

## 42. Licensing of drivers

- (1) An application for a driver's licence shall be lodged with the Director General in a form approved by the Director General and shall specify the class of motor vehicle for which the appropriate licence is sought.
- (2) Subject to the succeeding provisions of this Part, the Director General shall, on the application of any person, on payment of the prescribed fee and on being satisfied that the applicant —
  - (a) has —
    - (i) attained the minimum age of 17 years, unless in the opinion of the Director General the denial of a licence to a person of lesser age would occasion undue hardship; or
    - (ii) if the application is for a driver's licence for a moped, attained the age of 16 years;
  - (b) has, if under the age of 18 years, obtained the consent in writing of a parent or guardian to hold the class of licence applied for, or, where the applicant has no parent or guardian in the State, of his employer, to hold the class of licence applied for if considered essential for the purposes of his employment;
  - (c) has demonstrated his ability to control the class of motor vehicle for which the appropriate driver's licence is sought; and
  - (d) has a reasonable knowledge of the traffic laws of the State and of safe driving techniques,

issue to the applicant a driver's licence appropriate to the class of vehicle for which it is sought.

- (2a) The Director General may accept evidence other than the requirement that a person undergo a driving test in satisfaction of the requirement imposed by subsection (2)(c).
- (3) Without limiting subsection (2a), the Director General may, in satisfaction of the requirement imposed by subsection (2)(c), accept evidence from a body authorized by the Director General for that purpose.
- (4) An applicant for a driver's licence appropriate to the passenger vehicle class provided by section 43 may, in addition to satisfying the requirements of subsection (2), be required to —
  - (a) submit himself to a medical practitioner approved by the Director General for examination as to his physical fitness to drive a passenger vehicle; and
  - (b) supply proof of his good character.
- (5) The holder of a driver's licence to which subsection (4) applies shall, at intervals prescribed by regulations or determined in a particular case under subsection (6), submit himself to a medical practitioner approved by the Director General for examination as to his physical fitness to drive a passenger vehicle.
- (6) Upon examining a person for the purposes of subsection (4) or (5), a medical practitioner may recommend in writing to the Director General that shorter intervals than those prescribed under subsection (5) should apply in relation to that person and the Director General may determine that the shorter

intervals so recommended shall apply in relation to that person and shall inform the person in writing accordingly.

- (7) The Director General shall not issue a driver's licence to a person mentioned in section 51(2), (3) or (3a), until that person has again complied with the requirements of subsection (2), and shall then issue the licence on probation only, unless the person has then —
- (a) attained the age of 18 years; and
  - (b) been the holder of a valid driver's licence issued on probation for a period of, or periods amounting in the aggregate to, one year.
- (8) The Director General shall not issue a driver's licence to a person whose licence has been cancelled by force of section 75(2a) or (2b) until that person has again complied with the requirements of subsection (2).

*[Section 42 amended by No. 89 of 1978 s.7; No. 42 of 1980 s.5; No. 105 of 1981 s.19; No. 95 of 1984 s.3; No. 57 of 1988 s.4; No. 76 of 1996 ss.8 and 20(3).]*