

STATES OF JERSEY



Jersey

DRAFT ROAD TRAFFIC (No. 65) (JERSEY) REGULATIONS 202-

**Lodged au Greffe on 2nd February 2021
by the Minister for Infrastructure
Earliest date for debate: 23rd March 2021**

STATES GREFFE

REPORT

Background

The purpose of this report is to detail the reasons behind the Regulation amendments proposed to the [Road Traffic \(Jersey\) Law 1956](#) considering the proposed amendments to the [Motor Vehicles \(Driving Licences\) \(Jersey\) Order 2003](#). The proposed Order amendment is attached for illustration purposes as an **Appendix** to this report and is intended to be made after these Regulations are made.

[MD-T-2019-0002](#) set out the requirements to bring the Motor Vehicles (Driving Licences) (Jersey) Order 2003 up to date. To harmonise the period for renewal of vocational licences and prescribed diseases with other licencing authorities and provide issuing authorities with a robust medical framework in support of their role.

Drafting of the amendments have been completed using the guiding principles within EU Directive 2006/126/EC, and with the intention of aligning our legislation as far as possible to mirror the UK's legal requirements.

The Regulations include a new definition “medical requirements” to refer to any kind of physical or mental disease, disability or disorder. It replaces “disease or physical disability” which is currently used in the Law.

Changes to the period of validity of licences that are granted to applicants between the ages of 45 and 66 who wish to drive certain prescribed categories of vehicle. The period of validity is reduced from 10 years to 5 years or, if earlier, when the licence holder reaches 66 years of age. Currently the categories prescribed in the Motor Vehicles (Driving Licences) (Jersey) Order 2003 are C, C+E, D and D+E (including heavy goods vehicles over 7.5 tonnes and passenger vehicles with more than 8 passenger seats, excluding minibuses). The intention is that Order will be amended to include, in addition, vehicles in categories C1, D1, C1+E and D1+E (including goods vehicles over 3.5 tonnes and minibuses).

With respect to the length of time a renewed licence remains in force where a person applies to renew a driving licence before the expiry of an existing licence but does not do so within such period as may be prescribed by Order. For the purpose of determining the length of time the new licence remains in force where a new licence is granted before the expiry of the existing licence, the unexpired period of the existing licence is not aggregated with the period for which the new licence would otherwise remain in force.

The broadening and simplifying of powers of a parish, to require an applicant to undergo a practical driving assessment in addition to, or instead of, a medical examination and wider powers to impose appropriate conditions on a driving licence if granted. Such conditions can include requiring further examinations or assessments after the licence is granted and, except in the case of a provisional licence, limiting the period of time a licence remains in force so it expires earlier than it otherwise would. The substituted Article retains the current provision in the Law that a parish must refuse to grant a licence if a person suffers from a medical condition prescribed by Order unless the person meets any requirements prescribed by Order for controlling that condition.

In the case of current licence holders, broadening of the power of a parish to require a licence holder with a medical condition to undergo a practical driving assessment in addition to, or instead of, a medical examination and to impose appropriate conditions on a driving licence, including further examinations or assessments. There are also powers to revoke a licence if the parish would be required to refuse a licence, if the

licence holder were an applicant and to suspend a licence if it appears that a licence holder will suffer a medical condition for a limited period of time.

Financial and manpower implications

There are no additional manpower implications for the Government arising from the adoption of these Regulation amendments. There will be financial costs arising from the necessary amendments to the Driving Licensing system (LICAR), it is anticipated that these costs will be covered by the usual income received from the issuing of licenses but may require review of the current rates.

APPENDIX TO REPORT

Motor Vehicles (Driving Licences) (Amendment No. 17) (Jersey) Order 202-

Explanatory Note

EXPLANATORY NOTE

This Order amends the descriptions of medical conditions which must be declared by an applicant for a driving licence and the circumstances in which a person suffering from specified medical conditions may hold a driving licence. For the purposes of this note, "principal Order" is the Motor Vehicles (Driving Licences) (Jersey) Order 2003 and "licence" means a driving licence. "Law" refers to the Road Traffic (Jersey) Law 1956.

Article 1 is an interpretation provision.

Article 2 inserts definitions into the principal Order. In particular it defines a "Group 1 licence" and "Group 2 licence" as licences to drive specified categories of vehicle. A Group 1 licence authorises the driving of passenger cars with up to 8 passenger seats, goods vehicles weighing up to 3.5 tonnes and motorcycles. A Group 2 licence authorises the driving of buses and coaches, including minibuses and goods vehicles that exceed 3.5 tonnes.

Article 3 amends the principal Order to make it clear that the prescribed period within which an application for a driving licence may be made is the period starting 3 months before the date the licence is granted. Under Article 4 of the Law as amended by the Road Traffic (No. 65) (Jersey) Regulations 202-, if an application for a renewed driving licence is made within the prescribed period and is granted before the current licence expires, the unexpired period of the existing licence is aggregated with the period for which the new licence would otherwise remain in force under Article 4 of the Law. However if a renewal application is not made within the prescribed period, any unexpired portion of the existing licence is not aggregated and the new licence remains in force from the time it is granted only for such period as Article 4 of the Law otherwise provides.

Article 4 amends the prescribed categories of vehicle in respect of which a licence expires on a person's 66th birthday if that occurs earlier than the end of the usual expiry period for that category of licence. (Under Article 4 of the Law, as amended by the Road Traffic (No. 65) (Jersey) Regulations 202-, the usual expiry period for the prescribed categories is reduced from 10 years to 5 years.) Currently the prescribed categories of vehicle are C, C+E, D and D+E. These categories include goods vehicles weighing more than 7.5 tonnes and buses and coaches. Minibuses with up to 16 passenger seats are currently excluded. The categories are amended to include, in addition, C1, D1, C1+E and D1+E. These additional categories include goods vehicles weighing more than 3.5 tonnes and minibuses. Under the Law, following that expiry, such licences are subject to annual renewal.

