

CONSULTATION – EXTENDING THE VALIDITY PERIOD OF MEDICALLY RESTRICTED DRIVING LICENCES

March 2014

Purpose

This consultation seeks views on whether the validity period for Group 1 driving licences (car and motorcycle) issued by the Driver and Vehicle Licensing Agency (DVLA) following medical assessment should be increased from the current one, two or three years to up to ten years.

Background

The law allows the DVLA to issue a driving licence to a driver on medical grounds for a period of one, two or three years. This requirement is to ensure that drivers continue to meet the medical standards for safe driving.

There is a requirement on the driver to notify the DVLA of the onset or worsening of a medical condition that can affect safe driving. When the DVLA has completed medical enquiries it can either withdraw a driving licence, refuse an application for a licence, issue a long-term licence which is valid until the driver reaches the age of 70, or issue a restricted period licence which lasts for one, two or three years.

The law does not currently allow the DVLA to issue a restricted period driving licence for longer than three years, even when the health condition indicates that such a frequent review is not necessary.

The Proposal

The DVLA is considering whether to extend the maximum period for driving licences restricted on medical grounds beyond three years, where the medical condition is suitable for this longer review period. Each case would be assessed individually and on its own merits, thus minimising any road safety risk. An amendment to section 99 (1) (b) of the Road Traffic Act 1988 could allow for this increased flexibility.

The DVLA does not wish to restrict the proposed change in validity periods to any one medical condition and would want, where expert medical opinion and EU law permits, to allow longer review period licences for any suitable medical condition.

What will extending the period of the medical short period licence achieve?

In 2011/12, the DVLA processed and made licensing decisions on some 675,000 cases relating to Group 1 (car and motorcycle) and Group 2 (lorry and bus) drivers where a health issue was reported for the first time, or an existing condition needed to be reviewed. The total annual cost of the DVLA's medical licensing system, based on an estimated average cost of £30 per case, was £20million. Currently, 43% of Group 1 cases investigated by the DVLA result in the issue of a short period licence.

It is estimated that extending the licensing options available to up to ten years would reduce the DVLA's annual caseload by approximately 10%. Applying this reduction percentage to caseload figures for 2011/12 would reduce the caseload by approximately 61,000 at a cost saving of £1.8m per year.

The existing legislation impacts on the DVLA's ability to provide a fast and responsive service, and places an increased burden on the individual driver who must re-apply for a licence and be assessed at regular intervals, leading to a significant burden also on medical practitioners who have to complete questionnaires on their patients to enable the DVLA to make licensing decisions.

The existing procedures do not take into account the fact that chronic health problems are likely to be the subject of regular review by the driver's doctor or other health professional. These regular reviews present opportunities for driving fitness to be reviewed and discussed. Most drivers engage with this process and take a responsible attitude towards any deterioration of their condition and the need to notify the DVLA of changes to their condition.

More than three quarters of drivers who re-apply following the expiry of a three-year licence are issued with another licence valid for three years. Reviewing a licence every three years may therefore be more often than is needed for many people whose medical condition is likely to change slowly or remain stable. It may be more appropriate to review their licence at longer intervals, knowing that they continue to have an ongoing responsibility to notify the DVLA if their condition gets significantly worse in the meantime. However, high-risk cases would continue to be reviewed after one, two or three years as at present.

Allowing licences to be valid for longer should reduce the burden on individual licence holders and enable the DVLA to concentrate its resources on high risk cases which need close assessment and review. Health professionals would benefit too by a reduction in the number of requests for information from the DVLA.

Analysis undertaken by the DVLA in 2011 showed that drivers with the single medical condition of insulin treated Diabetes, Glaucoma, Epilepsy, Parkinson's Disease or Multiple Sclerosis had been issued with at least two, three-year licences and could therefore be reliably issued with a single licence valid for longer than three years. The actual validity period of the licence would depend on the medical condition and assessment of overall risk and be based on expert medical advice.

The validity period would only be extended for Group 1 driving licences as Group 2 drivers are subject to stricter health standards and may not be eligible for longer period licences than those currently granted. Also, Group 2 drivers must renew their licences every five years after they reach the age of 45, so any medically restricted driving licences issued for Group 2 drivers would have to be valid for five years or less from the age of 45 onwards.

