



Fitness to drive

Explains the rights that you have to drive, what information you need to tell the Driver and Vehicle Licensing Agency (DVLA) and how to appeal if your driving licence is taken away.

If you want to contact us with any feedback, email contact@mind.org.uk.

- This information applies to England and Wales.
- This information applies to adults. It doesn't apply to children unless specifically stated.

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Overview

If you have a mental health problem, you may have to tell the [Driver and Vehicle Licensing Agency \(DVLA\)](#) about it. It might affect your ability to drive.

These rules are in place for the purposes of road safety. The DVLA has to be satisfied that drivers with medical conditions can safely control their vehicle and are not a risk to other road users. This includes certain mental health problems.

Quick facts

- There are [some mental health problems](#) that you have to tell the DVLA about. Some others you only have to tell the DVLA about if they [affect your ability to drive](#).
- Your doctor should tell you if you need to tell the DVLA about your mental health problem.
- [You could be fined](#) if you don't tell the DVLA about a mental health problem that affects your ability to drive.
- It is illegal to drive or attempt to drive if your ability to do so is impaired by drugs. This includes [prescribed medication](#).
- If the DVLA says you must stop driving, you can [appeal this decision](#). You must do this within 6 months of your licence being refused or taken away.

These pages contain general legal information, not legal advice. We recommend you get advice from a specialist legal adviser or solicitor who will help you with your individual situation and needs. See our [useful contacts](#) page for organisations which may be able to help.

My right to drive with a mental health problem

- [Are there any mental health problems that automatically bar me from driving?](#)
- [Do I have to tell the DVLA about my mental health problem?](#)
- [Am I allowed to drive if I am on section 17 leave from hospital?](#)
- [Can my doctor tell the DVLA that I shouldn't drive without my permission?](#)
- [What if I don't tell the DVLA about my mental health problem?](#)

Are there any mental health problems that automatically bar me from driving?

No. The [DVLA](#) will look at each case individually. Whether you will be allowed to drive will depend on the effect your mental health problem has on your ability to drive.

Do I have to tell the DVLA about my mental health problem?

It depends on your diagnosis. **You must tell the [DVLA](#) if you have a diagnosis of any of the following:**

- [Bipolar disorder](#)
- [Paranoid schizophrenia](#)
- [Psychosis](#)
- [Psychotic depression](#)
- [Schizoaffective disorder](#)
- [Schizophrenia](#)

If you have a diagnosis of one of the following mental health problems, you only need to tell the DVLA if it affects your ability to drive:

- [Agoraphobia](#)
- [Anxiety](#)
- [Depression](#)
- [Eating disorder](#)
- [Obsessive-compulsive disorder \(OCD\)](#)
- [Personality disorder](#)
- [Post-traumatic stress disorder \(PTSD\)](#)

There is a list of medical conditions on the [UK government website](#). You can use this to check what the rules are for your mental health problem.

As well as the mental health problems listed above, you must tell the DVLA if you:

- Misuse or have been dependent on alcohol
- Use or have used illegal drugs
- Misuse or have misused prescription drugs

Speak to your doctor

Your doctor should tell you if you need to let the DVLA know about your mental health problem.

There is [guidance for medical professionals](#) to use when deciding whether you should tell the DVLA about a medical condition which affects your fitness to drive. Although this guidance is for doctors, you might find it helpful. It sets out the circumstances in which you will need to tell the DVLA about the mental health problems listed above. For example:

- **You don't need to notify the DVLA** if you experience anxiety or depression without significant memory or concentration problems, agitation, behavioural disturbance or suicidal thoughts.
- **You do need to notify the DVLA** if you experience anxiety or depression with significant memory or concentration problems, agitation, behavioural disturbance or suicidal thoughts.

Example

Sandra has recently been diagnosed with [bipolar disorder](#). She relies on her car to take her children to school and to get to and from work. Sandra doesn't believe that having bipolar disorder affects her ability to drive. Despite this, Sandra must tell the DVLA about her diagnosis. This is because bipolar disorder is one of the mental health problems that the DVLA must be told about.

Am I allowed to drive if I am on section 17 leave from hospital?

If you are on section 17 leave from hospital, you will need to ask your responsible clinician whether you can drive. See our [information on sectioning](#) to learn more about section 17 leave.

Can my doctor tell the DVLA that I shouldn't drive without my permission?

It is your duty to tell the [DVLA](#) about a mental health problem which may affect your ability to drive. If you don't, your doctor can tell the DVLA without your consent. Your doctor should tell you in advance that they plan to do this and write to you after they have done so.