Article 5 replaces the existing Articles 25 to 30 in the principal Order setting out the medical conditions which must be declared by an applicant or holder of a licence. Under Articles 9(4) and 10(11) of the Law, a parish must refuse or revoke a licence if a person has a medical condition specified in the principal Order unless certain circumstances are met. The parish can take such action if it receives information that a person has such a medical condition, regardless of whether or not the applicant or licence holder has declared it. A summary of the changes is set out in the below. "Heavy vehicle" below refers to a category C or D vehicle. In the Order, C category vehicles are goods vehicles weighing more than 7.5 tonnes. D category vehicles are buses and coaches, excluding minibuses. "Light vehicle" refers to any other category of vehicle.

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SEVERE MENTAL DISORDER**Current**

This must be declared by an applicant for any licence and by the holder of any licence. An application for a licence must be refused.

New

The position is unchanged except that “mental disorder” is widely defined to include severe impairment of intelligence or social functioning due to aging or personality defects leading to seriously impaired judgment, behaviour or adaptability.

LIABILITY TO SUDDEN ATTACKS OF DISABLING GIDDINESS OR FAINTING**Current**

This must be declared by the applicant for any licence and by the holder of any licence. An application must be refused except where the attacks relate to a heart disorder and the applicant has a pacemaker fitted. A licence may be granted in those circumstances provided that the parish is satisfied that the person's driving is unlikely to be dangerous and the person is under regular medical supervision.

New

The position is unchanged.

PERSISTENT MISUSE OF DRUGS OR ALCOHOL**Current**

This must be declared by an applicant for any licence and by the holder of any licence. An application for a licence must be refused and a licence revoked.

New

The position is unchanged.

LOSS OF LIMBS**Current**

An applicant for any licence who is missing all or part of one or more limbs, has deformity of limb or a loss or deficiency in the use of limb, may be granted a licence if the applicant drives only vehicles which have been appropriately adapted, if necessary, to accommodate the condition.

New

The position is unchanged.

IMPAIRMENT OF VISION**Current**

An applicant for a licence or holder of any licence must declare an inability to read a registration mark on a motor car at a distance of 20.5 metres (with corrective lenses if necessary). In these circumstances a licence must be refused. A heavy vehicle licence must also be refused if the applicant's visual acuity in one eye is worse than 6/9 in one eye and 6/12 in the other eye or has sight in only one eye, unless the visual acuity in that eye is no worse than 6/9.

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Explanatory Note

New

An applicant for a licence or holder for a Group 1 licence must declare –

- (a) an inability to read a registration mark on a motor car at a distance of 20 metres (with corrective lenses if necessary);
- (b) a visual acuity worse than 6/12;
- (c) a failure to meet a specified peripheral vision standard; and
- (d) if, the person has double vision or sight in only one eye, a failure to adapt appropriately to that condition.

An applicant for a Group 1 licence may be granted a licence if only the specified peripheral vision test is not met if certain prescribed requirements are met.

An applicant for or holder of a Group 2 licence must declare:

- (a) an inability to read a registration mark on a motor car at a distance of 20 metres (with corrective lenses if necessary);
- (b) a visual acuity worse than 6/12 as for Group 1 and additional more stringent visual acuity standards;
- (c) a more stringent peripheral vision standard than for Group 1;
- (d) sight in only one eye or uncontrolled double vision.

If any of these circumstances apply, a licence must be refused.

EPILEPSY and SEIZURES**Current**

Epilepsy must be declared by an applicant for any licence. A heavy vehicle licence application must be refused if the applicant has had an epileptic attack since the age of 5 years. A light vehicle licence application may be granted if the applicant has been free from epileptic attacks during the preceding year or has had attacks during the preceding 4 year period only whilst asleep. A licence holder is not required to declare epilepsy except in the case of a heavy vehicle licence if the holder has had an epileptic attack since the age of 5 years.

New

An applicant or holder of a Group 1 licence must declare if the person has had at least 2 epileptic seizures within the previous 5 year period or an isolated seizure during the previous year. An applicant or holder of a Group 2 licence must declare if the person has had at least 2 epileptic seizures during the previous 10 year period, has had an isolated seizure during the previous 5 year period, or is liable to seizures for a cause other than epilepsy.

A Group 1 and Group 2 licence may be granted if the applicant satisfies certain prescribed requirements relating to the circumstances when previous seizures have occurred, gives undertakings with regard to future control of the condition and the parish is satisfied that medical condition will not result in dangerous driving.

DIABETES**Current**

An applicant for a heavy vehicle licence and the holder of such a licence must declare having diabetes requiring insulin treatment. An application for a licence must be refused, and if given, must be revoked.

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New

An applicant for a Group 1 licence and the holder of such a licence must declare having diabetes mellitus if that person is being treated with insulin or another medication which carries a risk hypoglycaemia and has (a) experienced 2 or more episodes of severe hypoglycaemia during specified periods within the previous year or (b) cannot detect the onset of hypoglycaemia because of a total absence of warning symptoms.

An applicant with diabetes mellitus for a Group 1 licence may be granted a licence if (a) and (b) do not apply; the applicant signs a declaration that the applicant understands the risk of hypoglycaemia and adequately controls it; the applicant carries out appropriate monitoring to assess glucose levels, and the parish is satisfied that the applicant's driving is unlikely to be dangerous.

An applicant for a Group 2 licence and the holder of such a licence must declare having diabetes mellitus if that person is being treated with insulin or with 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 the onset of hypoglycaemia because only some warning symptoms are present or no warning symptoms are present.

An applicant with diabetes mellitus for a Group 2 licence may be granted a licence provided (b) above does not apply, the person has not had an episode of severe hypoglycaemia in the preceding year and other prescribed requirements are satisfied.

Article 6 amends Schedule 7 to the principal Order so that the required distance for reading a vehicle registration number plate in a practical driving test is reduced from 20.5 metres to 20 metres.

Article 7 amends the form of notice that a parish must serve under Article 10 of the Road Traffic (Jersey) Law 1956 requiring the holder of a licence to undergo a medical examination or a practical driving assessment so that the notice reflects the revised wording to Article 10 made by the Road Traffic (No. 65) (Jersey) Regulations 202-.

Article 8 sets out the title of this Order and provides that it will come into force 7 days after the day it is made.



Jersey

MOTOR VEHICLES (DRIVING LICENCES) (AMENDMENT No. 17) (JERSEY) ORDER 202-

Made [date to be inserted]

Coming into force [date to be inserted]

THE MINISTER FOR INFRASTRUCTURE makes this Order under Articles 4, 8, 9, 10 and 84 of the Road Traffic (Jersey) Law 1956 –

1 Interpretation

In this Order, a reference to an Article or Schedule by number is a reference to that Article or Schedule in the Motor Vehicles (Driving Licences) (Jersey) Order 2003.

