quite clear that the discretion they exercise in conduct matters provides for a more responsive system of licensing and greater road safety. The question is how this control could be incorporated into the new integrated system.

4.11 The special "conduct" feature of vocational driving entitlement can be preserved in future either through the Courts or through a continuation of the present role of the Traffic Commissioners.

4.12 Administering a "conduct" regime through the Courts would mean providing for more severe penalties where offences are committed by those entitled to drive larger vehicles. To ensure parity with the present system new driver licensing penalties would need to be established for overloading, drivers' hours and other non endorseable offences. This option has considerable attractions for the longer term. The specification of additional penalties should have a significant deterrent effect, and there should be little or no extra work for the Courts as they are considering these cases already. However a new structure of penalties would take some time to define and introduce.

4.13 The other option is for the Secretary of State to delegate to the Traffic Commissioners power to refuse to licence or relicence those entitled to drive larger vehicles on the grounds of driving conduct. The system would operate much as present and relevant cases would be referred to the Commissioners from DVLC. The Commissioners would also be able to continue to take action on endorsements recorded against drivers and relevant non endorseable penalties.

4.14 Giving the Traffic Commissioners a "conduct" jurisdiction would have several clear advantages. The arrangements would be much the same as those operating now so the transitional problems would be minimised. Links with the Commissioners' local operator licensing role would be retained. However some staff would have to be retained at the Traffic Areas to handle "conduct" work which would add to the overall costs of the system.

4.15 On balance there appears to be a good case for the Traffic Commissioners retaining their present role as regards driving conduct at least until such time as a new range of penalties could be established which could then be applied by the Courts.

4.16 An ancillary issue is whether control of non driving conduct should be retained for drivers of large passenger vehicles in the new system and how it should be administered. At present Traffic Commissioners can refuse or revoke a PSV licence where they feel that the previous antisocial conduct of the individual concerned makes him unsuitable for the work which brings him into close contact with the public. Convictions for offences have to be declared by applicants and these are considered before a licence is issued.

4.17 The effectiveness of the system depends on the information provided about relevant convictions. The availability of the sanction is a useful safeguard and a deterrent for those holding licences. The function has been exercised by the Traffic Commissioners for over 50 years without difficulty and there are no staffing implications given the relatively few occasions the sanctions have to be applied. It is therefore proposed to maintain this aspect of the "conduct" jurisdiction.

Licence Renewal

4.18 The rules governing the period in which licences have to be renewed have caused problems. The "10 year rule" for renewing ordinary licences that were surrendered or revoked is now out of keeping with the concept of "till 70" licensing and needs to be modified. In particular it acts unfairly against some former licence holders who have been away from Britain for more than 10 years. New arrangements are therefore proposed under which a test pass will remain valid throughout an individual's driving career provided that the relevant licence entitlement has been claimed and a licence issued within 2 years of the test pass. Similar provisions are being made for licences to drive larger vehicles. They will allow entitlement to be claimed on second test passes required by Traffic Commissioners in particular cases.

Licence categories

5.1 A standard set of licence categories for EC Member States will be established in the forthcoming second Community Driving Licence Directive. It is proposed that this should be based on the categories defined in the Vienna Convention and now operating in most Community States, ie category (A) motor cycles; category (B) cars; category (C) goods vehicles larger than cars; category (D) passenger vehicles larger than cars; and category (E) articulated or trailer drawing vehicles. Each category has its own prescribed test and applicants must have passed a car driving test before they apply to drive larger vehicles. The rules governing specialist categories of vehicle (eg invalid carriages, agricultural tractors) are not affected.

5.2 In negotiations on the second Directive the Government proposes to accept in general the principle of the Vienna Convention system as the most appropriate basis for standard EC licence categories. For Britain this will mean a substantial simplification of the current categories for vocational driving licences which will assist the cost-effective operation of the proposed new unified driver licensing system, as well as facilitating free movement throughout the Community. A new style driving licence will be required which is likely to resemble the Community model licence issued to ordinary driving licence holders since January 1986. The modification of the categories is a matter for subordinate legislation and will be the subject of a further consultation exercise before any changes are introduced.

5.3 One consequence of adopting the Vienna Convention system is that licensing would in the future depend on the size of the vehicle driven and not on the purpose for which it is used. This would have particular consequences for the driving of buses. The concept of a separate licence for drivers of public service vehicles would then disappear since drivers of vehicles carrying 9 or more passengers would require the same type of licence whether the vehicle was being run as part of a commercial operation or driven for private purposes or on behalf of a voluntary organisation.

5.4 In negotiations on the Directive the Government will seek to ensure that the rights of existing British driving licence holders are fully protected and at the same time that the testing and medical standards supporting the new licence categories are sufficiently rigorous in the interests of raising driving standards across the Community.