Example

Jacob has a diagnosis of [obsessive-compulsive disorder](#). He visits his GP and explains that his symptoms have got worse.

The GP is concerned that Jacob's mental health problem may now affect his ability to drive. She tells Jacob that he must tell the DVLA about his mental health problem. Jacob doesn't want to do this as he lives in a rural village and relies on his car to get out and about in the community.

The next time Jacob sees his GP, she asks whether he has been in touch with the DVLA. Jacob says that he hasn't. Jacob's GP warns him that if he doesn't do so, she will have to tell the DVLA herself. He is adamant that he will not notify the DVLA.

The GP must contact the DVLA and tell them about Jacob's medical condition and her concerns about his driving. She will need to write to Jacob once she has done this to tell him she has spoken to the DVLA.

What if I don't tell the DVLA about my mental health problem?

You could be fined up to £1000. If you haven't told the [DVLA](#) about a mental health problem that affects your ability to drive and you have a car accident, you might be prosecuted. And your insurance might not be valid.

Telling the DVLA about a mental health problem

- [How do I tell the DVLA about my mental health problem?](#)
- [What form do I need to fill in?](#)

How do I tell the DVLA about my mental health problem?

If you are applying for your first driving licence (including provisional) or applying to renew your licence, there is a section on the application form which asks questions about your health. You should use this part of the form to tell the [DVLA](#) about your mental health problem.

If you already have a driving licence and are diagnosed with a mental health problem which your doctor says you need to tell the DVLA about, you need to fill in a form and send this to the DVLA.

If you've already told the DVLA about a mental health problem, but the symptoms of it get worse, you will need to tell the DVLA about this.

What form do I need to fill in?

If you drive a car or motorcycle, you should use the M1 online form on the [UK government's website](#) to tell the DVLA about a diagnosis of:

- [Agoraphobia](#)
- [Anxiety](#)
- [Bipolar disorder \(manic depression\)](#)
- [Depression](#)
- [Eating disorder](#)
- [Obsessive-compulsive disorder \(OCD\)](#)
- [Paranoid schizophrenia](#)
- [Personality disorder](#)
- [Post-traumatic stress disorder](#)
- [Psychosis](#)
- [Psychotic depression](#)
- [Schizoaffective disorder](#)
- [Schizophrenia](#)
- Other related conditions

If you drive a lorry, bus or coach and are diagnosed with one of the mental health problems listed above, you will need to fill out an M1V form on the [UK government's website](#).

You need to fill in either form with details of:

- Your diagnosis
- Any medication you are prescribed
- How the medication you take makes you feel

You can also use these forms to tell the DVLA if your symptoms of any of these mental health problems have got worse.

The forms have a page for you to sign to give your permission to the DVLA to get details of your medical condition from your doctor. It is important that you fill this in and give the DVLA this permission. If you don't, the DVLA could take away your licence anyway.

After I tell the DVLA about my mental health problem

- [What will the DVLA do with my mental health information?](#)
- [Are the rules the same whatever type of licence I have?](#)
- [Can I drive while I'm waiting for the DVLA's decision?](#)
- [When do I have to surrender my licence?](#)

What will the DVLA do with my mental health information?

The [DVLA](#) will use the information you provide to decide if you can drive. It aims to make a decision within 6 weeks of you sharing information about your mental health problem. The DVLA will write to you if it is likely to take longer than this.