2 Article 1 (interpretation) amended

In Article 1(1) after the definition “compulsory basic training certificate”, there is inserted –

“ “Group 1 licence” means a licence to drive a vehicle in category A1, A, B1, B, B+E, F, H, K or P;

“Group 2 licence” means a licence to drive a vehicle in category C1, C, D1, D, C1+E, C+E, D1+E or D+E;”

3 Article 2 (manner of application for the grant or renewal of a licence) substituted

For Article 2 there is substituted –

“2 Manner of application and prescribed period for grant of licence

- (1) For the purposes of Article 4(2)(a) of the Law, the prescribed manner of applying to the parochial authority for the grant of a licence is by completing the form approved by the Minister and submitting it to the parochial authority.
- (2) The prescribed period for the purposes of Article 4(8)(b) of the Law is the period starting on the date that is 3 months before the date of the grant of the licence.”

Article 4 Motor Vehicles (Driving Licences) (Amendment No. 17) (Jersey) Order 202-**4 Article 9 (prescribed category of vehicle) amended**

In Article 9 for “C, C+E, D or D+E” there is substituted “C1, C, D1, D, C1+E, C+E, D1+E and D+E”.

5 Articles 25 to 30 (diseases and physical disabilities) substituted

For Articles 25 to 30 there is substituted –

“25 Prescribed medical conditions and requirements in respect of Group 1 and Group 2 licences**(1) In this Article –**

“cardiologist” means a registered medical practitioner who specialises in disorders or defects of the heart and who, in that connection, holds a hospital appointment;

“severe mental disorder” includes any of the following –

- (a) mental illness or disability;
- (b) arrested or incomplete development of the mind;
- (c) psychopathic disorder;
- (d) severe impairment of intelligence or social functioning, including severe behavioural problems that are due to aging or personality defects leading to seriously impaired judgment, behaviour or adaptability;
- (e) severe mental disturbance, whether congenital or due to disease, trauma or neurosurgical operations.

(2) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, the prescribed medical conditions in relation to a person who is an applicant for, or a person who holds, a Group 1 or a Group 2 licence are –

- (a) a severe mental disorder;
- (b) a liability to sudden attacks of disabling giddiness or fainting which are caused by any disorder or defect of the heart as a result of which the applicant for the licence or, as the case may be, the holder of the licence, has a device implanted in his or her body, being a device which, by operating on the heart so as to regulate its action, is designed to correct the disorder or defect;
- (c) a liability to sudden attacks of disabling giddiness or fainting other than attacks falling within sub-paragraph (b); and
- (d) a persistent misuse of drugs or alcohol, whether or not the misuse amounts to dependency.

(3) The medical condition prescribed in paragraph (2)(b) is prescribed for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 1 or Group 2 licence if the applicant with that medical condition satisfies the parochial authority of the following prescribed requirements –

- (a) the driving of a vehicle by the applicant in pursuance of the licence is not likely to be a source of danger to the public; and
 - (b) the applicant has made adequate arrangements to receive regular medical supervision by a cardiologist (such supervision to be continued throughout the period of the licence) and is conforming to those arrangements.
- (4) The following medical conditions are prescribed for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 1 or Group 2 licence if an applicant with such a medical condition satisfies the parish of the requirement prescribed in paragraph (6) –
- (a) the absence of one or more limbs;
 - (b) the deformity of one or more limbs;
 - (c) the loss of use of one or more limbs, which is not progressive in nature.
- (5) In paragraph (4) –
- (a) the references to a limb include references to part of a limb; and
 - (b) the reference to loss of use, in relation to a limb, includes a reference to a deficiency of limb movement or power.
- (6) For the purpose of paragraph (4), the requirement is that the applicant does not drive vehicles that have not been appropriately adapted, to the extent necessary, to accommodate the applicant's particular disability.

26 Impairment of vision – Group 1 licences

- (1) In this Article “sight in only one eye” means a total functional loss of vision in one eye or use of only one eye.
- (2) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, impairment of vision is a prescribed medical condition in relation to a person who is an applicant for, or a person who holds, a Group 1 licence if the person is unable to satisfy –
- (a) the Group 1 visual acuity standard in paragraph (3);
 - (b) the Group 1 visual field standard in paragraph (4); and
 - (c) in the case of a person with diplopia or sight in only one eye, the adaptation standard in paragraph (5).
- (3) The Group 1 visual acuity standard is –
- (a) a visual acuity of at least 6/12 (decimal 0.5) on the Snellen scale, with corrective lenses if necessary; and
 - (b) the ability to read in good daylight, with corrective lenses if necessary, a registration mark that is fixed to a motor vehicle and contains characters that are 79 millimetres high and 50 millimetres wide, viewed from a distance of –
 - (i) 12 metres, in the case of an applicant for, or the holder of, a licence to drive only a vehicle in category K, or
 - (ii) 20 metres, in any other case.

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- (4) The Group 1 visual field standard is –
 - (a) a measurement of at least 120 degrees on the horizontal plane;
 - (b) an extension of at least 50 degrees left and an extension of at least 50 degrees right;
 - (c) an extension of at least 20 degrees above and an extension of at least 20 degrees below the horizontal plane; and
 - (d) no significant defects present within a radius of the central 20 degrees.
- (5) The adaptation standard for a person having diplopia or sight in only one eye is that there has been –
 - (a) an appropriate period of adaptation to that condition; and
 - (b) clinical confirmation of full adaptation to that condition.
- (6) Impairment of vision is a prescribed medical condition for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 1 licence who fails to meet the visual field standard if the following prescribed requirements are met –
 - (a) the visual acuity standard in paragraph (3);
 - (b) any visual field defect has been present for at least one year;
 - (c) that defect was caused by an isolated event or by a non-progressive condition;
 - (d) there is no other condition or pathology present which is regarded as progressive and likely to affect the visual field;
 - (e) there is clinical confirmation of full functional adaptation;
 - (f) the applicant has sight in both eyes;
 - (g) there is no uncontrolled diplopia;
 - (h) there is no other impairment of visual function, including glare sensitivity, contrast sensitivity or impairment of twilight vision;
 - (i) since developing the defect in his or her visual field, the applicant has undertaken a practical driving assessment by a person designated by the parochial authority for the purpose of determining whether the licence holder can drive without being a source of danger to the public; and
 - (j) the parochial authority is satisfied that the driving of a vehicle by the person in accordance with the licence is not likely to be a source of danger to the public.