5.5 The main area of difficulty for the UK will be arrangements for licensing drivers of minibuses of 9-16 seats and light goods vehicles (3.5-7.5 tonnes). Under the Vienna system these vehicles fall within the C and D categories whereas in the UK the ordinary driving licence confers entitlement to drive goods vehicles up to 7.5 tonnes and all sizes of bus provided they are not used for hire and reward. Adopting the EC model would mean that new drivers of these vehicles in Britain would no longer be entitled to drive on an ordinary licence but would need to pass a test appropriate for the type and size of vehicle in question (the rights of existing ordinary licence holders to drive these vehicles should not be affected). In order to decide what line to adopt on this aspect of the Directive the Government would welcome views on whether introducing such a test for new drivers of minibuses and light goods vehicles would cause significant difficulty for businesses and the community service sector which would outweigh any potential road safety gain.

Timing

6.1 The date for bringing in the new unified driving licence system and Vienna Convention licensing categories will depend on the availability of Parliamentary time and progress on the forthcoming Second Community Directive. It is hoped that the new arrangements will start in 1991 with licences being replaced progressively as they come due for renewal.

Summary of Main Issues

7.1 The main issues for consideration and response are as follows:-

(a) Licensing Authority - single authority for issuing all types of driving licence based at DVLC (paras 4.2-4.3).

(b) Licence Duration - Introduction of "till 45" licences for drivers of larger vehicles with standard renewal period of 5 years (paras 4.4-4.5).

(c) Medical - The repeal of provisions for "reconsideration" of decisions to refuse, suspend or revoke licences to drive larger vehicles (paras 4.6-4.8).

(d) Conduct - The need for a "conduct" regime for drivers of larger vehicles to be administered by the Traffic Commissioners (paras 4.9-4.17).

(e) Renewal Arrangements - Proposed modification of rules governing renewal of licences (para 4.18).

(f) Licence Categories - Application of new EC licence categories to minibus and light goods vehicles (para 5.5).

Responses

8.1 Comments should be sent, by ~~11 December~~ at the latest, to Mr E M Gibbons, Room D9/15, DVLC, Swansea, (Tel. 0792 782225).

Department of Transport
October 1987

CC BS

LB

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

Our Ref: JM/PSO/3148/87

The Rt Hon Lord Hailsham CH FRS DCL
Lord Chancellor
House of Lords
LONDON
SW1A 0PW

NBPM.

23 MAR 1987

Dear Quintin,

Thank you for your letter of 12 March about the review of driver testing.

I can confirm that the points you raise will be receiving close attention during the review.

I am sending copies of this letter to the Prime Minister, to the other Members of the Cabinet and to Sir Robert Armstrong.

Yours ever
John

JOHN MOORE

TRANSPORT
DRIVING TEST
12/79

FROM:

THE RT. HON. LORD HAILSHAM OF ST. MARYLEBONE, C.H., F.R.S., D.C.L.

CCBS

HOUSE OF LORDS,
LONDON SW1A 0PW

12 March 1987

NBPM -

My dear John -

Review of Driver Testing

I have seen your Private Secretary's letter of 27 February on the terms of the announcement of your review of driver testing.

I note that your written answer made particular reference to the need to preserve public confidence in the arrangements for driver testing. No doubt your review will bear in mind the risks there may be in a delegation of this function to the private sector. It seems to me that one would need to bear in mind the risk of corrupt gifts being made to a private examiner and the possibility that a private firm might be tempted to lower standards in order to obtain an increased share of the driver-testing market.

I am copying this letter to the Prime Minister and to the other members of the Cabinet and to Sir Robert Armstrong.

Yrs:

Q.

The Right Honourable
John Moore MP
Secretary of State for Transport
Department of Transport
2 Marsham Street
London SW1P 3EB

Thank you for yr: generous words in Cab: to-day.

TRANSPORT: Driving test: Dec 1979

010

MANAGEMENT IN CONFIDENCE

cc MEA
BI.

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

01-212 3434

Prime Minister 2

David Norgrove Esq
Private Secretary
10 Downing Street
LONDON SW1

27 February 1987

Dear David

My Secretary of State has asked officials to conduct an internal review of the scope for improvement in the way in which driver testing (mainly L test) is carried out. This will examine primarily the possibility of delegation to the private sector, but it will also consider whether the pass rate can be increased without reducing the standard of the test. It will take account of relevant foreign experience. The study will probably take up to six months.

Given that some 2,000 staff will be told of the review some press interest is likely to arise. My Secretary of State wanted therefore to let the Prime Minister and colleagues know of the review's existence in advance of an inspired PQ on Thursday, 5 March.

