

## **SL1 – To Departmental Committee Clerk**

Dear Michael,

### **The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2026**

The Department for Infrastructure proposes to make a Statutory Rule under powers conferred by Article 17(2), 19C(2) and 218 of the Road Traffic (Northern Ireland) Order 1981. The Statutory Rule is subject to the negative resolution procedure.

#### **Background**

The Road Traffic (Northern Ireland) Order 1981, supported by detailed regulations, provides for the driver licensing system in Northern Ireland and underpins the requirement to hold a licence to drive on public roads in Northern Ireland.

Licences are divided into categories and sub-categories, based on vehicle type and weight, that determine what types of vehicles you are entitled to drive, as set out in the Motor Vehicles (Driving licences) (Regulations) (Northern Ireland) 1996.

Under the current driving licence framework, 3,500kg is the maximum vehicle weight that a category B (cars and light vans) licence holder may drive. Vehicles weighing above this 3,500kg threshold require licence holders to apply for and successfully pass a more restrictive category C or C1 driving test. As such this can unintentionally create unintended regulatory barriers in relation to the uptake of zero-emission goods vehicles (ZEGVs).

ZEGVs have an increased mass, as compared to their petrol and diesel equivalents, due to the additional weight of their powertrain e.g. battery which results in small commercial vans/light commercial vehicles often exceeding the 3,500kg threshold permitted to be driven under a category B licence. Despite this extra weight ZEGVs are equivalent in function and appearance to petrol and diesel vans.

The Department is now seeking to amend current driving licensing legislation to allow ZEGVs up to a maximum authorised mass (MAM) of 4,250kg to be driven on a category B driving licence within NI.

In bringing forward this amendment the Department aims to:

- deliver against environmental commitments made by the NI Executive through their endorsement of the UK Government's Zero Emission Vehicle (ZEV) Mandate from 1 January 2025 which requires the phasing out of the sale of new petrol and diesel cars and vans from 2030, with all new car and van sales to zero emission vehicles by 2035; and to the commitment to the implementation of the ZEV Mandate as set out in the DfI Mandate Plan for 25-27;
- support the growing ZEGV market in NI; and

- align NI requirements with legislative flexibilities introduced to support the uptake of ZEGVs in neighbouring jurisdictions,

### **Purpose of the Statutory Rule**

The Statutory Rule will amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (S.R.1996/542) (“the principal Regulations”) in order to allow category B licence holders to drive zero-emission vehicles with a MAM over the standard entitlement of 3,500kg.

The Rule:

- provides for category B (car and light van) licence holders to drive certain zero emission vehicles with a MAM not exceeding 4,250kg.
- provides for category B licence holders to drive certain zero emission vehicles with a MAM not exceeding 5,000kg if fitted with specialist equipment for disabled users. The additional 750kg can only be used for specialist equipment for disabled users and not as additional payload.
- restricts the application of the amended category B licence provisions to those drivers who have held their full category B licence for an aggregate period of not less than two years.
- provides that the amended category B provisions will apply to all ZEGVs and not just those transporting goods.
- provides for a category B licence holder who is operating a ZEGV weighting between 3,500kg – 4,250kg, to tow a trailer where the trailer has a MAM not exceeding 750kg.
- provides for a category B licence holder who is operating a ZEGV weighting between 3,500kg – 4,250kg to operate a vehicle and trailer combination up to 7,000kg MAM, on passing a B+E test, where the weight of the trailer does not exceed 3,500kg.

### **Previous Engagement with the Committee**

The Department wrote to the Committee on 6<sup>th</sup> March 2026 notifying them of the intention to launch a public consultation on proposed changes to regulations designed to support the uptake of ZEGVs in Northern Ireland.

### **Consultations**

The Department for Infrastructure carried out a targeted four week consultation exercise on the proposed changes between 10th March 2026 and 6th April 2026.

There was a total of 26 responses received, 14 of which represented organisations or interested bodies. The majority (21) of responses were received through an online

questionnaire hosted on Citizen Space. The remainder (5) of the responses were received via email.

Overall, the majority of the proposals were received positively.

The consultation sought views on the proposal to increase the weight limit of ZEGVS that can be driven on a category B driving licence from 3,500kg – 4,250kg in NI. 92% of respondents were in support of this proposal.

While a majority of respondents (71%) agreed with the proposal to restrict the application of the amended category B licence provisions to those drivers who have held their full category B licence for at least two years, a number of comments not in support of this proposal were received reflecting the need for consistency in approach with that in GB however the Department still intends to progress with this change.

All of the other proposals were supported by the majority of respondents including:

- 92% of respondents supported category B licence holders to drive certain zero emission vehicles with a MAM not exceeding 5,000kg if fitted with specialist equipment for disabled users where the additional 750kg can only be used for specialist equipment for disabled users.
- 92% of respondents supported that the amended category B provisions apply to all ZEGVs and not just those transporting goods.
- 87% of respondents supported allowing a category B licence holder who is operating a ZEGV weighting between 3,500kg – 4,250kg to tow a trailer where the trailer has a MAM not exceeding 750kg.
- 92% of respondents supported allowing a category B licence holder who is operating a ZEGV weighting between 3,500kg – 4,250kg to operate a vehicle and trailer combination up to 7,000kg MAM, on passing a B+E test, where the weight of the trailer does not exceed 3,500kg.

General comments from respondents were largely supportive of the changes being proposed, recognising the economic, operational and environmental benefits. Some respondents noted general concerns surrounding road safety implications associated with increased vehicle mass and the limited availability of Northern Ireland-specific evidence to support the policy proposals. A number of respondents noted that as heavier electric vans are similar in size to their Internal Combustion Engine (ICE) equivalents, with the extra weight associated with the battery/powertrain, they are no more likely to be involved in a collision and therefore do not pose a greater road safety risk.

