

2018 No. 132

ROAD TRAFFIC AND VEHICLES

**The Motor Vehicles (Driving Licences) (Amendment)
Regulations (Northern Ireland) 2018**

Made - - - - - *26th June 2018*

Coming into operation - - - - - *30th July 2018*

The Department for Infrastructure(a) makes the following Regulations in exercise of the powers conferred by Articles 9(2) and (4)(b) and 19C(1), (1A) and (2) of the Road Traffic (Northern Ireland) Order 1981(b) and now vested in it(c).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2018 and shall come into operation on 30th July 2018.

Amendment of the Motor Vehicles (Driving Licences) Regulations

2.—(1) Regulation 50 (disabilities prescribed in respect of Group 1 licences) of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(d) is amended in accordance with paragraphs (2) to (4).

(2) For paragraph (4)(a) substitute—

“(a) has experienced two or more episodes of severe hypoglycaemia while awake during the previous one year period, and the most recent episode occurred during the previous three month period; or”.

(3) For paragraph (5)(a) substitute—

“(a) does not fall within paragraph (4)(a);”.

(4) For paragraph (6)(b) substitute—

“(b) undertakes appropriate monitoring to assess glucose levels and any risk of hypoglycaemia;”.

Sealed with the Official Seal of the Department for Infrastructure on 26th June 2018

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- (a) Formerly the Department for Regional Development; *see* section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment is dissolved
- (b) S.I. 1981/154 (N.I. 1); Article 9 was substituted by Schedule 1 to S.I. 1991/197 (N.I. 3) and paragraph (2) was amended by paragraph 3 of Schedule 1 to S.R. 1996 No. 426; Article 19C was substituted by Schedule 1 to S.I. 1991/197 (N.I. 3) and amended by paragraph 8 of Schedule 3 to S.I. 1996/1320 (N.I. 10), paragraph 11 of Schedule 1 to S.R. 1996 No. 426, paragraph 1 of Schedule 2 to S.R. 1997 No. 241, paragraph 8 of the Schedule to S.R. 2002 No. 374, paragraph 6 of Schedule 1 to S.I. 2003/2903 (N.I. 16) and Article 34 of S.I. 2007/916 (N.I. 10)
- (c) *See* Article 8(1)(b) of, and Part 2 of Schedule 5 to, the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)
- (d) S.R. 1996 No. 542; relevant amending Regulations are S.R. 2012 No. 355



Elizabeth Loughran
A senior officer of the
Department for Infrastructure

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 50 of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (“the 1996 Regulations”) in respect of Group 1 driving licences (principally cars and motorcycles) for persons with diabetes mellitus.

Regulation 2(2) and (3) of these Regulations are concerned with implementing paragraph (2) of the Annex of Commission Directive 2016/1106/EU (OJ No L183, 8.7.2016, p.59) (“the Directive”) amending Directive 2006/126/EC (OJ No L403, 30.12.2006, p.18) of the European Parliament and of the Council on driving licences (recast). Paragraph (2) of the Annex of the Directive replaces point 10.2 of section 10 (“Diabetes Mellitus”) of Annex III of Directive 2006/126/EC.

Regulation 2(2) of these Regulations amends regulation 50(4)(a) of the 1996 Regulations so that a Group 1 licence cannot be issued to, and must be revoked in relation to, a person who is being treated with insulin or another medication which carries a risk of inducing hypoglycaemia, if that person has experienced two or more episodes of severe hypoglycaemia while awake during the previous year, and the most recent episode occurred during the previous three months.

Regulation 2(3) of these Regulations amends regulation 50(5)(a) of the 1996 Regulations so that a Group 1 licence may be issued to an applicant who is being treated with insulin, if that applicant does not fall within regulation 50(4)(a). Such an applicant would also be required to fulfil the existing conditions prescribed in regulations 50(5)(b) and (c).

Regulation 2(4) of these Regulations amends regulation 50(6)(b) of the 1996 Regulations so that appropriate monitoring of glucose levels is sufficient to satisfy this prescribed condition and it is not limited only to blood glucose monitoring.

An Explanatory Memorandum and Transposition Note have been produced and are available from Safe and Sustainable Travel Division, Department for Infrastructure, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or online alongside this Statutory Rule at <http://www.legislation.gov.uk/nisr>.

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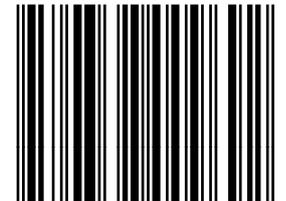
Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty’s Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.25

NI201806261006 07/2018 19585

<http://www.legislation.gov.uk/id/nisr/2018/132>

ISBN 978-0-33-800969-2



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