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## Driving and MSA

As we have had several posts on the forum recently about driving we felt we should cover some commonly asked questions.

### **Do I have to inform the DVLA that I have MSA?**

Yes. You are obliged to tell the DVLA. If you fail to inform the DVLA of a health problem, you are committing a criminal offence under the Road Traffic Act 1988. Having MSA does not automatically mean that your licence will be revoked, although you may be required to have a medical (which will be carried out by a doctor specially chosen by the DVLA) or take a driving test. Medicals and driving tests under these circumstances are free and you would be given priority at a driving test centre, although travel costs incurred may be your responsibility.

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/345160/AAG\\_MAY\\_2014.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/345160/AAG_MAY_2014.pdf)

*The DVLA does make every effort to ensure that people with health problems or disabilities stay as mobile as possible.*

### **What happens next?**

You will be asked to complete form PK1, **Medical in Confidence** giving details of your GP and specialist or Parkinson's Nurse Specialist (which is a legal requirement) and details of recent hospital/clinic visits. In most cases the DVLA will contact your specialist for further information about your fitness to drive. They will then decide if a driving test or medical is required. Following this they will reach a decision:

- to give a licence without any restriction
- to give a licence for one, two or three years. This decision is reviewed when the licence runs out.
- to refuse or withdraw the licence
- to restrict the licence to particular vehicles with adaptations

The DVLA aim to make a decision within 90 working days. If the DVLA decides you cannot have a licence, it will return any fee you sent with the application form.

### **What about insurance?**

You should also inform your insurance company of any change in your health that may affect your ability to drive. It is an offence under the Road Traffic Act to make a false statement or withhold information for the purposes of obtaining a certificate of motor insurance and it may also invalidate your policy. You should also inform your insurers about any adaptations made to the insured vehicle.

### **Can I challenge the DVLA's decision?**

If you are not happy with any decision made by the DVLA, you can challenge the decision by:

- asking the DVLA to reconsider its decision
- appealing against the decision in the magistrates court (sheriff court in Scotland).

In the first instance you should write to the DVLA explaining why you feel the decision is wrong. The DVLA will generally reconsider the decision, but will expect the request to be supported by fresh medical evidence.

You may need to ask your GP to refer you to a specialist who can provide this, and you might have to pay for the letter that the specialist writes.

If the DVLA does not change its decision, you can appeal to the:

Magistrates/sheriff court. The appeal must be lodged with the magistrates court within six months (21 days to the sheriff court) of the revocation/refusal of the licence.

In our experience most people living with MSA will come to a decision about their own ability to drive. Slower reaction times, side effects of some medication which can cause drowsiness, episodes of fainting or blackouts with postural hypotension can all be very concerning. Whilst we appreciate the difficulties losing one's independence can cause, safety of the driver, passengers and other road users must be paramount.

### **Remember**

The advice from the DVLA is that you could be committing a road traffic offence if you cannot safely control the vehicle that you drive at all times.

The forum of mobility centres can be found at

[http://www.mobility-centres.org.uk/find\\_a\\_centre/listofcentres.htm](http://www.mobility-centres.org.uk/find_a_centre/listofcentres.htm)

If you would like to have your driving assessed and be given recommendations for maintaining safe driving consider booking a course at:

<http://www.rdac.co.uk/>

**More information can be found at:**

<http://www.direct.gov.uk/en/Motoring/DriverLicensing/MedicalRulesForDrivers/index.htm>

Drivers Medical Group  
DVLA  
Swansea  
SA99 1TU

**Key points to remember**

If you are in receipt of the higher rate of the mobility component of the DLA then you may be entitled to a free tax disc. If you don't drive but someone drives for you, then they can apply for exemption providing the vehicle is used solely for your purposes. More information can be found at:

<http://www.nidirect.gov.uk/vehicle-tax-for-disabled-people>

The Trust's contact details:

MSA Trust, 51 St Olav's Court, City Business Centre, Lower Road, London SE16 2XB  
T: 0333 323 4591 | E: [support@msatrust.org.uk](mailto:support@msatrust.org.uk) | W: [www.msatrust.org.uk](http://www.msatrust.org.uk)

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