

Driving and mental illness

You must tell the Drivers and Vehicle Licensing Agency (DVLA) if you have certain mental illnesses. Or if your medication affects your driving. This factsheet explains how and when to tell the DVLA about your illness or medication. It explains what could happen when you tell the DVLA and how to challenge a decision if you think it is wrong.



KEY POINTS

- Having a mental illness does not always mean you cannot drive safely. But some drivers need to take extra care or may become too unwell to drive.
- If you have certain illnesses you must tell the DVLA.
- The DVLA will use the information you give them to decide if you should keep your licence.
- They may ask you to have a medical examination or a driving assessment.
- Sometimes they can give you a licence that is valid for 1 to 5 years.
- Sometimes they will take your licence away ('revoke' it). You can appeal.
- If your doctor says you are not fit to drive, you can give up ('surrender') your licence. You can reapply for it when your condition has improved.
- If you continue to drive when your doctor says you shouldn't, you could be charged with an offence.

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1. When do I have to tell the DVLA about my mental health condition?

If you have, or think you may have, certain illnesses you must tell the Driver and Vehicle Licensing Agency (DVLA). And you must let them know if your illness has got worse since you got your driving licence.¹

You must tell the DVLA if you have any of the mental health conditions below, and you are going to drive.²

- Bipolar disorder
- Schizoaffective disorder
- Paranoid schizophrenia
- Psychosis
- Psychotic depression
- Schizophrenia

You must also tell the DVLA if you have any of the mental health conditions below and they affect your ability to drive safely. Things that might affect your ability to drive safely include suicidal thoughts, poor concentration and feeling agitated or irritable a lot of the time. If you are not sure if your illness affects your ability to drive you must speak to your doctor.³

- Anxiety
- Eating disorders
- Depression
- Obsessive compulsive disorder
- Personality disorder
- Post-traumatic stress disorder

The guidance about illnesses and driving are updated regularly.⁴ If you have other physical illness or conditions as well as a mental illness you can find the DVLA rules on illnesses here: www.gov.uk/health-conditions-and-driving.

You must tell the DVLA if you have any of these conditions when you are applying for your first licence. And if you are over 70 and renewing your licence. You'll be asked for this information in your application form. You do not need to contact DVLA separately.⁵

If you already have a licence, you should tell the DVLA right away and do not wait for the renewal date.

Who else should I talk to about my mental illness and driving?

Your doctor

If you have been diagnosed with a mental illness, you should also speak to your doctor. You should tell them about your illness to see if they think it will cause a problem with driving.

If your doctor thinks you should stop driving but you refuse, they have a duty to tell the DVLA. Even if you do not agree with this.⁶

Your insurance company

Your insurance cover could be affected if you drive and have not told the DVLA about your condition. Or if your doctor tells you not to drive. You should check your policy to see what it says.

Your family and friends

You might find it useful to speak to your friends and family about how your illness affects your ability to drive safely. You can ask them for their help. And you can ask them to look after your vehicle, or vehicle keys, when you are poorly. This can help you to avoid driving when you are unwell.

You can find out more about 'Insurance' at www.rethink.org. Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

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2. Will my medication affect my ability to drive?

Some prescription drugs are classed as 'controlled drugs'. If you drive, and have above a certain limit of these drugs in your blood, you can be found guilty of an offence. You can be found guilty even if the drugs were not affecting your driving.⁷

If you have been prescribed any of the drugs in the list below you should speak to your doctor about how they will affect your driving.⁸

- Some benzodiazepines - Diazepam, Lorazepam, Temazepam, Clonazepam, Oxazepam and Flunitrazepam
- Some painkillers - Morphine, Diamorphine, Tramadol and Ketamine
- Methadone
- Amphetamine
- Cannabis
- Cocaine

You can drive after taking these drugs if:⁹

- you've been prescribed them and followed advice on how to take them by a healthcare professional, and
- they aren't causing you to be unfit to drive even if you're above the specified limits.

Are there other medications that might affect my driving?

