



Road Traffic Act 1988

1988 CHAPTER 52

PART III

LICENSING OF DRIVERS OF VEHICLES

Physical fitness

94 Provision of information, etc. relating to disabilities

- (1) If at any time during the period for which his licence remains in force, a licence holder becomes aware—
- (a) that he is suffering from a relevant or prospective disability which he has not previously disclosed to the Secretary of State, or
 - (b) that a relevant or prospective disability from which he has at any time suffered (and which has been previously so disclosed) has become more acute since the licence was granted,
- the licence holder must forthwith notify the Secretary of State in writing of the nature and extent of his disability.
- (2) The licence holder is not required to notify the Secretary of State under subsection (1) above if—
- (a) the disability is one from which he has not previously suffered, and
 - (b) he has reasonable grounds for believing that the duration of the disability will not extend beyond the period of three months beginning with the date on which he first becomes aware that he suffers from it.
- (3) A person who fails without reasonable excuse to notify the Secretary of State as required by subsection (1) above is guilty of an offence.
- (4) If the Secretary of State has reasonable grounds for believing that a person who is an applicant for, or the holder of, a licence may be suffering from a relevant or prospective disability, subsection (5) below applies for the purpose of enabling the Secretary of State to satisfy himself whether or not that is the case.

Status: This is the original version (as it was originally enacted).

- (5) The Secretary of State may by notice in writing served on the applicant or holder—
- (a) require him to provide the Secretary of State, within such reasonable time as may be specified in the notice, with such an authorisation as is mentioned in subsection (6) below, or
 - (b) require him, as soon as practicable, to arrange to submit himself for examination—
 - (i) by such registered medical practitioner or practitioners as may be nominated by the Secretary of State, or
 - (ii) with respect to a disability of a prescribed description, by such officer of the Secretary of State as may be so nominated,
 for the purpose of determining whether or not he suffers or has at any time suffered from a relevant or prospective disability, or
 - (c) except where the application is for, or the licence held is, a provisional licence, require him to submit himself for a test of competence to drive, being a test authorising the grant of a licence in respect of vehicles—
 - (i) of all or any of the classes to which the application relates, or
 - (ii) which he is authorised to drive (otherwise than by virtue of section 98(2) of this Act) by the licence which he holds,
 as the case may be.
- (6) The authorisation referred to in subsection (5)(a) above—
- (a) shall be in such form and contain such particulars as may be specified in the notice by which it is required to be provided, and
 - (b) shall authorise any registered medical practitioner who may at any time have given medical advice or attention to the applicant or licence holder concerned to release to the Secretary of State any information which he may have, or which may be available to him, with respect to the question whether, and if so to what extent, the applicant or licence holder concerned may be suffering, or may at any time have suffered, from a relevant or prospective disability.
- (7) If he considers it appropriate to do so in the case of any applicant or licence holder, the Secretary of State—
- (a) may include in a single notice under subsection (5) above requirements under more than one paragraph of that subsection, and
 - (b) may at any time after the service of a notice under that subsection serve a further notice or notices under that subsection.
- (8) If any person on whom a notice is served under subsection (5) above—
- (a) fails without reasonable excuse to comply with a requirement contained in the notice, or
 - (b) fails any test of competence which he is required to take as mentioned in paragraph (c) of that subsection,
- the Secretary of State may exercise his powers under sections 92 and 93 of this Act as if he were satisfied that the applicant or licence holder concerned is suffering from a relevant disability which is not prescribed for the purposes of any paragraph of section 92(4) of this Act or, if the Secretary of State so determines, as if he were satisfied that the applicant or licence holder concerned is suffering from a prospective disability.
- (9) The Secretary of State must defray any fees or other reasonable expenses of a registered medical practitioner in connection with—

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- (a) the provision of information in pursuance of an authorisation required to be provided under subsection (5)(a) above, or
- (b) any examination which a person is required to undergo as mentioned in subsection (5)(b) above.