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DRIVING REGULATIONS – Updated with Important Changes

The Road Traffic (Licensing of Drivers) Regulations, 15th November 1999, set out the conditions under which a person with epilepsy can obtain a driving licence:-

- “In the case of an applicant for a licence to drive a vehicle of any category who suffers or has suffered in the past from epilepsy, fitness to drive:-
- (a) may be certified for a limited period in relation to vehicles of category A1, A, B, EB, M or W **where the applicant has not suffered any epileptic attack during the twelve month period preceding the date of “medical examination”**
- (b) An applicant who suffers or has suffered in the past from epilepsy, **“will not be certified in relation to vehicles of Category C1, C, D, EC1, ED1 or ED”** (lorries, buses and heavy goods vehicles).

Amendments to the **Road Traffic (Licensing of Drivers) Regulations 2004** became effective in November 2004. These amendments are in relation to fitness to drive cars, light vans and motorcycles for people with specific seizure types.

- **Nocturnal/Sleep seizures:** From now it will be possible for a person who has had sleep seizures only for two years to drive with a **Consultant Neurologist’s Certification.**
- **Provoked seizures: Under the certification of a Consultant Neurologist** in certain circumstances where there has been a provoked seizure, the one year rule can now be reduced to six months.
- **Simple Partial Seizures:** People who only have seizures which are **Simple Partial and where consciousness is fully maintained** throughout all their seizures (e.g. auras alone) may now be allowed to drive provided this can be certified by a **Consultant Neurologist.**

Please note there are **no changes to section (b)** above where licences for lorries, buses and heavy goods vehicles will still not be granted.

APPLYING FOR A LICENCE -EXPLANATORY NOTES

Every person applying for a driving licence, or a provisional licence, is asked on the application form if they have epilepsy, or if they had epilepsy in the past. If you have been seizure free, night and day, for at least 1 year (preceding the date of the medical

examination) even if you are still on medication, you can be granted a license to drive vehicles in categories **A, A1, B, EB, M, and W- motorcycles, cars, light vans, tractors**

DO I NEED A MEDICAL REPORT?

If you have epilepsy or have had any history of epilepsy, and you are one year seizure free your application for a new licence will have to be accompanied by a medical report form (D501) completed by your doctor. If your doctor is in doubts as to your fitness to drive, he/she may wish to refer you to a specialist for another opinion. You must apply for your licence within ONE MONTH of having the medical report filled in by your doctor.

LICENCE HOLDERS: IF YOU ALREADY HOLD A DRIVING LICENCE AND DEVELOP EPILEPSY, YOU SHOULD STOP DRIVING IMMEDIATELY.

Following a diagnosis of epilepsy it would be irresponsible, illegal and potentially dangerous for yourself and for others to continue driving. You should be able to resume driving after one year, if you remain free of seizures during that period. Your Doctor should be in a position to advise you in accordance with the new regulations. It is advisable to contact your local licensing authority to clarify if they need notification of your diagnosis.

WHAT COUNTS AS A SEIZURE IN RESPECT OF THE LAW ON DRIVING?

All episodes of epileptic activity (including auras or seizure warnings in which consciousness is retained) count as seizures. Night and daytime seizures count in the same way in respect of the above legislation.

DRIVING SAFELY

AVOID driving for many hours or if you are fatigued. If you have to drive a long distance, take breaks every couple of hours or, better still, share the driving with someone else.

ENSURE you always take your medication as prescribed and follow your doctor's advice

DO NOT drive while your medication is being changed or discontinued, until your doctor advises you that it is safe to do so.

AVOID driving if you are suffering side-effects from your medication that are likely to affect your performance while driving.

DO NOT drink alcohol if you are driving. Even small amounts can interfere with medication and affect your driving ability.

MOTOR INSURANCE

It is advisable to firstly shop around for the most competitive quote you can get and then declare that you have epilepsy. Whether or not you have to pay an extra loading on your premium will depend on the policy of the insurance company and the details of your particular case. By seeking the quote before declaring you have epilepsy you will at least know by how much you are being loaded. There is considerable risk attached to not revealing your condition Failure to disclose epilepsy could mean that in the event of an accident, your policy could be declared null and void. Extra loading may be a small price to pay in the long run.

If you have difficulty obtaining a quotation, the Insurance Information Service of the Insurance Federation can help to arrange cover for you under the Declined Cases Agreement. You must be refused by three different companies before the Insurance Federation will take up your case. The Insurance Federation will need to know the exact order in which you approached the companies and details of any insurance cover you may have had.

Also the Irish Insurance Federation of Ireland in 39 Molesworth St, provide an information service on all insurance matters.

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