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STATUTORY INSTRUMENTS

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**1999 No. 2864**

**The Motor Vehicles (Driving Licences) Regulations 1999**

**PART VI**

**DISABILITIES**

**Disabilities prescribed in respect of Group 1 licences**

72.—<sup>F1</sup>(1) Impairment of vision is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a holder of, a Group 1 licence, who is unable to satisfy the following standards—

- (a) the Group 1 visual acuity standard in paragraph (1A);
- (b) the Group 1 visual field standard in paragraph (1C); and
- (c) in the case of a person with diplopia or sight in only one eye, the adaptation standard in paragraph (1D).

(1A) The Group 1 visual acuity standard is—

- (a) a visual acuity of at least 6/12 (decimal 0.5); and
- (b) the ability to read in good daylight a registration mark which is affixed to a motor vehicle and contains characters of the prescribed size,

in either case with corrective lenses if necessary.

(1B) For the purposes of paragraph (1A)(b), “characters of the prescribed size” means characters 79 millimetres high and 50 millimetres wide in a case where they are viewed from a distance of—

- (a) 12 metres, by an applicant for, or the holder of, a licence authorising the driving of a vehicle of a class included in category K, and
- (b) 20 metres, in any other case.

(1C) The Group 1 visual field standard is—

- (a) a measurement of at least 120 degrees on the horizontal plane;
- (b) an extension of at least 50 degrees left and an extension of at least 50 degrees right;
- (c) an extension of at least 20 degrees above and an extension of at least 20 degrees below the horizontal plane; and
- (d) no significant defects present within a radius of the central 20 degrees.

(1D) The adaptation standard for a person having diplopia or sight in only one eye is that <sup>F2</sup>..., there has been—

- (a) an appropriate period of adaptation; and
- (b) clinical confirmation of full adaptation.

(1E) Impairment of vision is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who fails to meet the visual field standard, where that person satisfies the following conditions—

- (a) the visual acuity standard in paragraph (1A) is met;
- (b) any visual field defect has been present for at least one year;
- (c) that defect was caused by an isolated event or a non-progressive condition;
- (d) there is no other condition or pathology present which is regarded as progressive and likely to affect the visual field;
- (e) there is clinical confirmation of full functional adaptation;
- (f) the applicant has sight in both eyes;
- (g) there is no uncontrolled diplopia;
- (h) there is no other impairment of visual function, including glare sensitivity, contrast sensitivity or impairment of twilight vision;
- (i) since developing any visual field defect, the applicant has passed a disability assessment test; and
- (j) the Secretary of State is satisfied that the driving of a vehicle by that person in accordance with the licence is not likely to be a source of danger to the public.]

[<sup>F3</sup>(2) Epilepsy is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a holder of, a Group 1 licence, who has had two or more epileptic seizures during the previous five year period.

(2A) Epilepsy is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who satisfies the conditions set out in paragraph (2F) and who has either—

- (a) been free from any unprovoked seizure during the period of one year immediately preceding the date when the licence is granted; or
- (b) during that one year period has suffered no unprovoked seizure other than a permitted seizure.

(2B) A permitted seizure for the purposes of paragraph (2A)(b) is—

- (a) a seizure, which can include a medication adjustment seizure, falling within only one of the permitted patterns of seizure; or
- (b) a medication adjustment seizure where—
  - (i) that medication adjustment seizure does not fall within a permitted pattern of seizure;
  - (ii) previously effective medication has been reinstated for at least 6 months immediately preceding the date when the licence is granted;
  - (iii) that seizure occurred more than 6 months before the date when the licence is granted; and
  - (iv) there have been no other unprovoked seizures since that seizure; or
- (c) a seizure occurring before a medication adjustment seizure permitted under sub-paragraph (b), where—
  - (i) that earlier seizure had, to that point, formed part of only one permitted pattern of seizure and had occurred prior to any medication adjustment seizure not falling within the same permitted pattern; or
  - (ii) it is a medication adjustment seizure, which was not followed by any other type of unprovoked seizure, except for another medication adjustment seizure.

(2C) A permitted pattern of seizure for the purposes of paragraph (2B), is a pattern of seizures—

- (a) occurring during sleep, where—

- (i) there has been a seizure while asleep more than one year before the date when the licence is granted;
  - (ii) there have been seizures only while asleep between the date of that seizure while asleep and the date the licence is granted; and
  - (iii) there has never been an unprovoked seizure while awake; or
- (b) occurring during sleep, where—
- (i) there has been a seizure while asleep more than three years before the date when the licence is granted;
  - (ii) there have been seizures only while asleep between the date of that seizure while asleep and the date the licence is granted; and
  - (iii) there is also a history of unprovoked seizure while awake, the last of which occurred more than three years before the date when the licence is granted, or
- (c) without influence on consciousness or the ability to act, where—
- (i) such a seizure has occurred more than one year before the date when the licence is granted;
  - (ii) there have only been such seizures between the date of that seizure and the date when the licence is granted; and
  - (iii) there has never been any other type of unprovoked seizure.

