



# **Improvements to the ADI/AMI Schemes in Northern Ireland Consultation**

## **Summary of Consultation Responses, Department's Response, and Next Steps**

## Introduction

The Department of the Environment issued a consultation document on 31 May 2013 which ran until 16 September 2013. Its purpose was to seek views on a number of proposals for change to the Approved Driving Instructor (ADI) / Approved Motorcycle Instructor (AMI) schemes operating in Northern Ireland including:

- amendments to the trainee licence scheme;
- changes to the requirements for those with a medically restricted driving licence who wish to become ADIs;
- the mandatory registration of B+E (car + trailer) trainers;
- which documents should be regarded as guidance issued by the Registrar and which therefore must be adhered to as a condition of registration; and
- the introduction of powers of immediate suspension from the Registers of driving or motorcycle instructors who would pose a significant threat to the safety of members of the public if their registration were not suspended.

The Department wrote to over 1400 interested parties, including ADIs, AMIs, B+E trainers and training establishments advising them of the consultation. Copies of the consultation were posted on the Department's website and on the NI Direct website. Posters publicising the consultation were also displayed in all Driver & Vehicle Agency (DVA) Test Centres.

In total, eleven consultees responded, one of whom simply noted / acknowledged the proposals but did not express any views. The responses from the remaining ten consultees resulted in ten of the proposals receiving positive reactions and four receiving both positive and negative reactions. The organisational breakdown of the respondents was as follows:

- Representative Organisations: 7
- Interest Groups: 1
- Individual Instructors: 3

In addition, the Department met with representatives of DINAC (the Driving Instructors' National Association Council) at their request to discuss and clarify the proposals contained in the consultation paper and with Disability Action to discuss the proposals in Chapter 3.

The summary is divided into the following sections:

- Section 1 – Consultation questions and responses received;

- Section 2 – List of Respondents who provided either no, or only general, comment on the consultation paper;
- Section 3 – Detail of consultation responses and Departmental comments on points raised;
- Section 4 – Next steps; and
- Section 5 – List of Respondents.

## **Section 1 - Consultation Questions and Responses Received**

Of the ten respondents who provided comments, eight used the consultation response form (or replied in a similar format) and two replied by e-mail but did not use the consultation response form. They answered some or all of the questions. The answers given are listed below:

### **(Q1) Do you agree with the proposal to introduce a legal requirement for trainee licence holders to display their trainee licence?**

(A1) Nine of the respondents agreed with this proposal and one did not provide an answer to this question. The comments are covered in the table in Section 3.

### **(Q2) Do you agree with the proposal to revoke a second trainee licence where the first trainee licence is not returned?**

(A2) Nine of the respondents agreed with this proposal and one did not provide an answer to this question. The comments are covered in the table in Section 3.

### **(Q3) Do you agree with the proposal to limit to one the number of trainee licences that may be issued to a potential driving instructor?**

(A3) Nine of the respondents agreed with this proposal and one did not provide an answer to this question. The comments are covered in the table in Section 3.

### **(Q4) Do you agree with DVA's proposal to allow drivers with a medically restricted driving licence to use a car with automatic transmission for the purposes of the ADI driving test, test of instructional ability and check test?**

(A4) Nine of the respondents agreed with this proposal and one did not provide an answer to this question. The comments are covered in the table in Section 3.

### **(Q5) Do you agree that this option should only be available to drivers with a medically restricted driving licence?**

(A5) Seven of the respondents agreed, two disagreed and one did not provide an answer to this question. The dissenting comments are covered in the table in Section 3.

**(Q6) Do you agree that it should be a condition of registration that an instructor can safely take control of a vehicle in an emergency and that all instructors should be required to sign a declaration to that effect, rather than proceeding to introduce an emergency control assessment for disabled instructors?**

(A6) Seven of the respondents agreed, two disagreed and one did not provide an answer to this question. The dissenting comments are covered in the table in Section 3.

**(Q7) Do you agree that where potential issues regarding an instructor's ability to safely take control of the vehicle in an emergency are identified, DVA should offer advice and guidance as outlined in the consultation paper?**

(A7) Eight of the respondents agreed, one disagreed and one did not provide an answer to this question. The dissenting comments are covered in the table in Section 3.

**(Q8) Do you agree that those providing paid instruction in category B+E should be registered with DVA?**

(A8) Eight of the respondents agreed, one disagreed and one did not provide an answer to this question. The dissenting comments are covered in the table in Section 3.

**(Q9) Option 2 is DVA's preferred option. We would welcome your views on which of the options you think would be most appropriate. Please outline the reasons for your answer. Option 1 – do nothing, Option 2 – must be ADI, Option 3 – full B+E register.**

(A9) Four respondents preferred Option 2, one preferred Option 3 and four chose both Option 2 & Option 3 together. One did not provide an answer to this question. The comments are covered in the table in Section 3.

**(Q10) Do you agree with the eligibility criteria as outlined in the consultation paper?**

(A10) Nine respondents agreed and one did not provide an answer to this question.

**(Q11) Do you agree with the proposed list of documents to be regarded as guidance under Article 52(4)(d)?**

(A11) All ten of the respondents agreed with the proposal.

