



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART III

#### LICENSING OF DRIVERS OF VEHICLES

##### *Driving licences*

#### **87 Requirements as to physical fitness of drivers**

- (1) An application for the grant of a licence shall include a declaration by the applicant, in such form as the Secretary of State may require, stating whether he is suffering or has at any time (or, if a period is prescribed for the purposes of this subsection, has during that period) suffered from any prescribed disability or from any other disability likely to cause the driving of a vehicle by him in pursuance of the licence to be a source of danger to the public (such prescribed or other disability being hereafter in this section referred to as a "relevant disability").
- (2) If it appears from the declaration aforesaid, or if on inquiry the Secretary of State is satisfied from other information, that the applicant is suffering from a relevant disability, then, subject to the following provisions of this section, the Secretary of State shall refuse to grant the licence.
- (3) The Secretary of State shall not by virtue of subsection (2) above refuse to grant a licence—
  - (a) on account of any relevant disability, if the applicant has at any time passed a relevant test and it does not appear to the Secretary of State that the disability has arisen or become more acute since that time or was, for whatever reason, not disclosed to the Secretary of State at that time ;
  - (b) on account of any relevant disability which is prescribed for the purposes of this paragraph, if the applicant satisfies such conditions as may be prescribed with a view to authorising the grant of a licence to a person in whose case the disability is appropriately controlled ;
  - (c) on account of any relevant disability other than a disability prescribed for the purposes of this paragraph, if the application is for a provisional licence.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (4) If as the result of a test of competence to drive the Secretary of State is satisfied that the person who took the test is suffering from a disability such that there is likely to be danger to the public—
- (a) if he drives any vehicle, or
  - (b) if he drives a vehicle other than a vehicle of a particular construction or design,
- the Secretary of State shall serve notice in writing to that effect on that person and shall include in the notice a description of the disability; and where a notice is served in pursuance of this subsection, then—
- (i) if the notice is in pursuance of paragraph (a) of this subsection and the disability is not prescribed for the purposes of subsection (3)(c) above, it shall be deemed to be so prescribed in relation to the person aforesaid; and
  - (ii) if the notice is in pursuance of paragraph (b) of this subsection, any licence granted to that person shall be limited to vehicles of the particular construction or design specified in the notice.
- (5) If the Secretary of State is at any time satisfied on inquiry—
- (a) that the licence holder is suffering from a relevant disability, and
  - (b) that the Secretary of State would be required by virtue of subsection (2) or (4)(i) above to refuse an application for the licence made by him at that time,
- the Secretary of State may serve notice in writing on the licence holder revoking the licence at the expiration of a period specified in the notice which shall not be less than seven nor more than thirty days and shall begin with the date of service of the notice ; and it shall be the duty of a person whose licence is revoked under this subsection to deliver up the licence to the Secretary of State forthwith after the revocation.
- (6) In this section—
- " disability " includes disease ; and
  - " relevant test ", in relation to an application for a licence, means any such test of competence as is mentioned in section 85 of this Act or a test as to fitness or ability in pursuance of section 100 of the Road Traffic Act 1960 as originally enacted, being a test authorising the grant of a licence in respect of vehicles of the classes to which the application relates ;
- and for the purposes of subsection (3)(a) above a person to whom a licence was granted after the making of a declaration under paragraph (c) of the proviso to section 5(2) of the Road Traffic Act 1930 (which contained transitional provisions with respect to certain disabilities) shall be treated as having passed, at the time of the declaration, a relevant test in respect of vehicles of the classes to which the licence related.