

STATUTORY INSTRUMENTS

1982 No. 423

ROAD TRAFFIC

The Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1982

<i>Made - - - -</i>	<i>22nd March 1982</i>
<i>Laid before Parliament</i>	<i>31st March 1982</i>
<i>Coming into Operation</i>	<i>21st April 1982</i>

The Secretary of State for Transport in exercise of the powers conferred by sections 87 and 107 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 shall come into operation on 21st April 1982 and may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 1982.

2. The Motor Vehicles (Driving Licences) Regulations 1981 (c) shall be amended by the substitution, in Regulation 22 (Disabilities), for paragraph (2), of the following paragraph:—

“(2) Epilepsy is prescribed for the purposes of section 87(3)(b) of the Act of 1972 and an applicant for a licence suffering from epilepsy shall satisfy the conditions that—

- (a) he shall have been free from any epileptic attack during the period of two years immediately preceding the date when the licence is to have effect; or
- (b) in the case of an applicant who has had such attacks whilst asleep during that period, he shall have had such attacks only whilst asleep during a period of at least three years immediately preceding the date when the licence is to have effect; and
- (c) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public.”.

David Howell,
Secretary of State for Transport.

22nd March 1982.

- (a) 1972 c.20; section 87 was amended by the Road Traffic Act 1974 (c.50), section 13 and Schedule 3, paragraph 2.
- (b) S.I. 1979/571 and 1981/238.
- (c) S.I. 1981/952; there is no relevant amending instrument.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations substitute new provision for Regulation 22(2) of the Motor Vehicles (Driving Licences) Regulations 1981 which prescribes epilepsy for the purposes of section 87(3)(b) of the Road Traffic Act 1972. This provision allows licences to be granted in the case of persons suffering from disabilities prescribed thereunder if they satisfy the conditions prescribed. These Regulations introduce new conditions for the grant of licences to persons suffering from epilepsy. The new conditions require, if a licence is to be granted, a period of freedom from epileptic attacks of two years immediately before the licence is to take effect or in the case of a person who has epileptic attacks whilst asleep during that period, that he has had attacks only whilst asleep during a period of at least three years immediately before the licence is to take effect.

In either case the driving of a vehicle by the applicant must not be a source of danger to the public.

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