**(Q12) Are there any other documents you think should be regarded as guidance under Article 52(4)(d)?**

(A12) Eight respondents provided comments and two had no comment. The comments are covered in the table in Section 3.

**(Q13) Do you agree that the documents which instructors are required to adhere to should be specified in legislation at the earliest opportunity?**

(A13) Nine of the respondents agreed with this proposal. One did not provide an answer to this question. The comments are covered in the table in Section 3.

**(Q14) Do you agree that DVA should introduce powers for immediate suspension in Northern Ireland?**

(A14) All ten of the respondents agreed with this proposal. The comments are covered in the table in Section 3.

**(Q15) Do you agree that the power to suspend an instructor should only be available to the Registrar in the circumstances outlined in the consultation paper, or are there other circumstances in which the Registrar should be able to use this power? If so, please outline the circumstances you feel would be appropriate.**

(A15) Ten of the respondents agreed with the proposal but six had reservations. The comments are covered in the table in Section 3.

**(Q16) Do you agree with the proposal to provide for a compensation scheme as outlined in the consultation paper (this would be subject to further detailed consultation)?**

(A16) Ten of the respondents agreed with the proposal but eight had reservations. The comments are covered in the table in Section 3.

**Section 2- List of Respondents who provided either no, or only general comment on the consultation paper**

<b>List of Respondents</b>	<b>General Comments on the Consultation (if any)</b>
Disability Action	Had no comment on the consultation document. At a subsequent meeting between DVA and Disability Action to discuss the proposals relating to disabled drivers taking the ADI practical tests in automatic cars, broad support was expressed for the proposals contained in the consultation paper.

### **Section 3 - Detail of consultation responses and Departmental comments on points raised**

#### **Q1. Do you agree with the proposal to introduce a legal requirement for trainee licence holders to display their trainee licence?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	Should be required to display their licence the same as an ADI.	None necessary
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	PDI should be required to display their licence the same as is required from an ADI.	None necessary
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	At all times including when a pupil is taking the driving test with DVA.	None necessary
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y	The trainee licence scheme was largely abused by large companies who used trainee instructors for slave labour, the students never knew that their instructor was a trainee in most occasions therefore to protect the students in particular every method possible should be deployed to protect their rights and encourage companies to conduct their business in a fair and open manner. Trainee instructors have paid up to £7000 pounds during 2004-2009 when the abuse of the trainee licence was at its peak. Documentary by ITV highlighted the abuse link.	The purpose of the proposals in this section of consultation is to tighten up the trainee licence scheme.

Alert Driver Education (Representative Organisation)	Y	We agree totally with this proposal so that PDIs display the same as an ADI.	None necessary
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	Should be required to display their licence the same as an ADI.	None necessary
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	Should be required to display their licence the same as an ADI.	None necessary
Individual ADI	Y	Should be required to display their licence the same as an ADI.	None necessary



**Q2. Do you agree with the proposal to revoke a second trainee licence where the first trainee licence is not returned?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	It should be an offence not to return a spent PDI licence.	This is already an offence under Article 136 of the Road Traffic (NI) Order 1981, as stated in section 2.2 of the consultation paper.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	Rather than revoke a second licence the second licence should not be issued until the first licence is returned to DVA, ADI Section.	We note that the respondent agrees with this proposal. In relation to the comments made, as we propose to limit to one the number of trainee licences that may be issued to a potential driving instructor (see Q3) we will proceed as outlined in the consultation paper.
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	It should be a criminal offence not to return spent PDI licence.	This is already an offence under Article 136 of the Road Traffic (NI) Order 1981, as stated in section 2.2 of the consultation paper.

East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y	Refer to the answer to question one.	The purpose of the proposals in this section of consultation is to tighten up the trainee licence scheme.
Alert Driver Education (Representative Organisation)	Y	We believe that the second licence should not be issued until the first one is returned as the PDI may be able to misuse the first licence.	We note that the respondent agrees with this proposal. In relation to the comments made, as we propose to limit to one the number of trainee licences that may be issued to a potential driving instructor (see Q3), we will proceed as outlined in the consultation paper.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	It should be an offence not to return a spent PDI licence.	This is already an offence under Article 136 of the Road Traffic (NI) Order 1981, as stated in section 2.2 of the consultation paper.
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	It should be an offence not to return a spent PDI licence.	This is already an offence under Article 136 of the Road Traffic (NI) Order 1981, as stated in section 2.2 of the consultation paper.
Individual ADI	Y	It should be an offence not to return a spent PDI licence.	This is already an offence under Article 136 of the Road Traffic (NI) Order 1981, as stated in section 2.2 of the consultation paper.

**Q3. Do you agree with the proposal to limit to one the number of trainee licences that may be issued to a potential driving instructor?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	The current PDI system needs to be reviewed to be similar to the AMI system. In the interim the PDI should be limited to one.	Consideration will be given to a further review of the trainee licence scheme in light of possible changes to the scheme in GB.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	The current PDI system should be changed to the AMI system if it was then Q2 would not be an issue.	As above
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	System should be scrapped but in the interim limit to one PDI licence.	As above
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y	Refer to the answer to Question 1.	The purpose of the proposals in this section of consultation is to tighten up the trainee licence scheme.