It is illegal to drive when unfit because of drugs.¹⁰ This includes prescription medication. If you drive when your medication makes this unsafe, the police could charge you with a driving offence.

Some medications can affect your alertness and concentration. This can affect how you drive. You may notice this more at the start of treatment or after increasing the dose. If your medication has a big effect on you, it is important to stop driving during this time.

Different medications may affect your driving in different ways. You should always talk to your doctor, or pharmacist, about how your medication might affect your driving.

Medications that can affect your driving include:

- antidepressants,
- mood stabilisers,
- antipsychotics,
- benzodiazepines, and
- anti-convulsants.

You can find more information about:

- Antipsychotics
- Antidepressants
- Mood Stabilisers
- Benzodiazepines

at www.rethink.org. Or call our General Enquires team on 0121 522 7007 and ask them to send you a copy of our factsheet.

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3. How do I tell the DVLA?

If you already have a licence, you need to complete a medical questionnaire. You can download the form from www.gov.uk/health-conditions-and-driving by searching for your condition. Or you can ask the DVLA to send it to you. Their details are in the Useful Contacts section of this factsheet.

You need to fill out a form to give your agreement for the DVLA to contact your doctor or a specialist.

You need to send the form to the DVLA. The address is on the form.

The DVLA will try to decide if you are well enough to drive based on the information you send them. They may contact your doctor if you have agreed to this. They may ask you to have a medical assessment or to do a driving assessment.¹¹

4. When would I give up my driving licence?

If your doctor has told you that you are not fit to drive, you can give up your licence. This is called 'surrendering' your licence. If you do this, the DVLA does not need to assess your fitness to drive.

In some situations, it may make it easier for you to get your licence back in the future if you surrender it.

If you surrender your licence, you can reapply for it when your doctor thinks your condition has improved. In this case, you can drive again as soon as the DVLA get your application.¹² The DVLA will then decide if you should continue to drive.

You can download the 'Declaration of Voluntary Surrender' –from www.gov.uk/giving-up-your-driving-licence. Or you can ask the DVLA to send you a copy of this form. The contact details are in the Useful Contacts section of this factsheet.

5. What happens after I tell the DVLA?

If you give the DVLA full information, they should decide within six weeks whether you can continue to drive or not. They will write to you if it is going to take longer.¹³

You can keep driving while DVLA are considering your application as long as you are safe to drive. If you have any concerns, then you should contact your doctor or the DVLA for further advice.¹⁴ If you have any doubts about driving you should not drive.

The DVLA can either: ¹⁵

- let you keep your licence or give you a new one,
- give you a licence that is valid for 1, 2,3 or 5 years, or
- take away your licence.

When the DVLA take away your licence this is known as 'revoking' your licence.

The DVLA will revoke your licence if they think that you are not fit to drive at the moment. This doesn't mean that you will never be able to drive again. They will explain their decision and give you advice on when you can reapply.¹⁶

How does the DVLA decide if I'm unfit to drive?

The medical standards the DVLA use will be different depending on what type of vehicle you want to drive. The standards are higher for larger vehicles.¹⁷ The DVLA will decide based on how your symptoms affect your driving.¹⁸

You can speak to your doctor about how the DVLA will assess you. Or you can look at the DVLA guidance for medical professionals. This guidance is reviewed every 6 months. Chapter 4 shows how specific mental health conditions will be assessed:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/670819/assessing-fitness-to-drive-a-guide-for-medical-professionals.pdf

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6. What happens if I don't tell the DVLA?

It is important to tell the DVLA about your mental health condition. If you don't tell DVLA about a medical condition that affects your driving, you could be fined up to £1,000. You may be prosecuted if you're involved in an accident as a result.¹⁹

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7. How can I challenge a decision?

If you disagree with your doctor

When you send details to the DVLA about your illness you can usually carry on driving. But you can only do this if you are safe to drive. It is your responsibility to make sure that you are fit to drive.²⁰

But your doctor may say that you can't drive at this time. You must not drive once your doctor has said you shouldn't drive. Even if you disagree with them.²¹

If you don't agree with your doctor you can ask for a second opinion about your fitness to drive. Try to get a second opinion as soon as you can. You should try to get a second opinion before the DVLA makes a decision based on your doctor's opinion.