(2D) An isolated seizure is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a holder of, a Group 1 licence—

- (a) in a case where there is an underlying causative factor that may increase future risk, where such a seizure has occurred during the previous one year period; and
- (b) in any other case, where such a seizure has occurred during the previous 6 month period.

(2E) An isolated seizure is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence, who—

- (a) (i) in a case where there is an underlying causative factor that may increase future risk, has had such a seizure more than one year immediately before the date when the licence is granted; and
  - (ii) in any other case, has had such a seizure more than 6 months immediately before the date when the licence is granted;
- (b) has had no other unprovoked seizure since that seizure; and
- (c) satisfies the conditions set out in paragraph (2F).

(2F) The conditions are that—

- (a) so far as is practicable, the applicant complies with the directions regarding treatment for epilepsy or isolated seizure, including directions as to regular medical check-ups made as part of that treatment, which may from time to time be given by a registered medical practitioner or one of the clinical team working under the supervision of that registered medical practitioner;
- (b) if required to do so by the Secretary of State, the applicant has provided a signed declaration agreeing to observe the condition in sub-paragraph (a);
- (c) if required by the Secretary of State, there has been an appropriate medical assessment by a registered medical practitioner; and
- (d) the Secretary of State is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.]

(3) The disability described in paragraph (1) is prescribed for the purposes of section 94(5)(b) of the Traffic Act in relation to an applicant for, or a person who holds, a Group 1 licence.

[<sup>F4</sup>(4) Diabetes mellitus is prescribed for the purposes of section 92(2) of the Traffic Act as a relevant disability in relation to an applicant for, or a holder of, a Group 1 licence, who is being treated with insulin or another medication which carries a risk of inducing hypoglycaemia and—

[<sup>F5</sup>(a) has experienced two or more episodes of severe hypoglycaemia while awake during the previous one year period, and the most recent episode occurred during the previous three month period; or]

(b) has impaired awareness of hypoglycaemia.

(5) Diabetes mellitus is prescribed for the purposes of section 92(4)(b) of the Traffic Act in relation to an applicant for a Group 1 licence who is being treated with insulin and—

[<sup>F6</sup>(a) does not fall within paragraph (4)(a);]

(b) does not have impaired awareness of hypoglycaemia; and

(c) satisfies the conditions prescribed in paragraph (6).

(6) The conditions are that the applicant—

(a) can demonstrate an understanding of the risks of hypoglycaemia and adequate control of the condition;

[<sup>F7</sup>(b) undertakes appropriate monitoring to assess glucose levels and any risk of hypoglycaemia;]

(c) is under regular medical review; and

(d) is a person in respect of whom the Secretary of State is satisfied that the driving of a vehicle in accordance with the licence is not likely to be a source of danger to the public.

(a) [<sup>F8</sup>(7) (a) in relation to eyesight—

references to measurements of visual acuity are references to visual acuity measured as decimals or fractions on the Snellen Scale; and

“sight in only one eye” means there is total functional loss of vision in one eye, or use of only one eye.

(b) in relation to epilepsy and isolated seizure—

“epilepsy” means the occurrence of two or more unprovoked seizures over a period which exceeds 24 hours and “epileptic seizure” means any such seizure;

“isolated seizure” means—

(i) one or more unprovoked seizures occurring over a single period which does not exceed 24 hours; or

(ii) one or more unprovoked seizures occurring over a period which does not exceed 24 hours, where that period of seizure has occurred more than five years after the last unprovoked seizure;

“medication adjustment seizure” means a seizure occurring during and because of documented physician advised substitution, reduction or withdrawal of anti epilepsy medication;

“provoked seizure” means a seizure which has a recognisable causative factor which is reliably avoidable and which is not a medication adjustment seizure;

“unprovoked seizure” means a seizure which is not a provoked seizure.

(c) in relation to diabetes—

“impaired awareness of hypoglycaemia” means the inability to detect the onset of hypoglycaemia because of a total absence of warning symptoms;

“severe hypoglycaemia” means an episode of hypoglycaemia requiring the assistance of another person.]]

#### Textual Amendments

- F1** Reg. 72(1)-(1E) substituted for reg. 72(1)(1A) (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **3(2)**
- F2** Words in [reg. 72\(1D\)](#) omitted (10.4.2014) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/613\)](#), regs. 1, **7**
- F3** Reg. 72(2)-(2F) substituted for reg. 72(2) (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **3(3)**
- F4** Reg. 72(4)-(7) inserted (15.11.2011) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2011 \(S.I. 2011/2516\)](#), regs. 1(1), **2(2)**
- F5** Reg. 72(4)(a) substituted (1.1.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2017 \(S.I. 2017/1208\)](#), regs. 1, **2(2)(a)**
- F6** Reg. 72(5)(a) substituted (1.1.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2017 \(S.I. 2017/1208\)](#), regs. 1, **2(2)(b)**
- F7** Reg. 72(6)(b) substituted (1.1.2018) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2017 \(S.I. 2017/1208\)](#), regs. 1, **2(2)(c)**
- F8** Reg. 72(7) substituted (8.3.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2013 \(S.I. 2013/258\)](#), regs. 1(1), **3(4)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) Regulations 1999, Section 72.