Alert Driver Education (Representative Organisation)	Y	We agree that the PDIs should have only one licence as the current system is open to abuse as it may be used to employ instructors on the cheap. If the PDI is dedicated to the trade they will pass it before the licence expires. We also believe that they should be supervised at all times with no exceptions if they are getting paid, which is currently the format for AMIs.	Consideration will be given to a further review of the trainee licence scheme in light of possible changes to the scheme in GB.  There is no trainee licence scheme for AMIs.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	The current PDI system should be reviewed to be similar to the AMI system, in the interim the PDI should be limited to one.	Consideration will be given to a further review of the trainee licence scheme in light of possible changes to the scheme in GB.
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	The current PDI system needs to be reviewed to be similar to the AMI system. In the interim the PDI should be limited to one.	Consideration will be given to a further review of the trainee licence scheme in light of possible changes to the scheme in GB.
Individual ADI	Y	The current PDI system needs to be reviewed to be similar to the AMI system. In the interim the PDI should be limited to one.	Consideration will be given to a further review of the trainee licence scheme in light of possible changes to the scheme in GB.

**Q4. Do you agree with DVA’s proposal to allow drivers with a medically restricted driving licence to use a car with automatic transmission for the purposes of the ADI driving test, test of instructional ability and check test?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors’ National Association Council (Representative Organisation)	Y	As long as the ADI licence is clearly marked to show the instructor is restricted to a particular type of vehicle.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.
Northern Ireland Approved Driving Instructor’s Association (Representative Organisation)	Y	As the instructor in this sector is restricted to teaching in automatic or adapted vehicles the ADI licence needs to display information that the instructor specialises in the restricted driver sector.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.
Driving Instructors’ Association Northern Ireland (Representative Organisation)	Y	As long as their PDI or ADI licence shows this restriction clearly so no-one is tempted to cut corners.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.
East Antrim Approved Driving Instructors’ Association (Representative Organisation)	Y	Yes as long as the Instructor can demonstrate the ability to control the vehicle if required from the passenger side.	See related comments at Q6.

Alert Driver Education (Representative Organisation)	Y	We agree that this is a good proposal as it opens up the field to drivers who have a knowledge, training and skills, that able-bodied instructor may have little or no experience in teaching, so it is raising the standard of the driving industry. This allows persons with the unique skills working in the disability sector to teach in this specialised sector and gives them the opportunity to impart this knowledge to other driving instructors and pupils.	None necessary
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	As long as the ADI licence is clearly marked to show the instructor is restricted to a particular type of vehicle.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	As long as the ADI licence is clearly marked to show the instructor is restricted to a particular type of vehicle.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.
Individual ADI	Y	As long as the ADI licence is clearly marked to show the instructor is restricted to a particular type of vehicle.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.

**Q5. Do you agree that this option should only be available to drivers with a medically restricted licence?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y		None necessary
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	As long as the ADI licence can be clearly identified as a restricted Instructor to prevent misuse in teaching B full licence category a different colour may be an option.	The licence will clearly show that the instructor is restricted to teaching in an automatic vehicle.
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y		None necessary
East Antrim Approved Driving Instructors' Association (Representative Organisation)	N	Passing an ADI test in an automatic car should restrict you to teaching in automatic cars with that being the case there is no need to restrict anyone from taking that career move.	The ADI tests can currently only be taken in a manual car. This proposal is an accommodation to facilitate potential instructors who could not take the ADI practical tests in a manual car.

Alert Driver Education (Representative Organisation)	N	We feel that you would be discriminating against instructors who would want to teach in this field. We suggest that there would need to be some type of way to identify these instructors so that you know exactly which class of vehicle they can provide instruction in. A special instructor who passed Part 3 in an adapted vehicle can only teach in this class of vehicle. If they wish to teach in another type of vehicle they have to pass Part 3 in that type of vehicle. The ADI licence could be colour coded.	An ADI can currently teach in both manual and automatic cars. This proposal was to facilitate potential instructors who could not take the ADI practical tests in a manual car.  Consideration will be given to adapting the ADI licence to identify if the instructor can teach in: 1) both manual and automatic cars; or 2) only automatic cars.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y		None necessary
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y		None necessary
Individual ADI	Y		None necessary



**Q6. Do you agree that it should be a condition of registration that an instructor can safely take control of a vehicle in an emergency and that all instructors should be required to sign a declaration to that effect, rather than proceeding to introduce an emergency control assessment for disabled instructors?**