You can also have your driving assessed in a confidential and objective test from organisations like the Royal Society for the Prevention of Accidents (RoSPA) and I Am Road Smart.²² They may charge a fee for providing an assessment. You can find their details in the Useful Contacts section of this factsheet.

If you disagree with the DVLA

If the DVLA says you are not fit to drive and you don't agree, you can try to challenge this. You must be able to provide relevant information that was not included in the original assessment.²³ This might be evidence from another doctor. Or from an organisation that has assessed your driving.

It is best to try to resolve the issue without going to court. But you can appeal to your local magistrates' court within 6 months of the DVLA's

decision.²⁴ This can be expensive and time consuming, and you may not be successful.

If you want to go to court, the first step is to contact your local magistrates' court for information on how you do it. You can find your nearest court by searching online at www.gov.uk/find-court-tribunal. You need to tell the DVLA that you are appealing, and you may want to get independent legal advice.

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8. What if I am not happy with how my doctor or DVLA have treated me?

If you disagree with the decision of your doctor or DVLA then you can challenge their decision. You can find more information on how to do this in Section 7 of this factsheet.

You may not be happy with the service you have received from your doctor or the DVLA. Below are some ways you can try and fix these issues.

I am not happy with how my doctor has treated me.

PALS

If you are unhappy with your care, you could contact the Patient Advice and Liaison Service (PALS). PALS can try to help you with any problems or questions you have. There is more information on finding your local PALS in the useful contacts section below.

Advocacy

You can use a community advocate to help talk to your doctor. They can help to make your voice heard and deal with any problems. They may be able to help with writing letters or attending appointments or meetings. Advocates are not part of the NHS.

Complain

You could make a formal complaint if you are unhappy with your care. There will be details on the local trust website about how to make a complaint. You can get help with this from your local NHS Complaints Advocacy Service.

You can find more information about:

- Advocacy
- Complaints

at www.rethink.org. Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

I am not happy with how the DVLA has treated me.

You must first contact the department that you've been dealing with. This is the quickest way to resolve your issue.

If you aren't happy with the response you can make a formal complaint. The details of where to complain is in the Useful Contacts section of this factsheet.

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The Driver & Vehicle Licensing Agency – Medical enquiries

They give information about applying for a licence and guidelines that apply to people with medical conditions wishing to drive.

Telephone: 0300 790 6806 (Open 8:00am-5:30pm Mon-Fri, 8:00am-1:00pm Sat)

Email via online form: https://live.email-dvla.service.gov.uk/w2c/en_gb/decisions/root

Address: Drivers Medical Enquiries, DVLA, Swansea, SA99 1TU

Website: www.dft.gov.uk/dvla

The Driver & Vehicle Licensing Agency – Complaints

This is the team you should contact if you want to make a formal complaint about the DVLA.

Make a complaint online: https://live.email-dvla.service.gov.uk/w2c/en_gb/decisions/A%20complaint%20or%20complaint%20about%20the%20service%20you%20have%20received

Address: Complaints Team, DVLA, Swansea, SA6 7JL

Website: www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency/about/complaints-procedure

Citizens Advice

They give free, confidential and independent advice on many different issues and areas of law. You can find your local office on their website.

Website: www.citizensadvice.org.uk

Royal Society for the Prevention of Accidents (RoSPA)

A registered charity that promote safety and the prevention of accidents. They can provide an honest, objective assessment of your driving.

Telephone: 0121 248 2099

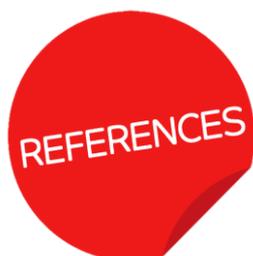
Website: www.roadar.org.uk/drivers/driving-assessments.htm

I Am Road Smart

A registered charity that improves driver and rider skills through coaching and education.

