

# **STATES OF JERSEY**



## **DRAFT ROAD TRAFFIC (No. 55) (JERSEY) REGULATIONS (P.157/2003): COMMENTS**

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**Presented to the States on 25th November 2003  
by the Home Affairs Committee**

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**STATES GREFFE**

## COMMENTS

In 1994 the Motor Vehicles (Driving Licences) (Jersey) Order provided that application may be made up to 3 months prior to the expiry of the licence. This provision was made for 2 reasons-

- (i) to allow applicants who may be out of the Island at the time of renewal to apply early;
- (ii) to lessen the effect of the “bulge” of renewals as licences would be valid for 5 years from date of issue.

This practice, it seems, has been adopted by the Parishes to achieve these aims but a small number of licences have been given validity in excess of the statutory 5 years by up to 3 months.

These licences with a validity of over 5 years will become invalid at the end of the 5 year period leaving between one and 3 months of invalid licence cover. This is clearly unsatisfactory and must be addressed.

The advice from the Solicitor General is that retrospective legislation should be introduced in order to increase the validity period for licences by up to 3 months. It must be borne in mind, however, that there is no immediate requirement to introduce this legislative change as those licences affected are valid for the full 5 years.

The Committee intends to include this measure at the same time as it will be bringing forward, in the early part of 2004, proposals for the introduction of the plastic “credit card” style licence, so making better use of the already stretched resources of the Law Draftsman’s Office. An additional proposal to be introduced at that time is to extend the period of validity of the licence from 5 to 10 years and alter the expiry date of licences to the birth date of the applicant. This would have the effect of alleviating the rush to renew in the month of January.

Deputy Hill quotes television licences and insurance premiums in his Report as examples of renewal dates being at the expiry of the period of validity, thereby not involving any loss in monetary terms. There is, however, the situation of passport renewal. Those who wish to travel abroad to certain countries are required to have 6 months validity remaining on a passport and may be forced to renew early, forfeiting this period of entitlement and the consequential monetary value. While the Committee is mindful of those who have renewed their licence early and in so doing have incurred a perceived loss of entitlement of at worst 3 months, which equates in monetary terms to £1.25, and at best one month at a cost of £0.41p – not a significant loss over 5 years.

The effect of Deputy Hill’s Proposition is that any licence issued after the Proposition has taken effect will be valid in excess of the current 5-year period. This will mean a licence issued on 2nd December 2003 will be valid for 5 years and one month. This will also apply to those whose licence is valid currently for one year by virtue of age.

The Deputy’s Proposition, however, will not deal with licences already issued in excess of 5 years, but the package that the Committee will be proposing, as previously mentioned in the report, will have that effect by the introduction of retrospective legislation. Further discussions will be taking place with the Solicitor General and Law Draftsman in order to ensure this requirement is met.