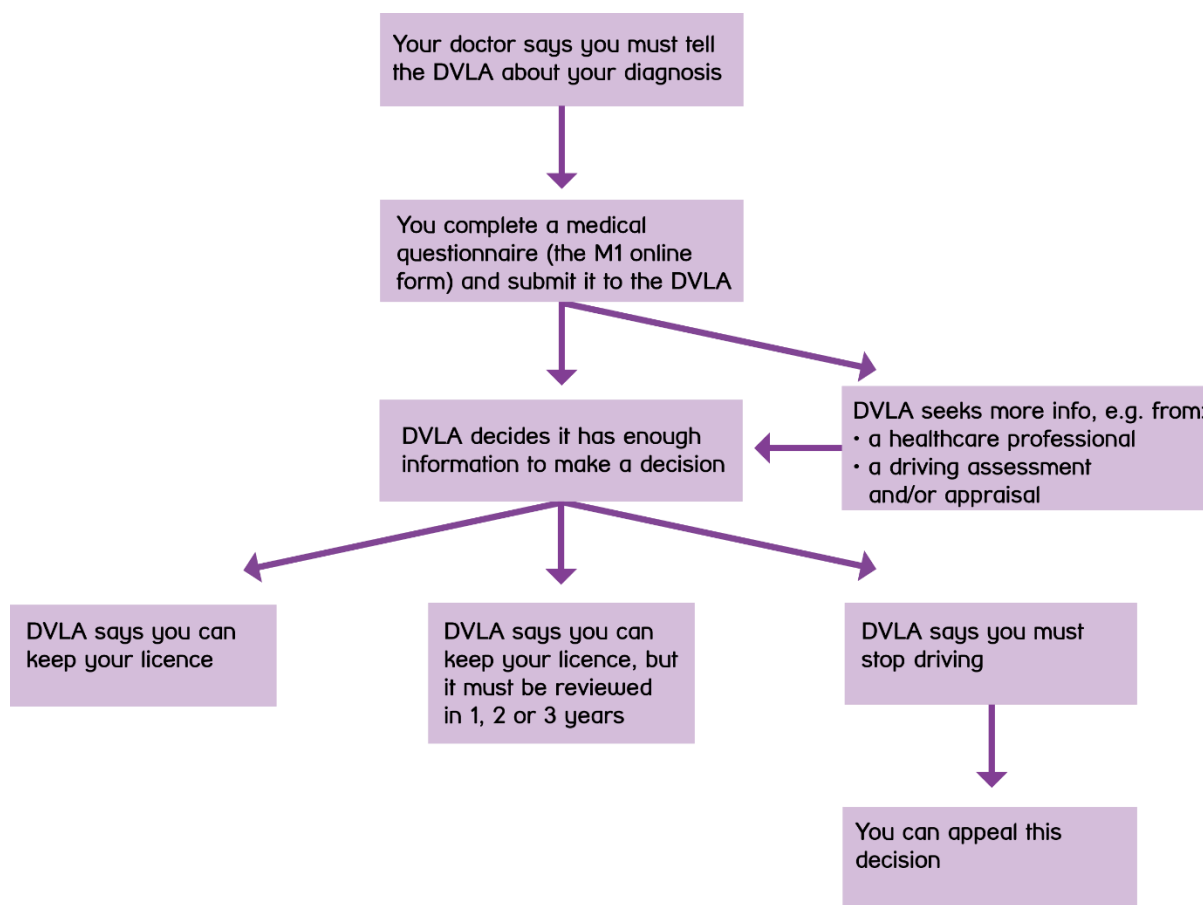
In some situations, the DVLA may need more information before making a decision. The DVLA might want to:

- Contact a healthcare professional for more information. For example, your doctor, an independent medical specialist, or an optician or optometrist.
- Ask you to take a driving assessment or driving test, which is like a mini driving test. The DVLA tends to only ask people to go for a driving assessment if they have a physical disability. For example, if you have a visual impairment. It is unlikely you will be asked to do this for a mental health problem.

Once the DVLA has all the information to make a decision, you should receive a letter with its decision. This is likely to be one of the following:

- You can keep your driving licence or have a new one.
- You can have a driving licence for a shorter amount of time – for example, for 1, 2 or 3 years. If this happens, your fitness to drive will be reviewed when that period comes to an end.
- You must stop driving. You can appeal this decision.

The flowchart below shows the process explained on the page above:



It's important to remember that the DVLA will look at your individual situation. Just because you have a particular diagnosis or take a particular medication doesn't mean you won't be allowed to drive.

Are the rules the same whatever type of licence I have?

No. The medical standards for [Group 2 licence holders](#) are much higher than for [Group 1 licence holders](#). This is due to the size and weight of the vehicles being driven, and the amount of time drivers spend on the road behind the wheel.

If you are applying for a Group 2 licence or are renewing one, a doctor will need to fill out a D4 medical examination report. There is information about this and the medical standards for Group 2 licence holders on the [UK government's website](#).

Can I drive while I'm waiting for the DVLA's decision?

This will be up to your doctor. If your doctor tells you that you need to tell the [DVLA](#) about your mental health problem, you will need to contact your doctor. Ask if

you can carry on driving while the DVLA makes its decision. Usually, the DVLA will not take away your licence until it has all the medical information it needs. In exceptional cases it can take away your licence immediately. This would be where it considers it to be in the interests of road safety.

When do I have to surrender my licence?

If your doctor advises you to stop driving or if you decide yourself that you shouldn't drive, you must surrender your driving licence to the DVLA. To surrender your licence, you need to fill in a declaration of surrender for medical reasons from the [UK government website](#) and send this to the DVLA with your licence.

You will need to apply for a new licence if you want to start driving again after surrendering your licence.

Is it better to choose to surrender my licence?

There are advantages to choosing to surrender your licence voluntarily. It may mean that you can start driving again sooner.