In commenting on the review my Secretary of State will emphasise that he would expect that any changes which the review might propose will maintain the contribution which the driving test makes to road safety, and the public confidence which the present arrangements enjoy. He will be looking for advice on whether this function can equally well be discharged by the private sector, and on the scope for improvement in the level of service to the public.

I am sending copies of this letter to the Private Secretaries to other members of the Cabinet, to Murdo Maclean and Rhodri Walters, and to Trevor Woolley (Cabinet Office).

Yours sincerely

Jenny McCusker

JENNY McCUSKER
Private Secretary

MANAGEMENT IN CONFIDENCE

Transcribe

Mr. Alfred Morris asked the Minister of Transport what is his estimate of the number of disabled passengers who benefit from the orange badge scheme of parking concessions for the disabled; if he will give a separate figure for the number of blind people who benefit from the scheme; and by how many he expects to reduce the number of beneficiaries who are disabled passengers if his proposed changes to the scheme are given effect.

Mr. Kenneth Clarke: At the last census in 1976 about 11,000 badges had been issued to blind people. I regret that the other information is not available as the scheme does not distinguish between disabled drivers and passengers.

Mr. Alfred Morris asked the Minister of Transport what is his estimate of the number of disabled people who cannot use public transport, and who drive their own cars to and from work and shopping, who will cease to benefit from the orange badge scheme of parking concessions for the disabled if his proposed changes to the scheme are given effect.

Mr. Kenneth Clarke: There is no basis for estimating these figures, since local authorities issue badges to disabled people who satisfy the criteria laid down in the regulations, irrespective of whether they own a car, or are drivers or passengers. The proposed changes are intended to concentrate the assistance provided by the scheme on those who need it most.

Driving Tests

Mr. Banks asked the Minister of Transport what plans he has for reducing the waiting time for L driving tests; and whether he intends to maintain the present fee.

Mr. Fowler: The driving test fee has remained at £7·30 since June 1978. The tests must be self-financing, and an increase to £10·30 is now essential to meet rising costs and to stop the service from running into deficit.

I very much regret that this increase is necessary when people are having to wait so long before they can get a test. However, we inherited a very serious situation from our predecessors. When we took office there was a backlog of 800,000 people waiting for tests—more than six month's work for the 1,167 examiners then in post. Just to keep pace with the 2 million new applications a year would have required over 1,300 examiners. That was a wholly unacceptable situation. Long waiting periods were inevitable and there were bound to be serious financial problems as costs increased.

I have considered very carefully various ways to improve the waiting time. The most immediate problem is to build up our force of examiners as quickly as possible. This is an exceptional step in the present circumstances, but it is justified by the exceptional delays. There will be no extra call on public funds as long as the scheme remains self-financing.

Over 200 examiners have been recruited since May. We shall intensify our recruitment effort, concentrating on places like London and the West Midlands, where the delays are longest. We are also moving examiners to work in particularly hard-pressed areas. There are too few women in the service and we shall make a special effort to recruit more. We shall also invite examiners reaching retirement age to stay on. We are investigating a number of other possibilities for increasing numbers, for example, lowering the age limit for examiners.

We cannot cut the backlog overnight. There are beginning to be signs of improvement in some areas, but a hard winter may cost us tests. We have a huge deficit to make up. But I am determined to bring about a real improvement as quickly as possible.

Motorway Lanes (Restrictions)

Mr. Higgins asked the Minister of Transport if he is satisfied that restrictions on the use of motorway lanes are not impaired unnecessarily at times when no actual repair work is being carried out.

Mr. Kenneth Clarke: Yes. I am satisfied that authorities do not close motorway lanes irresponsibly; their concern is to minimise risk to the public and to their employees. The setting out and recovery of signs and cones on a busy motorway is in itself a hazardous and time-consuming operation which is not undertaken lightly. A reasonable economic working length has to be coned off

context of my consideration of the report of the Advisory Committee on Motorcycle Rider Training. I shall therefore study carefully the very useful report which the Lincolnshire police have brought to my attention.

Hayes Bypass

Mr. Bidwell asked the Minister of Transport when work is likely to start on the Hayes, Middlesex bypass road linking with the M4 motorway.

Mr. Kenneth Clarke : This is a proposal for which the Greater London Council is responsible. It will be for it to decide the timing within its roads programme, in the light of the public expenditure situation.

Trunk Road Schemes

Mr. Fry asked the Minister of Transport how many trunk road schemes were expected to start during 1979-80 when the construction budget was drawn up for Cmnd. 7439 and for the June 1979 cash limits White Paper ; and how many will start during the financial year.

Mr. Kenneth Clarke : It was then expected that 21 major road contracts would start during the year. The June 1979 White Paper was not expected to affect this. So far, on 15 of these schemes and five others work has started or the contract been let. I cannot at present say how many more will start by the end of March, but it is possible that five might do so.