27 Impairment of vision – Group 2 licences

- (1) In this Article “sight in only one eye has the same meaning as in Article 26(1).
- (2) Impairment of vision is prescribed for the purposes of Article 9(3) and 10(1)(a) of the Law in relation to an applicant for, or the holder of a Group 2 licence who –
 - (a) is unable to satisfy the standards in paragraph (3);

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- (b) has sight in only one eye;
- (c) has uncontrolled diplopia.
- (3) The standards to be satisfied for the purposes of paragraph (2)(a) are –
 - (a) the Group 1 visual acuity standard in Article 26(3);
 - (b) the Group 2 additional visual acuity standard in paragraph (4); and
 - (c) the Group 2 visual field standard in paragraph (6).
- (4) The Group 2 additional visual acuity standard is a measurement of visual acuity on the Snellen scale of at least 6/7.5 (decimal 0.8) in the better eye and at least 6/60 (decimal 0.1) in the worse eye, with corrective lenses, if necessary provided that, if corrective lenses are worn the corrective lenses standard in paragraph (5) is met.
- (5) The corrective lenses standard requires that there is not –
 - (a) poor toleration of the correction made by the lenses; or
 - (b) an inability to meet the visual acuity standard in paragraph (4) except with glasses having a power exceeding plus 8 dioptres.
- (6) The Group 2 visual field standard is –
 - (a) a measurement of at least 160 degrees on the horizontal plane;
 - (b) an extension of at least 70 degrees left and at least 70 degrees right;
 - (c) an extension of at least 30 degrees above and at least 30 degrees below the horizontal plane;
 - (d) no defect present within a radius of the central 30 degrees; and
 - (e) no other impairment of visual function, including glare sensitivity, contrast sensitivity or impairment of twilight vision.

28 Epilepsy and isolated seizures – Group 1 licences

- (1) In this Article –
 - “epilepsy” means the occurrence of 2 or more unprovoked seizures over a period which exceeds 24 hours and “epileptic seizure” means any such seizure;
 - “isolated seizure” means –
 - (a) one or more unprovoked seizures occurring over a single period which does not exceed 24 hours; or
 - (b) one or more unprovoked seizures occurring over a period which does not exceed 24 hours, where that period of seizure has occurred more than 5 years after the last unprovoked seizure;
 - “medication adjustment seizure” means a seizure that occurs as a result of, and during the period in which, anti-epilepsy medication is substituted, reduced or withdrawn on the documented advice of a registered medical practitioner;

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“provoked seizure” means a seizure which has a recognisable causative factor which is reliably avoidable and which is not a medication adjustment seizure;

“unprovoked seizure” means a seizure which is not a provoked seizure.

- (2) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law epilepsy is a prescribed medical condition in relation to a person who is an applicant for, or a person who holds, a Group 1 licence if the person has had 2 or more epileptic seizures within the previous 5 year period.
- (3) Epilepsy is a prescribed medical condition for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 1 licence who satisfies the prescribed requirements in paragraphs (4) and (10).
- (4) For the purposes of paragraph (3) the prescribed requirements are that the applicant has –
 - (a) been free from any unprovoked seizure during the period of one year immediately preceding the date when the licence is granted; or
 - (b) during that one year period has suffered no unprovoked seizure other than a permitted seizure.
- (5) For the purposes of paragraph (4)(b), a permitted seizure is –
 - (a) a seizure (which may be a medication adjustment seizure) falling within only one of the permitted patterns of seizure;
 - (b) a medication adjustment seizure where –
 - (i) that medication adjustment seizure does not fall within a permitted pattern of seizure,
 - (ii) previously effective medication has been reinstated for at least 6 months immediately preceding the date when the licence is granted,
 - (iii) that seizure occurred more than 6 months before the date when the licence is granted, and
 - (iv) there have been no other unprovoked seizures since that seizure; or
 - (c) a seizure occurring before a medication adjustment seizure permitted under sub-paragraph (b), where –
 - (i) that earlier seizure had, to that point, formed part of only one permitted pattern of seizure and had occurred prior to any medication adjustment seizure not falling within the same permitted pattern, or
 - (ii) that earlier seizure is a medication adjustment seizure which was not followed by any type of unprovoked seizure other than another medication adjustment seizure.
- (6) A permitted pattern of seizure for the purposes of paragraph (5), is a pattern of seizures –
 - (a) occurring during sleep, where –

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- (i) there has been a seizure while asleep more than one year before the date when the licence is granted,
 - (ii) there have been seizures only while asleep between the date of that seizure while asleep and the date when the licence is granted, and
 - (iii) there has never been an unprovoked seizure while awake;
 - (b) occurring during sleep, where –
 - (i) there has been a seizure while asleep more than 3 years before the date when the licence is granted,
 - (ii) there have been seizures only while asleep between the date of that seizure while asleep and the date the licence is granted, and
 - (iii) there is also a history of unprovoked seizures while awake, the last of which occurred more than 3 years before the date when the licence is granted; or
 - (c) without influence on consciousness or the ability to act, where –
 - (i) such a seizure has occurred more than one year before the date when the licence is granted,
 - (ii) there have only been such seizures between the date of that seizure and the date when the licence is granted, and
 - (iii) there has never been any other type of unprovoked seizure.
- (7) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, an isolated seizure is a prescribed medical condition in relation to an applicant for, or a holder of, a Group 1 licence who –
- (a) in a case where there is an underlying causative factor that may increase future risk, where such a seizure has occurred during the previous one year period; and
 - (b) in any other case, where such a seizure has occurred during the previous 6 month period.
- (8) An isolated seizure is a prescribed medical condition for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 1 licence where the circumstances in paragraph (9) apply if the applicant satisfies the prescribed requirements in paragraph (10).
- (9) For the purpose of paragraph (8) those circumstances are –
- (a) either –
 - (i) in a case where there is an underlying causative factor that may increase future risk, the applicant had the seizure more than one year immediately before the date when the licence is granted, or
 - (ii) in any other case the applicant had the seizure more than 6 months immediately before the date when the licence is granted; and

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- (b) the applicant has had no other unprovoked seizure since that seizure.
- (10) For the purposes of paragraphs (3) and (8) the prescribed requirements are –
 - (a) the applicant provides a signed declaration that he or she undertakes, in so far as is reasonably practicable, to comply with the directions regarding treatment for epilepsy or isolated seizure, including directions as to regular medical check-ups made as part of that treatment, given by a registered medical practitioner or a person working under the supervision of that registered medical practitioner;
 - (b) a registered medical practitioner has conducted an appropriate medical assessment of the applicant; and
 - (c) the parochial authority is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.

