

DRIVING: LEGAL AND MEDICAL FACTSHEET

Q What aspects of the law do I have to consider when I'm driving?

A All drivers in the UK are required to have a UK driving licence and adequate insurance for their vehicle.

These requirements are pretty straight forward, but there are a number of instances when, as a disabled driver, you might be driving illegally, particularly if you are taking medicines or your vehicle is adapted.

The information below tells you more about the legal and medical conditions you need to take account of to drive safely and legally.

Q Is my driving licence restricted in anyway?

A If you have car adaptations

If you needed modified driving controls at the time you passed your driving test the DVLA will have noted these on your licence as a code.

You should contact DVLA if you change your way of driving, or adaptations; if you have certain codes on your licence but don't have the corresponding adaptations, you could find yourself driving illegally. You can find out more about codes at <https://www.gov.uk/driving-licence-codes>.

Newer car models often have built in solutions which remove the need for adaptations. If this is the case you must let the DVLA know, and have the relevant codes removed from your licence. Driving Mobility can help if you have any questions or concerns about coding – at www.drivingmobility.org.uk. You can also call them on 0800 559 3636.

As well as being clear about adaptations, you must tell DVLA if your health or medication may affect your driving. You should also tell your insurance company – and let them know what DVLA has decided.

A If you have health and medical conditions

You must tell DVLA if you have a driving licence and:

- You develop a '**notifiable**' medical condition or disability
- Your condition or disability has got worse since you got your licence

Notifiable conditions are anything that could affect your ability to drive safely. They can include:

- epilepsy
- strokes or head injury
- other neurological and mental health conditions
- physical disabilities
- visual impairments

Find out everything you need to know about driving and medical conditions, including notifiable conditions, here: <https://www.gov.uk/health-conditions-and-driving> and <https://www.gov.uk/driving-medical-conditions/telling-dvla-about-a-medical-condition-or-disability>

You could be fined up to £1,000 if you don't tell DVLA about a condition that might affect your ability to drive safely. You could also be prosecuted if you have an accident.

If you're in Northern Ireland you must contact the Driver and Vehicle Agency (DVA) <http://www.nidirect.gov.uk/index/information-and-services/motoring/driver-licensing/telling-dva-about-a-condition.htm>

You must surrender your licence to DVLA if your doctor tells you to stop driving because of your medical condition or if you don't currently meet the required standards for driving. Surrendering your licence voluntarily may mean you can start driving again sooner.

Q Are my insurance requirements more complex as a disabled driver?

A Getting your vehicle insured so that you are covered for the vehicle and its adaptations is not only an easy and obvious step to take, but also a legal one. Insurance companies are not allowed to discriminate on the grounds of disability so you will be able to secure insurance with all the main providers, but there are also a number of specialist companies. For more information on insurance take a look at our *Buying a Car factsheet*.

When it was difficult for disabled people to get car insurance, the Trust put arrangements in place for beneficiaries to be covered by a fleet insurance policy. This policy is still in place and individual beneficiaries can arrange their insurance through the Trust. However, it is generally significantly cheaper for beneficiaries to arrange their own insurance policy.

Q What are the legal issues related to my condition, when I'm driving?

A Ensuring you are fit to drive

As well as making sure your condition and any modifications to your car are correctly coded on your licence, you have a legal obligation to make sure that you're fit enough to drive.

It's good to check regularly whether you are still fit to drive, and Driving Mobility Assessment Centres can help you. The 17 centres across England offer information and advice to people who have a medical condition or disability, or are recovering from an accident or injury, which may affect their ability to drive.

Independent advisors assess your health, and can also advise you whether your car's adaptations are still right for you. Changes to your eye sight, or your ability to think and react, are given particular attention because your licence can be revoked if you don't meet the assessment criteria. The standard test for eyesight is that you must be able to read a number plate from 20m (65.82") wearing your glasses or contact lenses (if you need them). If you cannot do this then you should not be driving and could be prosecuted.

You can use your Health Grant to pay for the assessment. We are keen to collect feedback on the different centres available so please contact Michelle Robinson on 01480 474074 with your feedback.

To find your local Assessment Centre check, <http://www.mobility-centres.org.uk>, visit the Driving Mobility website at www.drivingmobility.org.uk or call them on 0800 559 3636.

A If you are taking drugs

New legislation states that it is illegal to drive under the influence of certain drugs above specified limits. This includes 16 named drugs, eight of which are prescribed by GPs. The drugs included in the offence most associated with medicinal use are:

- Clonazepam
- Diazepam
- Flunitrazepam
- Lorazepam
- Oxazepam
- Temazepam
- Methadone and Morphine
- Amphetamine e.g. Dexamphetamine or Selegiline.

If you have built up a tolerance to any of these drugs, so are on a high dose, you may be over the set limit. You'll need to discuss this with your doctor to assess whether you are over the limit and it has impaired your driving; or whether you are over the limit but it hasn't impaired your driving.

The doses for the illegal drugs covered in the legislation, including cannabis and cocaine, have been set very low so even small doses will be likely to test positive. You can be prosecuted if you drive having taken these drugs, even if they are at a level that does not affect your driving.

The bottom line is that it is illegal to drive when you are taking certain drugs – including prescription drugs. Check if your prescription drugs are included at <https://www.gov.uk/drug-driving-law>

Talking through your fitness to drive, with your GP, is essential. If you have been on the drugs covered by legislation for a long time they may discuss them with you at your next prescription appointment.

It may be worth having proof you are on the prescribed drug and have followed the advice of your GP or pharmacist.

The law doesn't cover Northern Ireland and Scotland but you could still be arrested if you're unfit to drive.

Q Where can I get further information

- A** To discuss legal and medical matters that impact on your driving, ask questions, or raise concerns, call the Health & Wellbeing team on 01480 474074.

Other helpful sources of information include:

Disability Rights UK Publication www.disabilityrightsuk.org/how-we-can-help/publications/get-motoring

Disabled Motoring UK www.disabledmotoring.org

Mobility Advice Line www.mobility-advice.org.uk