If your licence was refused or taken away for medical reasons, you have to wait for the DVLA to say that you can start driving again.

If you surrendered your driving licence, you can start driving again:

- Once your doctor tells you that you are fit to drive again, and
- The DVLA has received your application for a new licence. [Certain conditions apply](#).

Can I drive if I'm taking prescribed medication?

It depends what effect the medication has on your ability to drive. It's illegal to drive or attempt to drive if your ability to do so is impaired by drugs. This includes prescribed medication for a mental health problem. You should ask the doctor who prescribed your medication whether it's likely to affect your ability to drive.

If you're taking your medicine as directed by your doctor and your driving is not impaired then you aren't breaking the law. Check the leaflet that comes with your medicine for information on how it might affect your driving. You may wish to avoid driving while taking this medicine until you know how it affects you.

How the law might affect you

It is an offence to drive, attempt to drive, or to be in charge of a motor vehicle with a specified controlled drug in the body above a certain limit.

Some of the drugs affected by this offence are prescribed for mental health problems – for example:

- [Diazepam](#)
- [Lorazepam](#)
- [Oxazepam](#)
- [Temazepam](#)
- Clonazepam (a [benzodiazepine tranquilliser](#) used to treat epilepsy)

The police have powers to test and arrest drivers who are suspected of driving having taken any of these drugs in excess of the specified levels. You will only commit the offence if, when you drive, the amount of the drug in your blood exceeds a certain limit.

The UK government has published [guidance for healthcare professionals](#). This emphasises that a person who is prescribed any of the drugs listed above is unlikely to be in breach of the law. This is because the levels specified in the law are higher than the dosage which is usually prescribed.

Medical defence

Even if the amount of the drug in your blood is more than the limit specified in the law, you can show that you aren't breaking the law. This is known as medical defence. This is as long as:

- You're taking your medication in line with instructions given by the doctor who prescribed it or the information in the leaflet accompanying the medication, or both
- You haven't been told that you mustn't drive while taking the medication
- Your driving is not impaired

The guidance suggests that, if you are taking any of the above prescribed drugs, you might want to carry evidence that it is prescription medication with you while driving. For example, a copy of your prescription or the medicine packet. You can show this to the police if stopped.

If you are prescribed one of the drugs affected by this law, you should ask your doctor whether it will be safe for you to drive.

Read more about the offence on the [UK government's website](#).

Can I appeal if the DVLA won't let me drive?

If the [DVLA](#) tells you that you have to stop driving, it must:

- Explain why it has made this decision
- Tell you if and when you can reapply for a driving licence
- Tell you about your right to appeal against its decision

If you disagree with the DVLA's decision to stop you from driving you can write to the DVLA at:

DM Business Support
D7
DVLA
SA99 1ZZ

You must be able to provide relevant information that wasn't included in the original assessment.

You must also include:

- Proof that you meet the required standards for driving (these are explained in the decision letter that DVLA sent you)
- The reference number from your decision letter

If you want to appeal the decision, you'll need to make a written application to your local Magistrates Court. You must do this within 6 months of your licence being refused or taken away. You'll need evidence, including medical evidence, to support your argument that the DVLA made the wrong decision and that you're fit to drive.

It's a good idea to get legal advice from a solicitor who specialises in driving and other motoring offences before doing this. They'll be able to advise you whether you have a good case. You can find a solicitor by contacting the [Law Society](#).

Legal aid

There is no legal aid available to appeal the DVLA's decision. This means you will have to pay for any legal help. If you lose your appeal, you might also have to pay the DVLA's legal costs. So, the process can be expensive.

Useful contacts

Mind's services

- [Mind's helplines](#) provide information and support by phone and email.
- [Local Minds](#) offer face-to-face services across England and Wales. These services include talking therapies, peer support and advocacy.

How to find an advocate

To find [advocacy](#) services and groups in your area, you could call Mind's Legal Line on [0300 466 6463](#) or contact your local Mind.

If you're in hospital, you can also contact the:

- [Patient Advice Liaison Service \(PALS\)](#) in England
- [Community Health Council](#) in Wales

In some situations, you may be legally entitled to the support of an advocate. For more information, see our page on [your legal rights to advocacy](#).

Other organisations

Driver and Vehicle Licensing Agency (DVLA)

[gov.uk/government/organisations/driver-and-vehicle-licensing-agency](https://www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency)

Maintains registers of drivers and vehicles.

Law Society

[lawsociety.org.uk](https://www.lawsociety.org.uk)

Professional association for solicitors in England and Wales. Includes a searchable directory of solicitors.