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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 170**

**The Motor Vehicles (Driving Licences)  
(Amendment) Regulations (Northern Ireland) 2013**

**Amendment to regulation 51 (disabilities prescribed in respect of Group 2 licences)**

4.—(1) Regulation 51 of the principal Regulations is amended in accordance with paragraphs (2) to (8).

(2) For paragraphs (1)(1) and (2) substitute—

“(1) Impairment of vision is prescribed for the purposes of Article 9(2) of the Order as a relevant disability in relation to an applicant for, or the holder of, a Group 2 licence who—

- (a) is unable to satisfy the standards in paragraph (2);
- (b) has sight in only one eye, unless that person—
  - (i) held an obsolete vocational licence on 1st April 1991, provided—
    - (aa) the Department knew of the disability before 1st January 1991; and
    - (bb) the additional conditions in paragraph (5) are satisfied; or
  - (ii) is an excepted licence holder;
- (c) is a person to whom paragraph (3)(c) applies, who—
  - (i) is able to meet the relevant standard of visual acuity prescribed in that sub-paragraph only with the aid of corrective lenses; and
  - (ii) is unable to meet the standard for corrective lenses set out in paragraph (4A); or
- (d) suffers from uncontrolled diplopia.

(2) The standards to be satisfied for the purposes of paragraph (1)(a) are—

- (a) the Group 1 visual acuity standard in regulation 50(1A);
- (b) other than in the case of an excepted licence holder, the relevant Group 2 additional visual acuity standard in paragraph (3); and
- (c) the Group 2 visual field standard in paragraph (4).”

(3) In paragraph (3)—

- (a) in the first line, after “The relevant”, insert “Group 2 additional”; and
- (b) for sub-paragraph (c) substitute—

“(c) in the case of any other person, a measurement of visual acuity (with the aid of corrective lenses if necessary) of at least 6/7.5 (decimal 0.8) in the better eye and at least 6/60 (decimal 0.1) in the worse eye.”

(4) For paragraphs (4) and (5) substitute—

“(4) The Group 2 visual field standard is—

- (a) a measurement of at least 160 degrees on the horizontal plane;
  - (b) an extension of at least 70 degrees left and an extension of at least 70 degrees right;
  - (c) an extension of at least 30 degrees above and an extension of at least 30 degrees below the horizontal plane;
  - (d) no defect is present within a radius of the central 30 degrees; and
  - (e) no other impairment of visual function, including glare sensitivity, contrast sensitivity or impairment of twilight vision.
- (4A) The corrective lenses standard requires that there is not—
- (a) poor toleration of the correction made by the lenses; or
  - (b) an inability to meet the visual acuity standard in paragraph (3)(c) except with glasses having a power exceeding plus eight dioptres.
- (5) The additional conditions for the purposes of paragraph (1)(b)(i)(bb) are—
- (a) the visual acuity in the sighted eye is—
    - (i) in the case of a person who also held such a licence on 1st January 1983, no worse than 6/12 (decimal 0.5); or
    - (ii) in any other case, no worse than 6/9 (decimal 0.67);
  - (b) the applicant satisfies the Department that there has been adequate recent driving experience and that during the period of ten years immediately before the date of the application, there has been no involvement in any road accident where the applicant’s defective eyesight was a contributory factor; and
  - (c) the Department 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.”.
- (5) For paragraph (8) substitute—
- “(8) Epilepsy is prescribed for the purposes of Article 9(2) of the Order as a relevant disability in relation to an applicant for, or a holder of, a Group 2 licence, where two or more epileptic seizures have occurred, or that person has been prescribed medication to treat epilepsy, during the previous ten year period.
- (8A) Epilepsy is prescribed for the purposes of Article 9(4)(b) of the Order in relation to an applicant for a Group 2 licence who—
- (a) in the case of a person whose last epileptic seizure was an isolated seizure, satisfies the conditions in paragraph (8C) and (8D); or
  - (b) in any other case, satisfies the conditions set out in paragraph (8D) and who, for a period of at least ten years immediately preceding the date when the licence is granted has—
    - (i) been free from any epileptic seizure; and
    - (ii) has not been prescribed any medication to treat epilepsy.
- (8B) An isolated seizure is prescribed for the purposes of Article 9(2) of the Order as a relevant disability, in relation to an applicant for, or a holder of, a Group 2 licence, where during the previous five year period, such a seizure has occurred, or that person has been prescribed medication to treat epilepsy or a seizure.
- (8C) An isolated seizure is prescribed for the purposes of Article 9(4)(b) of the Order in relation to an applicant for a Group 2 licence who satisfies the conditions set out in paragraph (8D) and who, for a period of at least five years immediately preceding the date when the licence is granted—
- (a) has been free from any unprovoked seizure; and

- (b) has not been prescribed medication to treat epilepsy or a seizure.
- (8D) The conditions are that—
  - (a) if required by the Department, there has been an appropriate medical assessment by a neurologist; and
  - (b) the Department 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.”.
- (6) In paragraph (9)—
  - (a) for sub-paragraph (a) substitute—
    - “(a) references to measurements of visual acuity and to “sight in only one eye” have the same meaning as in regulation 50(7)(a);”;
  - (b) after sub-paragraph (c) add—
    - “(d) the expressions “epilepsy”, “epileptic seizure”, “provoked seizure” and “unprovoked seizure” have the same meaning as in regulation 50(7)(b); and
    - (e) “isolated seizure” has the same meaning as in regulation 50(7)(b)(ii), except that “ten years” is substituted for “five years” in sub-paragraph (bb) of that definition.”.
- (7) In Table 1—
  - (a) entry number 1 is omitted; and
  - (b) for entry number 2, in column 2, substitute—
    - “Acuity (with the aid of corrective lenses if necessary) of at least 6/9 (decimal 0.66) in the better eye or at least 6/12 (decimal 0.5) in the worse eye, or uncorrected acuity of at least 3/60 (decimal 0.05) in at least one eye.”.
- (8) In Table 2, for entry number 1, in column 2, substitute—
  - “Acuity (with the aid of corrective lenses if necessary) of at least 6/9 (decimal 0.66) in the better eye or at least 6/12 (decimal 0.5) in the worse eye, or uncorrected acuity of at least 3/60 (decimal 0.05) in at least one eye.”.