

2001 No. 267

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Driving Licences) (Amendment) Regulations
(Northern Ireland) 2001**

Made 2nd July 2001

Coming into operation 20th August 2001

The Department of the Environment, in exercise of the powers conferred on it by Articles 9(4)(b) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 20th August 2001.

Amendment of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996

2.—(1) Regulation 51 (disabilities prescribed in respect of Group 2 licences) of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(b) shall be amended in accordance with paragraphs (2) and (3).

(2) For paragraph (8A)(c) there shall be substituted—

“(8A) Diabetes requiring insulin treatment is prescribed for the purposes of Article 9(4)(b) of the Order in the case of a person who—

(a) is an applicant for a licence authorising the driving of vehicles in sub-category C1, C1 + E or C1 + E (8.25 tonnes); and

(b) satisfies the Department that he has, for at least four weeks, been undergoing treatment with insulin,

provided that he satisfies the conditions mentioned in paragraph (8B).”.

(3) For paragraph (8B)(d) there shall be substituted—

“(8B) The conditions referred to in paragraph (8A) are that—

(a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of “Department” and “prescribed”; Article 9 was substituted by S.I. 1991/197 (N.I. 3), Schedule 1 and amended by S.R. 1996 No. 426, Schedule 1, paragraph 3

(b) S.R. 1996 No. 542; relevant amending Regulations are S.R. 1998 No. 415, S.R. 1999 No. 358 and S.R. 2000 No. 115

(c) Paragraph (8A) was inserted by S.R. 1998 No. 415

(d) Paragraph (8B) was inserted by S.R. 1998 No 415 and amended by S.R. 1999 No. 358

- (a) he has not, during the period of twelve months ending on the date of the application, required the assistance of another person to treat an episode of hypoglycaemia suffered whilst he was driving;
- (b) he makes an arrangement to undergo, at intervals of not more than twelve months, an examination by a hospital consultant specialising in the treatment of diabetes and, so far as is reasonably practicable, conforms to that arrangement;
- (c) his application is supported by a report from such a consultant sufficient to satisfy the Department that he has a history of responsible diabetic control with a minimal risk of incapacity due to hypoglycaemia;
- (d) he provides a declaration, signed by him, that he will—
 - (i) so far as reasonably practicable comply with such directions regarding his treatment for diabetes as may, for the time being, be given to him by the doctor supervising that treatment,
 - (ii) immediately report to the Department, in writing, any significant change in his condition, and
 - (iii) provide such evidence as the Department may request that he continues to carry out the monitoring referred to in subparagraph (e);
- (e) he regularly monitors his condition and, in particular, undertakes blood glucose monitoring at least twice daily and at times relevant to—
 - (i) if he has held a licence authorising the driving of vehicles in sub-category C1, C1 + E or C1 + E (8.25 tonnes) for at least twelve months since starting his insulin treatment, the driving of such vehicles, and
 - (ii) in any other case, the driving of motor vehicles generally; and
- (f) the Department is satisfied that the driving of such a vehicle in pursuance of the licence is not likely to be a source of danger to the public.”.

Revocation

3. The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2000(a) are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on
2nd July 2001.

(L.S.)

Sam Foster
Minister of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (S.R. 1996 No. 542) in respect of the circumstances in which a person suffering from diabetes requiring insulin may hold certain Group 2 licences.

The Regulations remove the limitation of the present provisions to persons who suffered from diabetes before 1998 and held a relevant licence at the end of 1996, and they extend the provisions to the C1 + E sub-category.

The conditions for the granting of licences are amended with a view to ensuring that the applicant obtains proper treatment for his condition, abides by the treatment plan drawn up by his doctor and monitors his condition appropriately.

The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2000 (S.R. 2000 No. 115) are revoked as a consequence of these Regulations.

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