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Driving Instructors' National Association Council (Representative Organisation)	Y	As Part 3 addresses this we do not see the need for a pre assessment.	The Part 3 (test of instructional ability) will assess if the situation arises.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	As Part 3 addresses this we do not see the need for a pre assessment.	The Part 3 (test of instructional ability) will assess if the situation arises.
Driving Instructors' Association Northern Ireland (Representative Organisation)	N	Have reservations about instructors signing a legal document that may be used against them in a court of law if an accident did occur.	We do not believe that signing a declaration would make an ADI more accountable in the case of an accident than they are currently in their role as an instructor / supervising driver.
East Antrim Approved Driving Instructors' Association (Representative Organisation)	N	To protect the candidates and taking into account the wide and complicated spectrum that disablement reaches it should be necessary that the control of a vehicle can be established by all instructors.	All instructors will be required to sign a declaration that they can safely take control of a vehicle in an emergency.
Alert Driver Education (Representative Organisation)	Y	Your duty of care to the client is very important, so you should be able to deal with any emergency, for example taking control of the vehicle or removing injured people from a life threatening situation.	None necessary

Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	As Part 3 addresses, we do not see the need for a pre assessment.	The Part 3 (test of instructional ability) will assess if the situation arises
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	As Part 3 addresses this we do not see the need for a pre assessment.	The Part 3 (test of instructional ability) will assess if the situation arises.
Individual ADI	Y	As Part 3 addresses this we do not see the need for a pre assessment.	The Part 3 (test of instructional ability) will assess if the situation arises.

**Q7. Do you agree that where potential issues regarding an instructor’s ability to safely take control of the vehicle in an emergency are identified, DVA should offer advice and guidance as outlined in the consultation paper?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors’ National Association Council (Representative Organisation)	Y	DVA should offer guidance in this area.	None necessary
Northern Ireland Approved Driving Instructor’s Association (Representative Organisation)	Y	DVA should offer guidance in this area and identify organisations that can assist the instructor for adaptations or training as required.	None necessary
Driving Instructors’ Association Northern Ireland (Representative Organisation)	N	Ambiguous.	Clarification was sought in relation to this comment, and the DIANI Chair advised that DIANI members had a spectrum of opinions in relation to this question, and therefore could not agree a composite answer.
East Antrim Approved Driving Instructors’ Association (Representative Organisation)	Y		None necessary

Alert Driver Education (Representative Organisation)	Y	We agree that our governing body should provide guidance in this area either by the issuing of a booklet or workshops. It has to be addressed, so to check this ability it needs to be included in Part 3. An instructor must be a fit and proper person (if you are a first aider do you stand back and watch in an emergency?).	The Part 3 (test of instructional ability) will assess if the situation arises.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	DVA should offer guidance in this area.	None necessary
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	DVA should offer guidance in this area.	None necessary
Individual ADI	Y	DVA should offer guidance in this area.	None necessary

**Q8. Do you agree that those providing paid instruction in category B+E should be registered with DVA?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	Anyone getting payment or reward in any type of motor vehicle should be registered with DVA.	None necessary
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	Anyone getting payment or reward in any type of motor vehicle should be registered with DVA.	None necessary
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	In addition "learners" for trailers should have to take an extra theory test just like learner motorcycle riders.	There is no requirement for an additional theory test for any other category of trailer test, therefore we do not intend to introduce for B+E.
East Antrim Approved Driving Instructors' Association (Representative Organisation)	N	There is no need to be on a Register if you have the licence and you're an ADI then you should be able to teach it. As long as the person conducting the training is an ADI not PDI.	An ADI will be on the ADI register.
Alert Driver Education (Representative Organisation)	Y	They should be registered like any other instructor as from experience we have found that the standard of instruction and knowledge is lacking. We believe that any person giving instruction for reward should be assessed by the DVA even if working for road safety charities.	None necessary
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	Anyone getting payment or reward in any type of motor vehicle should be registered with DVA.	None necessary

Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	Anyone getting payment or reward in any type of motor vehicle should be registered with DVA.	None necessary
Individual ADI	Y	Anyone getting payment or reward in any type of motor vehicle should be registered with DVA.	None necessary

**Q9. Option 2 is DVA’s preferred option. We would welcome your views on which of the options you think would be most appropriate. Please outline the reasons for your answer. Option 1 – do nothing, Option 2 – must be ADI, Option 3 – full B+E register.**

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Driving Instructors’ National Association Council (Representative Organisation)	Option 2 & Option 3	Option 2 with the addition of a theory test, knowledge should be adequate for the needs of trailer instruction i.e. Loading, Nose weight, Tying loads etc. ADI should have B+E instructor added to it.	Given the cost of introducing an additional theory test, we propose to proceed with Option 2 as outlined in the consultation paper. Consideration will be given to introducing some questions relating to trailers when the ADI theory test questions are next reviewed.
Northern Ireland Approved Driving Instructor’s Association (Representative Organisation)	Option 2	Option 2 with the addition of a theory test, knowledge should be adequate for the needs of trailer instruction i.e. Loading, Nose weight, Tying loads etc. ADI should have B+E instructor added to it.	Given the cost of introducing an additional theory test, we propose to proceed with Option 2 as outlined in the consultation paper. Consideration will be given to introducing some questions relating to trailers when the ADI theory test questions are next reviewed.

