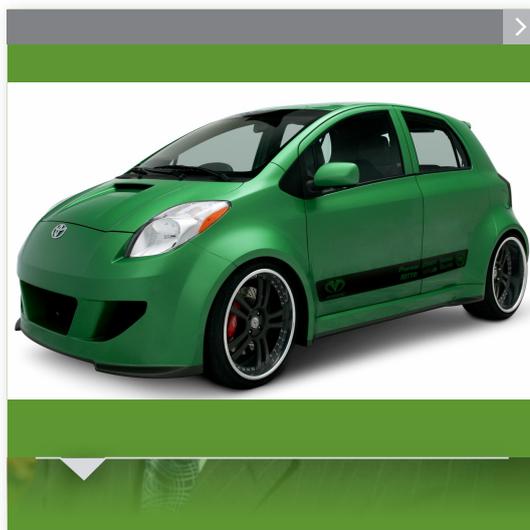


# Epilepsy and driving

**In this leaflet we look at the latest UK regulations concerning epilepsy and driving. These apply both to licence holders and to people who are learning to drive.**



## The law and standards of fitness to drive

Many people find driving an important activity, necessary for independence and getting around. The loss of a driving licence can be hard to accept, but driving rules exist to protect all those who use the roads from the risk of accidents.

Each country in the world has its own laws that govern a person's fitness to drive. In England, Scotland and Wales, the **Driving and Vehicle Licensing Agency (DVLA)**, based in Swansea, is legally responsible for deciding if a person is medically fit to drive. They need to know if driving licence holders have a condition (e.g. epilepsy) that may now or in the future affect their safety as a driver.

People with a history of epilepsy who apply for or renew a driving licence must satisfy and comply with strict legal regulations. The Motor Vehicle (Driving Licences) Regulations 1996 describe epilepsy as a relevant disability for the purpose of Section 92(2) of the Road Traffic Act 1988.

Epileptic seizures are considered the most frequent medical cause of collapse at the wheel.

Epilepsy includes all seizure types, such as tonic clonic (major convulsive) seizures, absences, myoclonic jerks, simple partial seizures and auras or warnings; even if consciousness is not noticeably impaired.

For more information about seizure types, see our leaflet entitled 'What is epilepsy?'

It is important to note that **ALL seizures count, even minor ones, no matter how a person views his or her condition.**

If someone with ongoing seizures continues to drive, he or she will not be covered by insurance and will also be committing a legal offence. Even minor seizures can impair driving ability.

**> If a seizure occurs after the issue of a driving licence, the licence holder must stop driving immediately, inform the DVLA and return the licence.**

The sole responsibility lies with the licence holder to inform the DVLA about their epilepsy or any other medical condition affecting their fitness to drive. However, if a doctor is aware that someone with active epilepsy continues to drive, their commitment to patient confidentiality is over-riden by their public duty of care to inform the DVLA.

**> Driving illegally is a criminal offence and invalidates motor insurance cover.**



## Applying for a driving licence in the UK as a new driver

An applicant needs to complete a standard application form and send it to the DVLA with the appropriate fee.

**There is a question on the application form that asks 'Have you now, or have you ever had, epilepsy?' You must answer YES if:**

- you have had a diagnosis of epilepsy
- your epilepsy is well-controlled with or without medication
- you have had any seizure activity since birth – no matter how mild or minor – including one single seizure

Another form will be sent to you from the DVLA's medical department asking for details. Further information will be required from your doctor. The DVLA has a medical advisory panel that reviews individual cases. There are currently two main categories of driving licence.

### Group 1 – ordinary driving licences

**For light vehicles (private cars, mopeds, motorcycles and vehicles up to 3.5 tonnes with 1-8 passenger seats) an ordinary driving licence will be issued if an applicant:**

- has been seizure free for 12 months with or without anti-epileptic drugs (AEDs) **OR**
- has experienced seizures only during sleep for at least 12 months **OR**
- has experienced seizures when both awake and asleep, but has only had seizures during sleep for the last three or more years **OR**
- is experiencing, and has only ever experienced, seizures that do not affect consciousness or ability to function, and was diagnosed with epilepsy at least 12 months prior to the date of application **AND**
- is deemed unlikely to be a source of danger to the public

Electric wheelchairs are not legally defined as motor vehicles and the user is not required to have a driving licence, but for safety reasons this should be assessed by the user's medical adviser.

In the case of a sleep-only seizures licence, a further seizure occurring during sleep does not need to be reported to the DVLA, no matter how much time has elapsed since the last sleep-only seizure. However a seizure whilst awake must be reported immediately.