29 Epilepsy and other seizures – Group 2 licences

- (1) In this Article –
 - (a) “epilepsy”, “epileptic seizure”, “provoked seizure” and “unprovoked seizure” have the same meaning as in Article 28(1);
 - (b) “isolated seizure” has the same meaning as in Article 28(1) except that “10 years” is substituted for “5 years” in paragraph (1)(b);
- (2) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, liability to seizures arising from a cause other than epilepsy is a prescribed medical condition in relation to a person who is an applicant for, or a person who holds, a Group 2 licence.
- (3) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, epilepsy is a prescribed medical condition in relation to a person who is an applicant for, or a person who holds, a Group 2 licence where during the previous 10 year period –
 - (a) 2 or more epileptic seizures have occurred; or
 - (b) that person has been prescribed medication to treat epilepsy.
- (4) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, an isolated seizure is a prescribed medical condition in relation to an applicant for, or a person who holds, a Group 2 licence, where during the previous 5 year period, such a seizure has occurred, or that person has been prescribed medication to treat epilepsy or a seizure.
- (5) Epilepsy is a prescribed medical condition for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 2 licence who –
 - (a) in the case of a person whose last epileptic seizure was an isolated seizure satisfies the prescribed requirements in paragraphs (7) and (8); or

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- (b) in any other case, satisfies the prescribed requirements in paragraphs (8) and (9).
- (6) An isolated seizure is a prescribed medical condition for the purpose of Article 9(5) of the Law in relation to an applicant for a Group 2 licence who satisfies the prescribed requirements in paragraphs (7) and (8).
- (7) For the purpose of paragraphs (5)(a) and (6) the prescribed requirements are that for a period of at least 5 years immediately preceding the date when the licence is granted the applicant has –
 - (a) been free from any unprovoked seizure; and
 - (b) not been prescribed medication to treat epilepsy or a seizure.
- (8) For the purposes of paragraphs (5) and (6) the prescribed requirements are that –
 - (a) a medical practitioner, specialising in neurology and licensed to practise under the Medical Act 1983 of the United Kingdom, has conducted an appropriate medical assessment of the applicant; and
 - (b) the parochial authority is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.
- (9) For the purposes of paragraph (5)(b) the prescribed requirements are that the applicant, for a period of at least 10 years immediately preceding the date when the licence is granted has –
 - (a) been free from any epileptic seizure; and
 - (b) has not been prescribed any medication to treat epilepsy.

30 Diabetes mellitus – Group 1 licences

- (1) In this Article –
 - “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.
- (2) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, diabetes mellitus is a prescribed medical condition in relation to an applicant for, or a holder of, a Group 1 licence who is being treated with insulin or with another medication which carries a risk of inducing hypoglycaemia, and –
 - (a) has experienced 2 or more episodes of severe hypoglycaemia while awake during the previous one year period, with the most recent episode occurring during the previous 3 month period; or
 - (b) has impaired awareness of hypoglycaemia.
- (3) For the purpose of Article 9(5) of the Law, diabetes mellitus is a prescribed medical condition in relation to an applicant for a Group 1 licence who is being treated with insulin and –

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	<ul style="list-style-type: none"> (a) does not fall within paragraph (2)(a); (b) does not have impaired awareness of hypoglycaemia; and (c) satisfies the prescribed requirements in paragraph (4).
	<p>(4) Those requirements are that –</p> <ul style="list-style-type: none"> (a) The applicant provides a signed declaration that the applicant – <ul style="list-style-type: none"> (i) has an understanding of the risks of hypoglycaemia and adequate control of the medical condition, and (ii) has attended, and undertakes to attend, medical appointments as recommended by the applicant's registered medical practitioner; (b) the applicant carries out appropriate monitoring to assess glucose levels and any risk of hypoglycaemia; and (c) the parochial authority is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.
	<p>30A Diabetes mellitus – Group 2 licence</p> <p>(1) In this Article –</p> <p>“full awareness of hypoglycaemia” means the ability to detect the onset of hypoglycaemia by means of all warning symptoms being present;</p> <p>“severe hypoglycaemia” has the same meaning as in Article 30(1).</p> <p>(2) For the purposes of Articles 9(3)(a) and 10(1)(a) of the Law, diabetes mellitus is a prescribed medical condition in relation to an applicant for, or a holder of, a Group 2 licence who is being treated with insulin or with another medication which carries a risk of inducing hypoglycaemia, and –</p> <ul style="list-style-type: none"> (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. <p>(3) For the purpose of Article 9(5) of the Law, diabetes mellitus is a prescribed medical condition in relation to an applicant for a Group 2 licence who –</p> <ul style="list-style-type: none"> (a) is being treated with insulin, and <ul style="list-style-type: none"> (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 prescribed requirements in paragraphs (4) and (5); or (b) is being treated with a medication which carries a risk of inducing hypoglycaemia, other than insulin, and

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Article 6

- (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 prescribed requirements in paragraphs (4) and (6).
- (4) The prescribed requirements are that –
 - (a) the applicant provides a signed declaration that he or she –
 - (i) undertakes to monitor regularly his or her condition and, in particular, to monitor his or her blood glucose at least twice daily and at times relevant to driving,
 - (ii) understands the risk of hypoglycaemia,
 - (iii) undertakes to comply with any directions regarding treatment for diabetes as may be given by the registered medical practitioner overseeing the treatment or a person working under the supervision of that registered medical practitioner, and
 - (iv) undertakes to follow the advice of his or her registered medical practitioner, or a person working under the supervision of that registered medical practitioner, concerning fitness to drive; and
 - (b) the parochial authority is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.
- (5) In the case of an applicant who is being treated with insulin the further prescribed requirements are that –
 - (a) the applicant has attended an examination by a medical practitioner, specialising in diabetes mellitus and licensed to practise under the Medical Act 1983 of the United Kingdom, who has provided a report to the effect that the applicant has a history of responsible diabetic control and currently has a minimal risk of impairment due to hypoglycaemia; and
 - (b) the applicant monitors his or her condition as set out in paragraph (4)(a)(i) using a device that incorporates an electronic memory function to measure and record blood glucose levels and undertakes to continue so to monitor.
- (6) In the case of an applicant who is not being treated with insulin, the further prescribed requirement is that the applicant has attended an examination by a registered medical practitioner who has provided a report to the effect that the applicant has a history of responsible diabetic control and currently has a minimal risk of impairment due to hypoglycaemia.”.