<p>Driving Instructors' Association Northern Ireland (Representative Organisation)</p>	<p>Option 3</p>	<p>There are split views on this but many believe B+E should be treated like AMI register and held instructor full ADI licence for at least 4 years.</p>	<p>We believe this would be unnecessarily restrictive, and would prevent those already instructing in category B+E but who are not registered as ADIs from teaching B+E for four years.</p>
<p>East Antrim Approved Driving Instructors' Association (Representative Organisation)</p>	<p>Option 2</p>	<p>The main reason for candidates failing this test is driver error relating to Cat B driver faults, with that evidence in mind an ADI can correct the faults this should be reviewed if statistics indicate a change in the future.</p>	<p>None necessary</p>
<p>Alert Driver Education (Representative Organisation)</p>	<p>Option 2</p>	<p>We agree this is the preferred option but would wish that a number of issues be considered. Instructors should be able to explain or complete a short exam in the following area, Construction &amp; Use Reg, Road Traffic Order, Safety of Loads. The reason for this is that when a load is carried during a test it states that the load must be secure. What does this mean? Sand bags lying in a trailer? If the load moves are the axle weights and nose weight correct for the vehicle? If they are over the weight allowed an offence has been committed. If over the design weight then the offence is driving a vehicle in a dangerous condition. If nose is exceeded then is the towing vehicle going to brake correctly, steer properly? These are a few examples. We are willing to meet to discuss this subject further in more detail.</p>	<p>Given the cost of introducing an additional theory test, we propose to proceed with Option 2 as outlined in the consultation paper. Consideration will be given to introducing some questions relating to trailers when the ADI theory test questions are next reviewed which would include the issues raised in this response.</p> <p>In addition, DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.</p>



Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Option 2 & Option 3	Option 2: with the addition of a theory test, knowledge should be adequate for the needs of trailer instruction i.e. Loading, Nose weight, Tying loads etc. ADI licence should have B+E instructor added to it.	Given the cost of introducing an additional theory test, we propose to proceed with Option 2 as outlined in the consultation paper. Consideration will be given to introducing some questions relating to trailers when the ADI theory test questions are next reviewed.
Individual ADI	Option 2	Option 2 is agreeable however I feel the changes being made to the trailer test e.g. the load on trailer is a unhelpful burden on B+E trainers who will now be hit with more cost to meet the changes and higher fuel costs in the current climate is unhelpful and could B+E instructors out of circulation.	The changes referred to are the real weight requirement which is a European requirement (EC2003/59). The UK has deferred implementation to the last possible date.
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Option 2 & Option 3	Option 2 with the addition of a theory test, knowledge should be adequate for the needs of trailer instruction i.e. Loading, Nose weight, Tying loads etc. ADI should have B+E instructor added to it.	Given the cost of introducing an additional theory test, we propose to proceed with Option 2 as outlined in the consultation paper. Consideration will be given to introducing some questions relating to trailers when the ADI theory test questions are next reviewed.

Individual ADI	Option 2 & Option 3	Option 2 with the addition of a theory test, knowledge should be adequate for the needs of trailer instruction i.e. Loading, Nose weight, Tying loads etc. ADI should have B+E instructor added to it.	Given the cost of introducing an additional theory test, we propose to proceed with Option 2 as outlined in the consultation paper. Consideration will be given to introducing some questions relating to trailers when the ADI theory test questions are next reviewed.
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**Q10. Do you agree with the eligibility criteria as outlined in the consultation paper?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	Concerns have been raised that some instructors knowledge base is not sufficient to be teaching in this field.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	In addition have held an ADI licence for 3 years or show previous verifiable experience, skill and knowledge in towing of trailers.	We believe this would be unnecessarily restrictive, and would prevent those already instructing in category B+E but who are not registered as ADIs from teaching B+E for three years.
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	Extra knowledge about Loading, Nose weights, Tying down loads etc should be included.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y		None necessary

Alert Driver Education (Representative Organisation)	Y	We agreed that this should be the minimum criteria with a few possible additions. ADI for a minimum of 3 year and/or knowledge and skills in this field (formal qualifications or verifiable experience for example previous occupation). The 3 years could be exempted if the experience more than covers the subject.	We believe this would be unnecessarily restrictive, and would prevent those already instructing in category B+E but who are not registered as ADIs from teaching B+E for three years.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	Concerns have been raised that some instructors' knowledge base is not sufficient to be teaching in this field.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Individual ADI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	Concerns have been raised that some instructor's knowledge base is not sufficient to be teaching in this field.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Individual ADI	Y	Concerns have been raised that some instructor's knowledge base is not sufficient to be teaching in this field.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.