**Provided an applicant is able to satisfy the regulations, a three-year licence will normally be issued. A driving licence valid until the age of 70 years will be issued if the holder:**

- remains seizure free for five years with or without medication
- has no other disqualifying condition, e.g. stroke, heart attack

### Group 2 – HGV/PSV licences

**For large goods vehicles and passenger-carrying vehicles over 7.5 tonnes, and vehicles with nine seats or more, a licence will be issued if the applicant:**

- has had no epileptic seizure in the previous 10 years **AND**
- has not taken AED treatment during that 10-year period **AND**
- does not have any continuing liability to epileptic seizures, and has passed a medical examination by a medical consultant nominated by the DVLA

**If an applicant has only ever had a single isolated seizure, a group 2 licence may be issued if:**

- their brain scan and EEG reading are normal
- they have not been prescribed AEDs
- they have been assessed as having a less than 2% risk of further seizures per year
- they have no other factors that might affect their driving

**Seizures can happen for reasons other than epilepsy. Driving regulations still apply. See the table at the end of this leaflet for details.**

## Other Driving Information

### Taxi driving licences

These are either Hackney Carriage or Private Hire licences. Holders of valid driving licences may apply for taxi driving licences from the Vehicle Licensing and Enforcement Department of their local council. Each council sets its own criteria and some may impose extra health requirements.

### Driving on private land

Driving regulations do not apply to driving on private land. However, if a job involves driving on private land (e.g. driving fork-lift trucks or farm machinery), driving may still be restricted by Employer's Liability Insurance and the Health and Safety at Work Act.

### Driving anywhere outside the UK

Driving regulations vary widely from country to country. In making travel plans, check the local law in relation to epilepsy and driving.

### Motor insurance cover

The Disability Discrimination Act states that insurers should not weight a premium on people with a history of epilepsy. In practice, some people may find difficulty in obtaining a fair quote. Epilepsy Action may be able to help with information about reputable insurers.

### Appeals against a DVLA decision

If the DVLA revokes a licence, it will give its decision in writing. **The licence holder must return the licence to the DVLA.** It may be sensible to take a photocopy before returning the original licence by registered post. An appeal against a revoked licence can be lodged with the local Court within 21 days of the date of the notice revoking the licence. There is no need to take another driving test if the licence is renewed after a period of withdrawal. However, a few refresher lessons may help to restore self-confidence and ensure safe driving skills.

### Withdrawal of AEDs

The DVLA medical panel recommends the licence holder should be advised not to drive from the beginning of the period of withdrawal and for a period of six months after stopping medication. This is due to the potential risk of seizures occurring during AED withdrawal. See also the table at the end of this leaflet.

#### IMPORTANT NOTE:

**If medication is omitted or forgotten and an epileptic seizure occurs, the licence holder must comply with the epilepsy driving regulations.**



## Safe driving – sensible precautions

Ability to drive safely may be adversely affected by the following factors:

- tiredness
- illness
- alcohol
- feeling hungry
- driving for long hours without taking regular breaks
- driving without medical advice if medication has been changed, withdrawn or doses missed
- side effects of AEDs
- changes in AED dose or missed doses
- withdrawal from AEDs
- over-the-counter drugs, e.g. for hay fever or travel sickness, and others that can cause side effects such as drowsiness
- the flicker effect of sunlight and shadows or geometric road markings that can cause visual disturbance, which may provoke a seizure – good quality polarised sunglasses may help
- other neurological or neuropsychiatric conditions

## DVLA guidelines at a glance

SITUATION	REGULATION (Group 1 licences)
Newly diagnosed epilepsy	Driving ban until 12 months after last seizure
Recurrent blackouts of uncertain cause	Driving ban until 12 months after last seizure
Single blackout of uncertain cause with epileptic features, e.g. tongue biting	Driving ban for 12 months
Blackout of uncertain cause with no epileptic features	Driving ban for six months
Single provoked seizure	Driving ban is discretionary, sometimes until six months after the seizure, providing the cause has been removed, and unless alcohol or illicit drugs were implicated.
Single provoked seizure related to alcohol or drugs	Driving ban for 12 months after last seizure. A medical report and urine toxicology may be required.
Recurring seizures whilst awake	Driving ban for 12 months after last seizure
Recurring seizures whilst asleep	If seizures have only occurred in sleep, licence may be returned after 12 months, even if seizures are still occurring.
History of recurring seizures whilst both awake and asleep	Licence may be returned if seizures have only occurred during sleep for the last three or more years.
Withdrawal of AEDs in a person who is seizure free	No driving until six months after completion of drug withdrawal. This is DVLA advice, not a regulation.

### For advice and information, contact:

Drivers Medical Group  
Driver and Vehicle Licensing Agency  
Swansea SA99 1TU

Tel: 0870 600 0301 • Fax: 0845 850 0095  
Email: [eftd@dvla.gsi.gov.uk](mailto:eftd@dvla.gsi.gov.uk)  
Website: [www.dvla.gov.uk](http://www.dvla.gov.uk)

#### IMPORTANT NOTE:

Anyone who is medically disqualified from driving is entitled to apply for a concessionary travel card. Contact your local Passenger Transport Executive for details of how to apply.

### This is one in a series of information leaflets about epilepsy.

To access the others, or to find out more about our research, please visit our website: [www.epilepsyresearch.org.uk](http://www.epilepsyresearch.org.uk)

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