6 Part 1 of Schedule 7 (requirements in respect of the on road practical part of prescribed tests) amended

In Part 1 of Schedule 7 in paragraph (1)(a) for “20.5” there is substituted “20”.

Article 7 Motor Vehicles (Driving Licences) (Amendment No. 17) (Jersey) Order 202-

7 Schedule 10 (form of notice to be served on holder of licence by parochial authority) amended

In Schedule 10 –

(a) for the notice in Part 1 there is substituted –

“ROAD TRAFFIC (JERSEY) LAW 1956**Notice under Article 10**

1 – I, the Connétable of the Parish of, being the Parochial Authority of the Parish, having reason to suspect that you, the holder of a driving licence residing in the Parish, are suffering from a medical condition, the effect of which makes the driving of a vehicle by you a danger to the public, give you notice that you are required to undergo, at your own expense a medical examination by the following medical practitioner within 7 days of the service of this notice on you.

2 – Name and address of medical practitioner –

3 – Article 10(14) of the Law requires me to revoke your driving licence if you fail to undergo a medical examination in accordance with this notice, although I am permitted, if I have reasonable grounds, to extend the period of 7 days during which you are required to undergo the medical examination or practical driving assessment.

4 – I also give you notice under Article 10(8) of the Law that, believing it to be in the public interest to do so, I am suspending the validity of your driving licence until the results of the medical examination have been made known to me.

Signed

Date

(NOTE Paragraph 4 may be omitted if it is thought by the Connétable to be appropriate to do so.)”;

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(b) for the form in Part 2 there is substituted –

“ROAD TRAFFIC (JERSEY) LAW 1956**Notice under Article 10**

1 – I, the Connétable of the Parish of, being the Parochial Authority of the Parish, having reason to suspect that you, the holder of a driving licence residing in the Parish, are suffering from a medical condition the effect of which makes the driving of a vehicle by you a danger to the public, give you notice that you are required, within 7 days of the service of this notice on you, to apply to undergo a practical driving assessment by the following designated person.

2 – Name and address of designated person –

3 – Article 10(14) of the Law requires me to revoke your driving licence if you fail to undergo a practical driving assessment in accordance with this notice although I am permitted, if I have reasonable grounds, to extend the period during which you are required to undergo this assessment.

4 – I also give you notice under Article 10(8) of the Law that, believing it to be in the public interest to do so, I am suspending the validity of your driving licence until the results of the practical driving assessment you have undergone have been made known to me.

5 – Despite the suspension of your driving licence you are permitted to drive a motor vehicle to the extent that it is necessary to do so for the purpose of preparing for and undergoing the practical driving assessment subject to the following conditions –

Signed

Date

(NOTE Paragraphs 4 and 5 may be omitted if it is thought by the Connétable to be appropriate to do so.)”

8 Citation and Commencement

This Order may be cited as the Motor Vehicles (Driving Licences) (Amendment No. 17) (Jersey) Order 202- and comes into force 7 days after the day it is made.

Re-issue Note

This Project is re-issued to correct a formatting and layout error in the Appendix to the Report and the Table of Contents. No changes have been made to the text itself.

EXPLANATORY NOTE

These Regulations would amend the Road Traffic (Jersey) Law 1956 (“Law”) in respect of driving licences.

Regulation 1 is an interpretation provision.

Regulation 2 inserts a new definition in the Law “medical condition” to refer to any kind of physical or mental disease, disability or disorder. It replaces “disease or physical disability” which is currently used in the Law.

Regulation 3 amends Article 4 of the Law in a number of respects. First the amendment makes it clear that the requirement to provide a test certificate with an application for a driving licence does not apply to an applicant who is applying for a driving licence in exchange for a non-Jersey driving licence.

Second, *Regulation 3* amends Article 4 to reduce the period of validity of licences that are granted to applicants between the ages of 45 and 66 who wish to drive certain prescribed categories of vehicle. The period of validity is reduced from 10 years to 5 years or, if earlier, when the licence holder reaches 66 years of age. Currently the categories prescribed in the Motor Vehicles (Driving Licences) (Jersey) Order 2003 are C, C+E, D and D+E (including heavy goods vehicles over 7.5 tonnes and passenger vehicles with more than 8 passenger seats, excluding minibuses). The intention is that Order will be amended to include, in addition, vehicles in categories C1, D1, C1+E and D1+E (including goods vehicles over 3.5 tonnes and minibuses).

Third, *Regulation 3* amends Article 4 with respect to the length of time a renewed licence remains in force where a person applies to renew a driving licence before the expiry of an existing licence but does not do so within such period as may be prescribed by Order. For the purpose of determining the length of time the new licence remains in force where a new licence is granted before the expiry of the existing licence, the unexpired period of the existing licence is not aggregated with the period for which the new licence would otherwise remain in force under Article 4.

Regulation 4 substitutes Article 9 of the Law in relation to the procedures that apply if an applicant for a driving licence has a medical condition by broadening and simplifying the powers of a parish. The substituted Article 9 gives a parish a new power to require an applicant to undergo a practical driving assessment in addition to, or instead of, a medical examination and wider powers to impose appropriate conditions on a driving licence if granted. Such conditions can include requiring further examinations or assessments after the licence is granted and, except in the case of a provisional licence, limiting the period of time a licence remains in force so it expires earlier than it otherwise would under Article 4. The substituted Article 9 retains the current provision in the Law that a parish must refuse to grant a licence if a person suffers from a medical condition prescribed by Order unless the person meets any requirements prescribed by Order for controlling that condition.

