

#### 44. Conditional drivers' licences

- (1) Where an applicant for a driver's licence —
- (a) is, in the opinion of the Director General, incapable, by reason of any physical disability, of properly driving or controlling a motor vehicle but the incapacity can be overcome by the wearing of suitable aids or the fitting to the motor vehicle of suitable appliances;
  - (aa) is unable to comply with the requirement of section 42(2)(c) but, in the opinion of the Director General —
    - (i) the applicant is capable of controlling the class of motor vehicle for which the driver's licence is sought under certain conditions or subject to certain limitations; and
    - (ii) the denial of a driver's licence would occasion undue hardship or inconvenience;
  - (b) is unable to comply with any of the requirements, not being the requirement of section 42(2)(c), and the denial of a driver's licence would, in the opinion of the Director General occasion undue hardship or inconvenience; or
  - (c) should not, in the opinion of the Director General, drive a motor vehicle, except subject to conditions or limitations,

the Director General may issue a driver's licence subject to such conditions or limitations as the Director General thinks fit to impose, and those conditions or limitations shall be endorsed on the driver's licence.

- (1a) Where the Director General is of the opinion described in subsection (1)(a) in relation to the holder of a driver's licence, the Director General may at any time during the currency of the licence, or upon a renewal thereof endorse such conditions or limitations as the Director General thinks fit on the licence whether by adding any new condition or limitation or amending an existing condition or limitation.
- (1b) The Director General may at any time by notice in writing given to the holder of a licence revoke any condition or limitation endorsed on the licence under this section.
- (1c) The Director General may, by notice in writing given to the holder of a licence, request him to produce the licence to the Director General for endorsement under subsection (1a) at a place, specified in the notice, and a person to whom such a notice is duly given shall comply with it as soon as is practicable.
- (2) Every person who, being the holder of a driver's licence endorsed with conditions or limitations pursuant to this section, fails to comply with those conditions or limitations, or any of them, commits an offence.

Penalty: For a first offence, 6 PU.

For a subsequent offence, 12 PU.

- (3) For the purposes of this section a condition or limitation is to be taken to be endorsed on a driver's licence if —
- (a) notice of the condition or limitation is served on the applicant for or the holder of the licence; and

- (b) a prescribed notation is endorsed on the licence to show that the licence is subject to conditions or limitations set out in a notice under paragraph (a).

*[Section 44 amended by No. 81 of 1980 s. 5; No. 105 of 1981 s. 19; No. 11 of 1988 s. 24; No. 32 of 1988 s. 4; No. 57 of 1988 s. 7; No. 78 of 1995 s. 147; No. 76 of 1996 s. 20(1) and (3); No. 50 of 1997 s. 13; No. 39 of 2000 s. 22.]*