**Q11. Do you agree with the proposed list of documents to be regarded as guidance under Article 52(4)(d)?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y		None necessary
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y		None necessary
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	Plus Highway Code	The Highway Code provides a summary of legal requirements that all drivers must adhere to. We do not plan to specify it separately.
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y		None necessary
Alert Driver Education (Representative Organisation)	Y	We agree with this list with a few additions. Safety of Loads Manual, Selected Regulation from the Construction and Use Regulations for example loads on vehicle, tyres etc. Lighting Regulation (marking of loads).	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y		None necessary

Individual ADI	Y		None necessary
Individual AMI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y		None necessary
Individual ADI	Y		None necessary

**Q12. Are there any other documents you think should be regarded as guidance under Article 52(4)(d)?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)		Safety of Loads, Constructions and Use Regulations.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)		As well as Safety of Loads and Constructions and Use Regulations.	As above
Driving Instructors' Association Northern Ireland (Representative Organisation)		Farmer's Union Literature.	We do not think this could be regarded as guidance issued by the Registrar
East Antrim Approved Driving Instructors' Association (Representative Organisation)		No comment	None necessary
Alert Driver Education (Representative Organisation)		Safety of Loads Manual, Selected Regulation from the Construction and Use Regulations for example loads on vehicle, tyres etc. Lighting Regulation (marking of loads). There may be other publications that we cannot recall at the moment.	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)		Safety of Loads. Constructions and Use Regulations.	These are a legal requirement that all drivers must abide by.

Individual ADI		None	None necessary
Individual AMI		Police motorcyclists Roadcraft Manual.	Whilst there are benefits from the Roadcraft Manual, it is aimed largely at advanced riders rather than the learner riders therefore we would not propose to specify this manual as Guidance issued by the Registrar.
Omagh & District Approved Driving Instructor's Association (Representative Organisation)		Safety of Loads Constructions and Use Regulations	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.
Individual ADI		Safety of Loads Constructions and Use Regulations	DVA will provide advice for instructors in relation to B+E requirements, as it does already for those instructing in cars and motorcycles.



**Q13. Do you agree that the documents which instructors are required to adhere to should be specified in legislation at the earliest opportunity?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	We agree totally.	None necessary
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	We agree totally.	None necessary
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	Plus clear explanation of laden weights.	Information on 'laden testing' is available on <a href="http://www.NIDirect.gov.uk">www.NIDirect.gov.uk</a>
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y		None necessary
Alert Driver Education (Representative Organisation)	Y	We agree totally.	None necessary
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	We agree totally.	None necessary
Individual ADI	Y		None necessary
Individual AMI		No comment.	None necessary

Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	We agree totally.	None necessary
Individual ADI	Y	We agree totally.	None necessary

**Q14. Do you agree that DVA should introduce powers for immediate suspension in Northern Ireland?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	Further discussion needs to take place as we have reservations. Any decision panel should include representatives from the ADI industry.	Given the complexity of the issue, further consideration will be given to this proposal before deciding the way forward.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	Unsure as further discussion needs to take place to agreed fit and proper person criteria.	As above
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	With reservations but ADI Instructor Associations should have a representative on any decision panel.	As above
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y	The general public are vulnerable in this environment and should be protected without delay.	As above
Alert Driver Education (Representative Organisation)	Y	We agree in principle but feel more clarification and discussion is required to establish what exactly would put you as an instructor in this position. This is someone livelihood and could have very serious outcome both for the instructor and the industry.	As above
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	Further discussion needs to take place as we have reservations. Any decision panel should include representatives from the ADI industry.	As above
Individual ADI	Y		None necessary
Individual AMI	Y		None necessary

Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	Further discussion needs to take place as we have reservations. Any decision panel should include representatives from the ADI industry.	As above
Individual ADI	Y	Further discussion needs to take place as we have reservations. Any decision panel should include representatives from the ADI industry.	As above

**Q15. Do you agree that the power to suspend an instructor should only be available to the Registrar in the circumstances outlined in the consultation paper, or are there other circumstances in which the Registrar should be able to use this power? If so, please outline which circumstances you feel would be appropriate.**

Respondent (Type)	Agree? (If Response Form or similar Used)	Comments	DoE Response
Driving Instructors' National Association Council (Representative Organisation)	Y	Unsure. We feel the registrar should have the powers required to remove but do not think the criteria required to do so is clear and therefore cannot make a supportive statement.	Given the complexity of the issue, further consideration will be given to this proposal before deciding the way forward.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	Unsure. We feel the registrar should have the powers required to remove but do not think the criteria required to do so is clear and therefore cannot make a supportive statement.	As above
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	See answer 14. If convicted or if the person is deemed a danger to the public by PSNI then action needs taken.	As above
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y	Complaints about Instructors Examiners need to be directed to an outside body.	As above
Alert Driver Education (Representative Organisation)	Y	We agree that the registrar should have these powers but in the consultation document we feel there is not enough detail to make a constructive comment. Further consultation or explanation would help in this case.	As above

Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	Unsure. We feel the registrar should have the powers required to remove but do not think the criteria required to do so is clear and therefore cannot make a supportive statement.	As above
Individual ADI	Y		None necessary
Individual AMI	Y		None necessary
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	Unsure. We feel the registrar should have the powers required to remove but do not think the criteria required to do so is clear and therefore cannot make a supportive statement.	As above
Individual ADI	Y	Unsure. We feel the registrar should have the powers required to remove but do not think the criteria required to do so is clear and therefore cannot make a supportive statement.	As above

**Q16. Do you agree that the proposal to provide for a compensation scheme as outlined in the consultation paper (this would be subject to further detailed consultation)?**

