STATUTORY RULES OF NORTHERN IRELAND

2012 No. 7

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Taxi Drivers' Licences) (Amendment) Regulations (Northern Ireland) 2012

Made - - - - 12th January 2012

Coming into operation- 30th April 2012

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 79A(3) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Taxi Drivers' Licences) (Amendment) Regulations (Northern Ireland) 2012 and shall come into operation on 30th April 2012.

Amendment of the Motor Vehicles (Taxi Drivers' Licences) Regulations (Northern Ireland) 1991

2.—(1) Regulation 14 (disabilities) of the Motor Vehicles (Taxi Drivers' Licences) Regulations (Northern Ireland) 1991(**2**) is amended in accordance with paragraphs (2) and (3).

(2) For paragraph (1)(b)(iv)(**3**) substitute—

"(iv) diabetes mellitus unless the applicant—

(A) is being treated with insulin and—

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

(bb) has full awareness of hypoglycaemia;

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

(dd) satisfies the conditions prescribed in paragraphs (2) and (3) and is a person in respect of whom the Department is satisfied that the driving of a taxi in accordance with the licence is not likely to be a source of danger to the public; or

(**1**) S.I. 1981/154 (N.I. 1); Article 79A was inserted by Part II of Schedule 3 to S.I. 1991/197 (N.I. 3) and amended by Article 8 of S.I. 1996/1632 (N.I. 11), paragraph 20 of Schedule 1 to S.R. 1996 No. 426 and Article 79 of S.I. 2007/916 (N.I. 10)

(**2**) S.R. 1991 No. 454

(**3**) Paragraph (1)(b)(iv) was substituted by regulation 2 of S.R. 1994 No. 363

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

(aa) has full awareness of hypoglycaemia;

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

(cc) satisfies the conditions prescribed in paragraphs (2) and (4) and is a person in respect of whom the Department is satisfied that the driving of a taxi in accordance with the licence is not likely to be a source of danger to the public.".

(3) For paragraph (2) substitute—

"(2) 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;

(b) provides a signed declaration to the Department that he—

(i) understands the risk of hypoglycaemia and will comply with such directions regarding treatment for diabetes as may from time to time be given by the registered medical practitioner overseeing that treatment, or one of the clinical team working under the supervision of that registered medical practitioner;

(ii) will immediately report to the Department in writing any significant change in his condition and pending any enquiries being made by the Department, will follow the advice of his registered medical practitioner, or one of the clinical team working under the supervision of that registered medical practitioner, concerning fitness to drive; and

(iii) will provide such evidence as the Department may request to demonstrate that the monitoring referred to in sub-paragraph (a) is being carried out.

(3) The further conditions for an applicant who is being treated with insulin are that—

(a) the applicant has attended an examination by a hospital consultant specialising in the treatment of diabetes, who has provided a report sufficient to satisfy the Department that the applicant has a history of responsible diabetic control and currently has minimal risk of impairment due to hypoglycaemia;

(b) the applicant monitors his condition as set out in paragraph (2)(a), using a device that incorporates an electronic memory function to measure and record blood glucose levels, and undertakes to continue so to monitor.

(4) The further conditions for an applicant who is not being treated with insulin are that the applicant has attended an examination by a registered medical practitioner, who has provided a report sufficient to satisfy the Department that the applicant has a history of responsible diabetic control and currently has a minimal risk of impairment due to hypoglycaemia.

(5) In this regulation—

(a) references to measurements of visual acuity are references to visual acuity measured on the Snellen Scale;

(b) "existing licence" means a licence to drive a taxi granted before 1st April 1991 under Part II of the Order as originally enacted;

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