

Epilepsy and Driving

Driving is an important skill that most adults want to acquire. However, as in the granting of all licences, the major concern of the DVLA is public safety. People with epilepsy are entitled to drive if they meet the legal requirements detailed below and can prove their competence.

The Law

Ordinary Driving Licences

A licence can be granted if an applicant with epilepsy satisfies the following conditions:

- a) They must have been free from any epileptic seizure for 1 year immediately preceding the date from which the licence is to have effect.

OR

- b) They have experienced seizures only whilst asleep for a period of 3 years immediately preceding the date from which the licence is to have effect.

AND

- c) In both cases, the applicant is unlikely to be a source of danger to the public.

Current Licence Holders who Experience a Seizure

When a person has a single seizure with no previous history of such, they must inform the DVLA.

Failure to do so automatically renders the person's licence and motor insurance null and void.

Some people will not have a subsequent seizure, but, due to the uncertainty and unpredictability of recurrence, private driving would not normally be allowed for at least 12 months. HGV/PSV licences would be suspended for a minimum of 10 years.

Once the DVLA has been informed (bearing in mind they can be informed by members of the medical profession or any member of the public who suspects someone has epilepsy and is still driving), the DVLA will, with the applicant's permission, contact the applicant's doctor(s) for a medical report. If the applicant refuses to give the DVLA access to their medical records, then either no licence will be issued, or a current licence will be revoked.

After a year of being seizure free, the person with epilepsy is able to apply for a licence and will be granted a 3 year licence subject to a medical review. After 3 years, they will be sent a form to complete and, if still seizure free, they will automatically receive another 3 year licence. If they are still seizure free after that 3 year period, they will be granted a licence until they are 70 years of age. This means that if you are seizure free for 7 years, you get your licence back for life.

If however, epileptic activity occurs (for whatever reason) during the period that a licence is granted, the licence holder must immediately inform the DVLA, cease driving, and await a further seizure free period in line with the above regulations.

The Law – LGV/PSV Licences

Since 1992, a person with a history of seizures can drive a Large Goods Vehicle or Public Service Vehicle if they have been free from epileptic seizures for 10 years, have not taken any anti-epileptic medication for 10 years and have been declared fit to drive after a medical examination by a consultant nominated by the DVLA.

Why the Need for Regulations?

In a survey of 2,500 road accidents due to medical causes, 50% were attributable to epileptic activity. Safety is the first consideration.

Auras can become 'full blown seizures' with possibly fatal results if the person is driving. All epileptic activity must be reported to the DVLA, however 'minor' it may seem.

Can I Appeal?

Yes, but you will need to produce medical evidence to have any chance of success. Obtaining legal aid would be difficult unless a point of law is at issue. If you are considering an appeal, you can write to the Medical Advisor at the DVLA to arrange a personal interview.

Will I Need to Take Another Driving Test When I Get my Licence Back?

No, but a few refresher lessons with a qualified instructor would be advisable, as is abstaining from alcohol given the effect it has on anti-epileptic drugs. Fatigue should also be avoided.

Insurance

If you have problems obtaining insurance, contact the Insurance Administrator who has arranged a scheme for people with a history of epilepsy at:

Boncaster Limited, Library House, New Road, Brentwood, ESSEX CM14 4GD Tel: (0345) 616161

DVLA Enquiries Tel: (0870) 240 0009

For further information, please contact:

Enlighten – Tackling Epilepsy, 5 Coates Place, Edinburgh EH3 7AA

Tel: (0131) 226 5458 Fax: (0131) 220 2855 Email: info@enlighten.org.uk