Regulation 5 substitutes Article 10 of the Law in relation to the procedures that apply if a holder of a licence has a medical condition. It does not apply in the case of a provisional licence holder with a medical condition to the extent that Article 9 applies. Article 10, like the substituted Article 9, broadens the power of a parish to require a licence holder with a medical condition to undergo a practical driving assessment in addition to, or instead of, a medical examination and to impose appropriate conditions on a driving licence, including further examinations or assessments. There are also powers to revoke a licence if the parish would be required to refuse a licence under

Article 9 if the licence holder were an applicant and to suspend a licence if it appears that a licence holder will suffer a medical condition for a limited period of time.

Regulation 6 amends Article 11 of the Law which sets out the requirements for provisional licences so as to remove a cross reference to Article 9 which is no longer applicable.

Regulation 7 sets out the name by which these Regulations may be cited and provides that they come into force on a day to be specified by an Order of the Minister for Infrastructure.



Jersey

DRAFT ROAD TRAFFIC (No. 65) (JERSEY) REGULATIONS 202-

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Jersey

DRAFT ROAD TRAFFIC (No. 65) (JERSEY) REGULATIONS 202-

*Made**[date to be inserted]**Coming into force**[date to be inserted]*

THE STATES make these Regulations under the Order in Council of 26th December 1851¹ and Article 92 of the Road Traffic (Jersey) Law 1956² –

1 Interpretation

In these Regulations, a reference to an Article is a reference to the Road Traffic (Jersey) Law 1956³.

2 Article 1 (interpretation) amended

In Article 1(1) after “licensing authority” there is inserted –

“ “medical condition” means any illness, disease, disability or other physical or mental disorder;”.

3 Article 4 (licensing of drivers) amended

In Article 4 –

(a) in paragraph (2)(b)(i) after “test” there is inserted “(unless the application is for a licence following the surrender of a domestic driving permit under Article 8)”;

(b) in paragraph (4) after “paragraphs (5) and (6)” there is inserted “and Article 9(10)(b)”;

(c) for paragraph (5) there is substituted –

“(5) Where the applicant’s age, on the date at which the licence to drive a prescribed category of vehicle is to be granted, will exceed 45 but not 66 years, subject to Article 9(10)(b), the licence remains in force for whichever of the following periods ends earlier –

(a) a period of –

(i) 10 years, in the case of a licence granted before the day on which the Road Traffic (No. 65) (Jersey) Regulations 202-⁴ come into force, or

- (ii) 5 years, in the case of a licence granted on or after that day;
- (b) the period ending on the 66th anniversary of the applicant's date of birth.”;
- (d) in paragraph (8)(b) after the words “in the prescribed manner” there is inserted “and within the prescribed period”;
- (e) after paragraph (8) there is inserted –
 - “(8A) Paragraph (8B) applies where –
 - (a) a licence holder applies to renew his or her licence (“the current licence”) without any addition to the classes or descriptions of motor vehicles which the licence holder is authorised by the current licence to drive;
 - (b) the licence application is made before the expiry of the current licence but not within the prescribed period under paragraph (8)(b); and
 - (c) the licence is granted before the expiry of the period for which the current licence would have remained in force had it not been surrendered.
 - (8B) The licence granted is in force for the period applicable in the licence holder's case under paragraph (4), (5) or (6) for a period commencing on the date the licence is granted.”.

4 Article 9 (physical fitness to drive – before grant of licence) substituted

For Article 9 there is substituted –

“9 Physical fitness to drive – before grant of licence or following grant of a provisional licence

- (1) An applicant for the grant of a licence must make a declaration, in a form approved by the Minister, as to the applicant's physical fitness to drive a motor vehicle.
- (2) The declaration must require the applicant to state whether the applicant is suffering from, or has at any time or during any specified period suffered from, a relevant medical condition.
- (3) A medical condition in respect of an application for a licence is a relevant medical condition for the purposes of this Article if –
 - (a) it is prescribed for the purpose of this paragraph; or
 - (b) it is a medical condition that is likely to cause the driving by the applicant, of any motor vehicle that the applicant would be authorised by the licence to drive, to be a source of danger to the public.
- (4) If it appears from the applicant's declaration or from any other information, including an examination or assessment under paragraph (6), that the applicant suffers from a relevant medical

- condition, the parochial authority must, subject to paragraph (5), refuse to grant the licence.
- (5) The parochial authority must not refuse to grant a licence under paragraph (4) on account of any relevant medical condition which is prescribed for the purpose of this paragraph if the applicant satisfies such requirements as may be prescribed with a view to authorising the grant of a licence to a person in whose case the medical condition is appropriately controlled.
- (6) Where it appears to a parochial authority that a person who is an applicant for a licence or a person to whom a provisional licence has been granted, has or may have a relevant medical condition either from the declaration or other information, it may require the person to undergo, at the person's own expense either or both of the following –
- (a) a medical examination by a registered medical practitioner designated by the parochial authority;
 - (b) a practical driving assessment by a person designated by the parochial authority for the purpose of determining whether the person can drive without being a source of danger to the public each type of motor vehicle the person would be, or is, authorised to drive by the provisional licence.
- (7) A parochial authority must exercise its powers under paragraph (6) only for the purpose of determining either or both of the following –
- (a) whether the person undergoing the examination or assessment has a relevant medical condition;
 - (b) whether any prescribed requirements under paragraph (5) are met.
- (8) In the case of an applicant who is granted a provisional licence under Article 11 and in respect of whom an examination or assessment is required under paragraph (6), the parochial authority may –
- (a) grant the provisional licence subject to such conditions as it thinks appropriate for that assessment, including limiting vehicles that may be driven to vehicles of a particular construction or design; and
 - (b) subject to paragraph (9), vary, substitute or delete such conditions as it thinks appropriate following that assessment.
- (9) A parochial authority must revoke a provisional licence if it is satisfied following an examination or assessment under paragraph (6) that the licence holder has a relevant medical condition which would require the parochial authority to refuse the licence if the licence holder were an applicant for that licence.
- (10) If a parochial authority grants a licence, other than a provisional licence, to an applicant with a relevant medical condition it may, having regard to the nature of that condition, do any of the following –
- (a) impose such conditions as it thinks appropriate on the licence including –