The synopsis of responses (“the synopsis”) has been prepared and will be published on 15<sup>th</sup> May 2026. The synopsis can viewed at: <https://www.infrastructure-ni.gov.uk/publications/synopsis-responses-consultation-proposals-changes-regulations-support-uptake-zero-emission-goods-vehicles-zegvs-northern-ireland>.

### **Equality Impact**

In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department conducted a screening exercise on the proposals and concluded that the proposed Statutory Rule does not impact on equality of opportunity in any of the groups specified in section 75 of the Northern Ireland Act 1998.

Section 75 category impacts were considered when developing the consultation proposals with supplementary screening conducted throughout, and following the completion of, the consultation exercise and the drafting of the legislation. Accordingly, the Department does not envisage or consider that there are likely to be any significant negative, adverse or unequal impacts associated with the introduction of the proposed changes. A full Equality Impact Assessment is not therefore required.

### **Regulatory Impact**

A screening exercise found that a full Regulatory Impact Assessment was not necessary as it is not anticipated that the proposals will result in any significant direct or indirect financial impact on the voluntary sector or businesses.

### **Rural Needs Impact**

A Rural Needs Impact Assessment screening on the proposed changes was completed and screened out the need for a full impact assessment.

### **Data Protection Impact**

A Data Protection Impact Assessment (DPIA) screening exercise has been carried out on the proposed changes and screening identified that a full DPIA Impact Assessment is not required.

### **Child Rights Impact**

The Department considers that the making of these Regulations will not have any direct impacts on child rights and a full Child Rights Impact Assessment is therefore not required.

### **Position in Great Britain**

The GB Department for Transport (DfT) brought in the Motor Vehicles (Driving Licences) (Amendment) Regulations 2018 [2018 No.784] to allow Alternatively Fuelled Vehicles (AFVs), including ZEGVs, with a MAM of 4,250kg to be driven on a category B licence in GB. GB introduced further changes to support the uptake of ZEGVs in 2025 via the Motor Vehicle (Driving Licences) (Amendment) (No.2) Regulations 2025 [2025 No. 608].

The legislation in GB provides for the following:

- Category B licence holders to drive certain zero emission vehicles with a MAM of 4,250kg.
- Category B licence holders to drive certain zero emission vehicles with a MAM of 5,000kg if they are fitted with specialised equipment needed for disabled users.

- Category B licence holders operating ZEGVs weighting between 3,500kg and 4,250kg to operate a vehicle and trailer combination of up to 7,000kg MAM.

### **Any Other Information**

Ireland brought in similar amending legislation in November 2020 through the Road Traffic (Licensing of Drivers) (Amendment) (No.8) Regulations 2020 [S.I.No.489 of 2020]. This legislation provides for category B licence holders to drive AFVs (including ZEGVs) with a MAM above 3,500kg but not exceeding 4,250kg on the condition that they:

- (i) had obtained their licence at least two years previously;
- (ii) could only drive for the purpose of transporting goods; and
- (iii) could not tow a trailer.

The proposed legislation incorporates provisions applicable across both GB and Ireland. The approach being adopted in NI reflects a thorough assessment of the proposals and the consultation feedback.

### **Financial Implications**

There are no charges associated with the implementation of the proposals.

The proposed legislation may result in cost savings for those operating 4,250kg ZEGVs who would, under the current legislation, be required to obtain a category C/C1 licence. Obtaining a category C/C1 licence results in increased costs for the user due to costs associated with upfront licence acquisition and any medical examinations and training for a driver certificate of professional competence if the vehicle is intended to be driven for commercial use.

This legislation would therefore result in costs savings for those wishing to drive a 4,250kg ZEGV. However, it has not been possible to make an accurate assessment on cost based on the evidence available.

### **Compliance with Section 24 of the Northern Ireland Act 1998**

The Department is satisfied that the proposed legislation is compatible with section 24 of the Northern Ireland Act 1998. The proposals do not impose restrictions on individual's rights but rather incentivise driving licence holders to adopt the use of electric vehicles and reduce their carbon footprint.

In the same way, the changes do not alter rights or equality of opportunity, so do not engage Article 2(1) of the Windsor Framework.

### **Consideration by the Executive**

Not required.

### **Proposed Timing of Consideration of the SL1**

In the correspondence of 6<sup>th</sup> March 2026, the Committee was informed that the proposed changes would be subject to the use of time limited powers contained in the Retained EU Law (Revocation and Reform) Act 2023 which expire of 23 June 2026. However legal scrutiny during the legislative drafting process identified applicable domestic powers which could be relied upon (under powers conferred by Article 17(2), 19C(2) and 218 of the Road Traffic (Northern Ireland) Order 1981). Use of these powers will now be subject to the negative resolution procedure, and the subsequent Committee scrutiny.

This SL1 has been submitted to the Committee in accordance with the minimum four-week timeframe, and the Department proposes that the Committee consider the SL1 on Wednesday 10 June 2026.

**Proposed Operational Date**

It is intended that this legislation will come into operation on 1<sup>st</sup> August 2026.

The draft of the proposed Statutory Rule is attached, and you will wish to bring this matter to the attention of the Committee for Infrastructure.

Yours sincerely,



Joseph Heath

**Departmental Assembly Liaison Officer  
Signed for The Department for Infrastructure**

Committee for Infrastructure Clerk  
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**Date:** 15 May 2026

**cc: Human Rights Commission  
Equality Commission**