Telephone: 0300 303 1134

Website: www.iamroadsmart.com



¹ s94, Road Traffic Act 1988 c52.

² Gov.UK. *Check if a health condition affects your driving*. www.gov.uk/health-conditions-and-driving (Accessed 01 October 2018).

³ Gov.UK. *Guidance: Psychiatric disorders: assessing fitness to drive* www.gov.uk/guidance/psychiatric-disorders-assessing-fitness-to-drive (Accessed 24th October 2018).

⁴ Gov.UK. *Assessing fitness to drive: a guide for medical professionals*. www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals (Accessed 01 October 2018).

⁵ Gov.uk. *Medical conditions, disabilities and driving* www.gov.uk/driving-medical-conditions (Accessed 01 October 2018).

⁶ General Medical Council. *Confidentiality: Reporting concerns about patients to the DVLA or DVA*. www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality---patients-fitness-to-drive-and-reporting-concerns-to-the-dvla-or-dva/patients-fitness-to-drive-and-reporting-concerns-to-the-dvla-or-dva, para 9.

⁷ As note 1, s5A(2).

⁸ Gov.uk. *Drugs and driving: the law*. www.gov.uk/drug-driving-law (Accessed 08 October 2018).

⁹ As note 1, s5A(3).

¹⁰ As note 1, s4.

¹¹ Gov.UK. *Medical conditions, disabilities and driving*. www.gov.uk/driving-medical-conditions/what-happens-after-you-tell-dvla (accessed: 25 October 2018).

¹² Gov.uk. *Reapply for a driving licence following a medical condition*. www.gov.uk/reapply-driving-licence-medical-condition/when-you-can-start-driving-again (Accessed 01 October 2018).

¹³ As note 11.

¹⁴ Gov.UK. *Can I drive while my application is with DVLA?* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/695575/inf188x6-can-i-drive-while-my-application-is-with-dvla.pdf (Accessed 24 October 2018).

¹⁵ Gov.uk. *Medical conditions, disabilities and driving*. www.gov.uk/driving-medical-conditions/what-dvla-will-decide (Accessed 2nd August 2018).

¹⁶ As note 15.

¹⁷ Gov.uk. *General information: assessing fitness to drive*. www.gov.uk/guidance/general-information-assessing-fitness-to-drive (Accessed 01 October 2018).

¹⁸ As note 4, page 12.

¹⁹ As note 5.

²⁰ As note 14.

²¹ As note 4, pages 12-13.

²² Gov.uk. *Surrendering your driving licence*. www.gov.uk/giving-up-your-driving-licence (Accessed 24 October 2018).

²³ As note 15.

²⁴ As note 15.

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Last updated October 2018

Next update October 2021

Version 9

This factsheet is available
in large print.

Rethink Mental Illness Advice Service

Phone 0300 5000 927

Monday to Friday, 9:30am to 4pm
(excluding bank holidays)

Email advice@rethink.org

Did this help?

We'd love to know if this information helped you.

Drop us a line at: feedback@rethink.org

or write to us at Rethink Mental Illness:

RAIS
PO Box 17106
Birmingham B9 9LL

or call us on 0300 5000 927.

We're open 9:30am to 4pm
Monday to Friday (excluding bank holidays)



Leading the way to a better
quality of life for everyone
affected by severe mental illness.

For further information
on Rethink Mental Illness
Phone 0121 522 7007
Email info@rethink.org

 [facebook.com/rethinkcharity](https://www.facebook.com/rethinkcharity)

 twitter.com/rethink_

 www.rethink.org

Need more help?

Go to www.rethink.org for information on symptoms, treatments, money and benefits and your rights.

Don't have access to the web?

Call us on 0121 522 7007. We are open Monday to Friday, 9am to 5pm, and we will send you the information you need in the post.

Need to talk to an adviser?

If you need practical advice, call us on 0300 5000 927 between 9:30am to 4pm, Monday to Friday. Our specialist advisers can help you with queries like how to apply for benefits, get access to care or make a complaint.

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