- (i) limiting vehicles that may be driven to vehicles of a particular construction or design, and
 - (ii) requiring such further medical examination or practical driving assessment to be undertaken at the licence holder's expense as the parochial authority may determine at such intervals that the parochial authority may determine;
- (b) limit the period of time for which the licence is to be in force to such period as the parochial authority thinks appropriate so that the licence expires earlier than it otherwise would under Article 4(4), (5) or (6) as the case may be.
- (11) A person may appeal to the Royal Court after giving the parochial authority notice of the person's intention to do so if the person aggrieved by any of the following –
 - (a) the refusal or grant of a licence by virtue of a medical condition;
 - (b) the imposition of any condition or limitation imposed on a licence under paragraph (8) or (10).
- (12) On appeal the Court may make any order it considers appropriate.”.

5 Article 10 (physical fitness to drive – after grant of licence) substituted

For Article 10 there is substituted –

“10 Physical fitness to drive – after grant of licence

- (1) For the purpose of this Article a licence holder has a relevant medical condition if –
 - (a) it is a medical condition prescribed for the purpose of this Article; or
 - (b) it is a medical condition that is likely to cause the holder's driving of any motor vehicle that the holder's licence authorises the holder to drive, to be a source of danger to the public.
- (2) A licence holder must as soon as reasonably practicable notify the licence holder's parochial authority in writing if the licence holder becomes aware –
 - (a) of suffering from a relevant medical condition that the licence holder has not previously disclosed to the parochial authority; or
 - (b) that a relevant medical condition that the licence holder is suffering from, or has at any time suffered from, and that the licence holder has previously disclosed to the parochial authority, has become more acute or reoccurred.
- (3) Paragraph (2) does not apply where –
 - (a) the relevant medical condition is not one the licence holder has previously suffered from; and

- (b) there are reasonable grounds for believing that the duration of the medical condition will not extend beyond the period of 3 months beginning with the date on which the licence holder first became aware of suffering from it.
- (4) A person who fails to comply with paragraph (2) commits an offence and is liable to a fine of level 2 on the standard scale.
- (5) Except where Article 9(6) applies in respect of a holder of a provisional licence and subject to paragraph (10), where a parochial authority in respect of a parish has reason to suspect (whether by virtue of a notice under paragraph (2) or otherwise) that a licence holder residing in the parish has or may have a relevant medical condition the parochial authority must serve a written notice in the prescribed form on licence holder.
- (6) The notice must require the licence holder within 7 days of its service to undergo, at the licence holder's own expense either or both of the following –
 - (a) a medical examination by a registered medical practitioner designated by the parochial authority;
 - (b) a practical driving assessment by a person designated by the parochial authority for the purpose of determining whether the licence holder can drive without being a source of danger to the public each type of motor vehicle the licence holder is authorised to drive by the licence holder's licence.
- (7) A parochial authority must exercise its powers under paragraph (6) only for the purpose of determining either or both of the following –
 - (a) whether the licence holder has a relevant medical condition;
 - (b) whether any prescribed requirements under Article 9(5) would be met if the person were an applicant for a licence.
- (8) Subject to paragraph (9), where the parochial authority believes it is in the public interest to do so it may also suspend the validity of the licence until the results of the medical examination are known or the practical driving assessment has been made, as the case may be.
- (9) A suspension under paragraph (8) does not prevent the licence holder from driving the vehicle to the extent that it is necessary to do so for the purpose of undergoing a practical driving assessment, including any preparation necessary for that assessment, but any such driving must be undertaken subject to such conditions as the parochial authority considers appropriate having regard to the licence holder's medical condition.
- (10) Where a licence includes a condition under Article 9(10)(a)(ii) or paragraph (13)(b) of this Article, a notice under paragraph (5) is not required but paragraphs (8) and (9) and paragraphs (11) to (15) apply as if such notice had been given.
- (11) Subject to paragraph (12), where a medical examination or driving assessment under this Article indicates that a person has a relevant medical condition the parochial authority must revoke the person's licence if the parochial authority would be required to refuse a licence under Article 9(4) if the person were an applicant for a licence.

- (12) If the medical examination or driving assessment referred to in paragraph (11) indicates that there are reasonable grounds for believing that the duration of the relevant medical condition is limited, the parochial authority must suspend the driving licence or continue its suspension until the parochial authority is satisfied that the person no longer has that condition.
- (13) A parochial authority may, following a medical examination or driving assessment of a licence holder and having regard to the nature of the licence holder's medical condition, impose such conditions it thinks appropriate on the licence including –
 - (a) limiting vehicles that may be driven to vehicles of a particular construction or design; and
 - (b) requiring such further medical examination or practical driving assessment to be undertaken at the licence holder's expense as the parochial authority may determine and at such intervals as the parochial authority may determine.
- (14) The parochial authority must revoke the licence of a person –
 - (a) upon whom it has served a notice under paragraph (5) if the person fails to undergo a medical examination or the practical driving assessment, as required, within 7 days of the service of the notice; or
 - (b) who is required to undergo a medical examination or the practical driving assessment under a condition of the licence under Article 9(10)(a)(ii) or paragraph (13)(b) of this Article and fails to do so.
- (15) The parochial authority may, if it has reasonable grounds to do so, extend the period of 7 days referred to in paragraph (14)(a).
- (16) A person may appeal to the Royal Court after giving the parochial authority notice of the person's intention to do so if the person aggrieved by any of the following –
 - (a) the revocation or suspension of a licence under this Article;
 - (b) a condition imposed on a licence under paragraph (13).
- (17) On appeal, the Court may make any order it considers appropriate.”.

6 Article 11 (provisional licences) amended

In Article 11(1) “or 9” is deleted.

7 Citation and commencement

These Regulations may be cited as the Road Traffic (No. 65) (Jersey) Regulations 202- and come into force on a day to be specified by the Minister by Order.

ENDNOTES

Table of Endnote References

<u>1</u>	<i>chapter 23.350</i>
<u>2</u>	<i>chapter 25.550</i>
<u>3</u>	<i>chapter 25.550</i>
<u>4</u>	<i>P.6/2021</i>