Mr. Fry asked the Minister of Transport how long he anticipates the completion of the trunk road programme, as laid out in the roads White Paper, Cmnd. 7132, to take at current expenditure levels ; and how this compares with the completion date anticipated in that White Paper.

Mr. Kenneth Clarke : I must ask my hon. Friend to await the proposed White Paper on roads.

M4-M40 (Design Standards)

Mr. Fry asked the Minister of Transport following his Department's desision to modify the declared design standards set out in technical memorandum H6/74 for the proposed M4-M40 section of the M25, whether he will issue an amended version of the memorandum or state in exactly what circumstances roads schemes need not comply with the established standards.

Mr. Kenneth Clarke : Technical memorandum H6/74 is kept under routine review but, as my right hon. Friend explained in his policy statement on 27 July, when design proposals are determined in a situation of uncertain traffic forecasts, account is taken of the risks of making a wrong decision. Each case is considered on its merits and the best design standards are in the end a matter of judgment on all the available data for each project.

Road Accidents

Mr. Russell Johnston asked the Minister of Transport whether he will publish the number of road accident deaths in England and Wales in each of the past five years.

Mr. Kenneth Clarke : The required information is as follows:

DEATHS IN ENGLAND AND WALES, ALL ROAD USERS, 1974–78

	1974	*1975*	*1976*	*1977*	*1978*
England	5,679	5,282	5,465	5,473	5,677
Wales	368	318	322	320	338
England and Wales	6,047	5,600	5,787	5,793	6,015

Orange Badge Scheme

Mr. Alfred Morris asked the Minister of Transport if he will meet the officers of the British Limbless Ex-Servicemen's Association to discuss their opposition to his proposed changes to the orange badge scheme of parking concessions for disabled people before any definite decisions are taken about the future of the scheme.

Mr. Kenneth Clarke : I have seen the representations made by the British Limbless Ex-Servicemen's Association and I can assure the right hon. Member that the association's views wll receive the most careful consideration. The association has not asked for any meeting with me, but I would of course be happy to arrange a meeting if one is requested.

Transport

CONFIDENTIAL

JS
cc PGO
Press

10 DOWNING STREET

From the Private Secretary

14 December 1979

The Prime Minister has seen your letter to me of 13 December, about proposals to increase the driving test fee from £7.30 to £10.30.

She is content that Mr Fowler should proceed as proposed.

I am sending a copy of this letter to Richard Prescott in the Paymaster General's Office.

M. A. PATTISON

C.R. Edwards, Esq.,
Department of Transport.

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DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

PRIME MINISTER
To note intended £3 increase in L-Test fee
MAP 13/XII

Mike Pattison Esq
Private Secretary
10 Downing Street
LONDON SW1

13 December 1979

Dear Mike

L TEST FEE

I am writing to let you know that my Minister intends to announce next week by way of a written Answer, accompanied by a Press Notice, that the Department is going out to consultation on an increase in the L test fee from £7.30 to £10.30.

We have been reviewing the present L test fee of £7.30, which was introduced in June 1978. The proposed new fee level of £10.30 is in accordance with the established Government fees and charges policy of ensuring that services are financially self-supporting. It has been set at a level to recover the full costs of the driving test organisation and no more, and it reflects the movement of costs since June 1978 and the expected cost of providing the service during the 12 months or so following introduction of the new fee level (which we hope will be in March 1980). Manpower costs form a large proportion of the driving test budget and part of the proposed increase reflects the new rates of pay for driving examiners.

Appointments for driving tests in invalid carriages will continue to be free of charge.

We are required by the Road Traffic Act to consult interested bodies about the proposed fee increase, and it will then be necessary to make Regulations (by negative resolution) before the fee increase can be brought into effect.

Mr Fowler intends to take this opportunity to stress the action he is taking to reduce the current backlog in driving tests. He will point out that when the Government took office there was a 6 month backlog of tests. Since then 200 examiners have been recruited, but there is still a shortage and recruitment is continuing, concentrating especially on those areas such as London and the West Midlands where delays are longest. Other possible ways of reducing the backlog are also being investigated. However it has to be accepted that a major reduction cannot be achieved immediately, but my Minister is determined to make as large an improvement as soon as possible.

I am copying this letter to Richard Prescott in the Paymaster General's Office.

Yours ever

C R EDWARDS
Private Secretary

Grey Scale #13

C Y M

A 1 2 3 4 5 6 M 8 9 10 11 12 13 14 15 B 17 18 19

Inches 1 2 3

1 2 3 4 5 6 7 8

Centimetres

Colour Chart #13

Blue Cyan Green Yellow