<b>Respondent (Type)</b>	<b>Agree? (If Response Form or similar Used)</b>	<b>Comments</b>	<b>DoE Response</b>
Driving Instructors' National Association Council (Representative Organisation)	Y	We have major concerns that if an instructor is removed and then reinstated that the damage already done to their name and business will not be able to be adequately covered by monies offered.	Given the complexity of the issue, further consideration will be given to this proposal before deciding the way forward.
Northern Ireland Approved Driving Instructor's Association (Representative Organisation)	Y	We have major concerns that if an instructor is removed and then reinstated that the damage already done to their name and business will not be able to be adequately covered by monies offered. Decisions to remove may be done with the mindset that compensation will be available if the wrong decision is made i.e. better safe than sorry no amount of money may be able to repair the damage done is this fallback being suggested because the department want to act on soft intelligence and not admittance of guilt of conviction.	As above
Driving Instructors' Association Northern Ireland (Representative Organisation)	Y	With reservations as no amount of money would compensate for the wrong decision.	As above
East Antrim Approved Driving Instructors' Association (Representative Organisation)	Y	Nearly impossible to get right due to human rights issues equal opportunities etc.	As above

Alert Driver Education (Representative Organisation)	Y	We would agree in principal with this proposal but we feel that sometimes that monetary compensation is too late as the damage done by false accusations sometimes cannot be repaired no matter how much money is used. Stories can be very damaging even if there is no substance to them, no smoke without fire? Why have a compensation policy if the powers are written correctly.	As above
Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)	Y	We have major concerns that if an instructor is removed and then reinstated that the damage already done to their name and business will not be able to be adequately covered by monies offered.	As above
Individual ADI	Y		None necessary
Individual AMI	Y	While I agree that suspension may be an option, checks and balances should be in place where the AMI has a right of appeal against the registrar's decision to suspend.	As above
Omagh & District Approved Driving Instructor's Association (Representative Organisation)	Y	We have major concerns that if an instructor is removed and then reinstated that the damage already done to their name and business will not be able to be adequately covered by monies offered.	As above
Individual ADI	Y	We have major concerns that if an instructor is removed and then reinstated that the damage already done to their name and business will not be able to be adequately covered by monies offered.	As above



## Additional Comments

Respondent	Comments	DoE Response
<p>Driving Instructors' National Association Council (Representative Organisation)</p>	<p><b>General Comments:</b> We agree in principal to all the proposals but feel they all need to be tweaked. We would request further details for some of them as we feel that through a stakeholder group formed by representatives of the driver industry and DVA.</p> <p><b>Partial Impact Assessment:</b> We do not fully understand how we can comment as we do not have knowledge of your costing policies.</p> <p><b>Format of Consultation Paper:</b> We feel that the form should have been available to fill in online.</p>	<p>DVA meets regularly with stakeholder groups including DINAC. All comments on the proposals in the consultation paper have been considered and responded to in this document.</p> <p>The partial impact assessment is intended to provide an estimate of possible costs if the proposals are introduced, and provides an opportunity for consultees to provide additional detail.</p> <p>We will consider using an online response form for future consultations.</p>

<p>Northern Ireland Approved Driving Instructor's Association (Representative Organisation)</p>	<p><b>General Comments:</b> We agree in principal to all the proposals but feel there needs further discussion through a stakeholder group formed by representatives of the driver industry and DVA.</p> <p><b>Partial Impact Assessment:</b> We do not fully understand how we can comment as we do not have knowledge of your costing policies.</p> <p><b>Format of Consultation Paper:</b> We feel that the form was not user friendly and the document was not tablet friendly as most instructors use mobile devices.</p>	<p>DVA meets regularly with stakeholder groups including DINAC, the umbrella group for driving instructor associations, which includes a NIADIA representative. All comments on the proposals in the consultation paper have been considered and responded to in this document.</p> <p>The partial impact assessment is intended to provide an estimate of possible costs if the proposals are introduced, and provides an opportunity for consultees to provide additional detail.</p> <p>We will consider an alternative response format for future consultations.</p>
<p>Driving Instructors' Association Northern Ireland (Representative Organisation)</p>	<p><b>Format of Consultation Paper:</b> Not available as a word document. PDF cannot be filled online and emailed back.</p>	<p>We will consider an alternative response format for future consultations. A word version of the response form was available on request.</p>
<p>East Antrim Approved Driving Instructors' Association (Representative Organisation)</p>	<p><b>General Comments:</b> The AMI licence should be supported by a PDI licence to allow training to take place. Why not? EAADIA support the potential instructors licence and agree that it is a valuable and necessary for PIs to have practice with a wide selection of clients prior to taking the test. We would urge you to consider this immediately.</p>	<p>This was considered and discounted during implementation of the AMI register, with support from stakeholders.</p>

