STATUTORY RULES OF NORTHERN IRELAND

2012 No. 355

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 2012

Made - - - -	*20th September 2012*
Coming into operation	*29th October 2012*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 9(2) and (4)(b) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 2012 and shall come into operation on 29th October 2012.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**2**).

Amendment to regulation 50 (disabilities prescribed in respect of Group 1 licences)

2. After regulation 50(3) of the principal Regulations add—

"(4) Diabetes mellitus is prescribed for the purposes of Article 9(2) of the Order as a relevant disability in relation to an applicant for, or a person who holds, a Group 1 licence, who is being treated with insulin or another medication which carries a risk of inducing hypoglycaemia and—

(a) has experienced two or more episodes of severe hypoglycaemia during the previous one year period; or

(b) has impaired awareness of hypoglycaemia.

(5) Diabetes mellitus is prescribed for the purposes of Article 9(4)(b) of the Order in relation to an applicant for a Group 1 licence who is being treated with insulin and—

(a) has had no more than one episode of severe hypoglycaemia during the period of one year immediately preceding the date when the licence is granted;

(**1**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"; Article 9 was substituted by Schedule 1 to S.I. 1991/197 (N.I. 3) and amended by paragraph 3 of Schedule 1 to S.R. 1996 No. 426

(**2**) S.R. 1996 No. 542; relevant amending Regulations are S.R. 1998 No. 415, S.R. 1999 No. 358 and S.R. 2001 No. 267

(b) does not have impaired awareness of hypoglycaemia; and

(c) satisfies the conditions prescribed in paragraph (6).

(6) The conditions are that the applicant—

(a) can demonstrate an understanding of the risks of hypoglycaemia and adequate control of the condition;

(b) undertakes appropriate blood glucose monitoring;

(c) is under regular medical review; and

(d) is a person in respect of whom the Department is satisfied that the driving of a vehicle in accordance with the licence is not likely to be a source of danger to the public.

(7) In this regulation—

"impaired awareness of hypoglycaemia" means the inability to detect the onset of hypoglycaemia because of a total absence of warning symptoms;

"severe hypoglycaemia" means an episode of hypoglycaemia requiring the assistance of another person.".

Amendment to regulation 51 (disabilities prescribed in respect of Group 2 licences)

3.—(1) Regulation 51 of the principal Regulations is amended in accordance with paragraphs (2) and (3).

(2) For paragraph (6) substitute—

"(6) Diabetes mellitus is prescribed for the purposes of Article 9(2) of the Order as a relevant disability in relation to an applicant for, or a person who holds, a Group 2 licence who is being treated with insulin or another medication which carries a risk of inducing hypoglycaemia and—

(a) has experienced one or more episodes of severe hypoglycaemia during the previous one year period; or

(b) does not have full awareness of hypoglycaemia.

(6A) Diabetes mellitus is prescribed for the purposes of Article 9(4)(b) of the Order in relation to an applicant for a Group 2 licence, who—

(a) is being treated with insulin and—

(i) has undergone treatment with insulin for at least 4 weeks;

(ii) has full awareness of hypoglycaemia;

(iii) has not, during the period of one year immediately preceding the date when the licence is granted, had an episode of severe hypoglycaemia; and

(iv) satisfies the conditions prescribed in paragraphs (6B) and (6C); or

(b) is being treated with a medication which carries a risk of inducing hypoglycaemia, other than insulin, and—

(i) has full awareness of hypoglycaemia;

(ii) has not, during the period of one year immediately preceding the date when the licence is granted, had an episode of severe hypoglycaemia; and

(iii) satisfies the conditions prescribed in paragraphs (6B) and (6D).

(6B) The conditions are that the applicant—

(a) regularly monitors his condition and, in particular, undertakes blood glucose monitoring at least twice daily and at times relevant to driving;