

1989 No. 373

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment)
Regulations 1989**

Made - - - - *8th March 1989*
Laid before Parliament *13th March 1989*
Coming into force - *3rd April 1989*

The Secretary of State for Transport, in exercise of the powers conferred by sections 87(3)(b) and 107(1) of the Road Traffic Act 1972(a), and now vested in him(b), and of all other enabling powers, and after consultation with representative organisations in accordance with section 199(2) of that Act, hereby makes the following Regulations:

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations 1989 and shall come into force on 3rd April 1989.

2. Paragraph (2) of regulation 24 (Disabilities) of the Motor Vehicles (Driving Licences) Regulations 1987(c) shall be amended as follows—

(a) in sub-paragraph (a) for the words “to have effect” there shall be substituted the word “granted”; and

(b) for sub-paragraph (b) there shall be substituted the following sub-paragraph—

“(b) in the case of an applicant who has had an epileptic attack or attacks only whilst asleep during that period—

(i) he shall have had an epileptic attack whilst asleep more than three years before the date the licence is granted; and

(ii) he shall have had no epileptic attack or attacks whilst awake but only whilst asleep since he had that attack; and”.

Signed by authority of the Secretary of State

8th March 1989

Peter Bottomley
Parliamentary Under Secretary of State,
Department of Transport

(a) 1972 c.20.
(b) S.I. 1979/571 and 1981/238.
(c) S.I. 1987/1378.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 24(2)(a) and (b) of the Motor Vehicles (Driving Licences) Regulations 1987.

Paragraph (2) of regulation 24 sets out the conditions which an applicant for a driving licence, who suffers from epilepsy, must satisfy if he is to be granted a licence.

Sub-paragraph (a) is amended so that the two year period, during which no epileptic attacks shall have been suffered, runs from the date when the licence is granted rather than the date when it is to have effect as previously.

The applicant who has suffered an epileptic attack or attacks only whilst asleep during that period and who cannot by that reason satisfy sub-paragraph (a) must now show a pattern of asleep attacks if he is to satisfy sub-paragraph (b). The condition to be satisfied in that provision as substituted is that he must have had another asleep attack more than three years before the date the licence is granted and have had no awake attack or attacks since that attack.

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