A workshop has been held for interested parties. The consensus at the workshop was broadly in favour of this change. The Secretary of State for Transport's expert medical panels for diabetes and vision are in favour of the proposed change in principle.

RESPONSES

Please provide your comments in the response section of this document.

IMPACT ASSESSMENT

An impact assessment is being developed and the DVLA will continue to work closely with interested groups to define costs, benefits and impacts.

YOUR VIEWS

The DVLA needs to ensure that it considers the needs and views of those affected, takes account of wider implications and has a clear understanding of what the priorities should be. The DVLA would be grateful for views on the following questions.

Questions

Medically restricted driving licences

- Do you agree with the proposal to increase the validity period for certain medically restricted driving licences?
- Do you foresee any problems if the maximum validity period for medically restricted driving licences was extended to up to ten years? If so, what are they?

How to respond

The response form is at **Annex B**.

If you are affected by the changes proposed in this consultation, please consider the questions above. As part of your response we would be interested in receiving any views on the matters included within this document. Responses should be received by 3 April 2014.

When responding, it would be helpful if groups could indicate the people and organisations they represent.

You can respond in the following ways:

- By completing an online response form at:
<https://www.surveymonkey.com/s/BSTNKDS>
- By post to Consultations, Strategy and Policy Directorate, D16, DVLA, Swansea, SA6 7JL

Please use one of the above contacts to request a copy of the consultation in an alternative format (for example, hard copy, Braille, audio CD etc) or if you have any questions.

What happens next?

The results of the consultation will be analysed and a decision taken on whether to seek legislative change.

DVLA reply

The DVLA does not intend to acknowledge receipt of individual responses unless you indicate that you would like an acknowledgement. The DVLA is unable to reply individually to the points you may raise as part of your reply.

A summary of responses will be published within three months of the consultation closing on www.dft.gov.uk/consultations. Those who have responded to the consultation will be notified when this happens.

Confidentiality of responses

The DVLA may publish all or some of the comments received in relation to this consultation. Please note that if the DVLA receives a request from any third party for sight of such comments, it may be obliged by law (for example under the Freedom of Information Act 2000) to disclose such information to the applicant.

If there are particular reasons why you would not wish your comments to be disclosed or published, please say so. Although your wishes may not override any statutory obligations to disclose, they will be taken into account as far as possible.

If you reply by email, the statements made above override any confidentiality disclaimer generated by your IT system.

The Consultation Principles

This consultation complies with the Consultation Principles published by the Cabinet Office on 17 July 2012. This replaced the Code of Practice on Consultations.

<http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

A summary of the Consultation Principles, which can be viewed in full at the above link, is as follows:

- Engagement should begin early in policy development.
- The evidence base for the proposed policy should be made available at an early stage.
- The timeframe for consultation should be proportionate and realistic to allow stakeholders sufficient time for a considered response.
- The amount of time required will depend on the nature and impact of the proposal and may typically vary between two and 12 weeks.
- Information should be presented in an accessible and useful form to stakeholders with a substantial interest in the subject matter.

- The choice of the form of the consultation will depend on the issues under consideration and the available time and resources.
- Information provided should be easy to comprehend, use plain language and clarify the key issues.
- Consideration should be given to more informal ways of engaging that may be appropriate.
- The objectives of the consultation process should be clear.

If you consider that this consultation does not comply with the consultation principles or you have comments about the consultation process please contact:

Tim Ford - Consultation Co-ordinator, Strategy and Policy Directorate, DVLA,
Swansea, SA6 7JL

ANNEX B: Reply Form

EXTENDING THE VALIDITY PERIOD OF MEDICALLY RESTRICTED DRIVING LICENCES

Your Personal Details

Name:

Organisation you
Represent:

Postal address:

Telephone number:

Fax number:

E-mail address:

Questions

Extended period medical licences

1. Do you agree with the proposal to increase the validity period for certain medically restricted driving licences?

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2. Do you foresee any problems if the maximum validity period for medically restricted driving licences was extended for up to 10 years? If so, what are they?

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THE CLOSING DATE FOR RESPONSES IS 3 APRIL 2014