<p>Alert Driver Education (Representative Organisation)</p>	<p><b>General Comments:</b> We agree in principal to all the proposals but feel they all need to be tweaked. We would request further details for some of them as we feel that through a stakeholder group formed by representatives of the driver industry and DVA. As we are a road safety training company with experience as driving instructors and have a law enforcement background are willing to participate.</p> <p><b>Partial Impact Assessment:</b> We do not fully understand how we can comment as we do not have knowledge of your costing policies.</p> <p><b>Format of Consultation Paper:</b> We feel that the form was not user friendly as to type into it you needed a particular programme which not everyone has. The document was not tablet friendly as most instructors use mobile devices.</p>	<p>DVA meets regularly with stakeholder groups including DINAC, the umbrella group for driving instructor associations, and includes a representative from Alert Driver Education. All comments on the proposals in the consultation paper have been considered and responded to in this document.</p> <p>The partial impact assessment is intended to provide an estimate of possible costs if the proposals are introduced, and provides an opportunity for consultees to provide additional detail.</p> <p>We will consider an alternative response format for future consultations.</p>
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<p>Mid-Ulster Approved Driving Instructors' Association (Representative Organisation)</p>	<p><b>General Comments:</b> We agree in principal to all the proposals but feel they all need to be tweaked. We would request further details for some of them as we feel that through a stakeholder group formed by representatives of the driver industry and DVA.</p> <p><b>Partial Impact Assessment:</b> We do not fully understand how we can comment as we do not have knowledge of your costing policies.</p> <p><b>Format of Consultation Paper:</b> We feel that the form should have been available to fill in online.</p>	<p>DVA meets regularly with stakeholder groups including DINAC, the umbrella group for driving instructor associations, which includes a representative from the Mid-Ulster ADI Association. All comments on the proposals in the consultation paper have been considered and responded to in this document.</p> <p>The partial impact assessment is intended to provide an estimate of possible costs if the proposals are introduced, and provides an opportunity for consultees to provide additional detail.</p> <p>We will consider using an online response form for future consultations.</p>
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<p>Omagh &amp; District Approved Driving Instructor's Association (Representative Organisation)</p>	<p><b>General Comments:</b> We agree in principal to all the proposals but feel they all need to be tweaked. We would request further details for some of them as we feel that through a stakeholder group formed by representatives of the driver industry and DVA.</p> <p><b>Partial Impact Assessment:</b> We do not fully understand how we can comment as we do not have knowledge of your costing policies.</p> <p><b>Format of Consultation Paper:</b> We feel that the form should have been available to fill in online.</p>	<p>DVA meets regularly with stakeholder groups including DINAC, the umbrella group for driving instructor associations, which includes a representative from the Omagh &amp; District ADI Association. All comments on the proposals in the consultation paper have been considered and responded to in this document.</p> <p>The partial impact assessment is intended to provide an estimate of possible costs if the proposals are introduced, and provides an opportunity for consultees to provide additional detail.</p> <p>We will consider using an online response form for future consultations.</p>
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<p>Individual ADI</p>	<p><b>General Comments:</b> We agree in principal to all the proposals but feel they all need to be tweaked. We would request further details for some of them as we feel that through a stakeholder group formed by representatives of the driver industry and DVA.</p> <p><b>Partial Impact Assessment:</b> We do not fully understand how we can comment as we do not have knowledge of your costing policies.</p> <p><b>Format of Consultation Paper:</b> We feel that the form should have been available to fill in online.</p>	<p>DVA meets regularly with stakeholder groups including DINAC, the umbrella group for driving instructor associations; this ADI is represented on DINAC. All comments on the proposals in the consultation paper have been considered and responded to in this document.</p> <p>The partial impact assessment is intended to provide an estimate of possible costs if the proposals are introduced, and provides an opportunity for consultees to provide additional detail.</p> <p>We will consider using an online response form for future consultations.</p>
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## **Section 4 – Next steps**

The Driver & Vehicle Agency would like to thank all those who responded to the consultation.

Having taken into consideration the views received during the consultation process, we have decided to proceed with the following proposals, as outlined in the consultation paper:

- Improvements to the trainee licence scheme, including mandatory display of the trainee licence, revocation of a second trainee licence where an expired first licence is not returned to the Registrar, and in the longer term reducing to one the maximum number of trainee licences a potential instructor may apply for;
- Permitting drivers with a medically restricted driving licence to use a car with automatic gears for the ADI practical driving test and ADI test of instructional ability if they wish. In conjunction with this, we intend to introduce a requirement that all driving instructors must sign a declaration that they would be able to safely take control of a vehicle in an emergency situation, and that this should be a condition of registration;
- Requiring those providing paid instruction in the driving of car and trailer combinations to be registered as ADIs; and
- Formalising the list of documents which are to be regarded as ‘guidance issued by the Registrar’, and which must be adhered to by ADIs and AMIs as a condition of their continued registration.

In relation to the introduction of powers for immediate suspension from the ADI or AMI Registers of instructors who would pose a significant threat to the safety of members of the public if their registration were not suspended, further consideration will be given to this proposal before deciding the way forward.

## **Section 5 – List of Respondents**

Driving Instructors' National Association Council  
Northern Ireland Approved Driving Instructors' Association  
Driving Instructors' Association Northern Ireland  
East Antrim Approved Driving Instructors' Association  
Alert Driver Education  
Mid-Ulster Approved Driving Instructors' Association  
Omagh & District Approved Driving Instructors' Association  
Disability Action  
3 individual instructors