

Advice for Drivers

The Golden Rule

Ultimately, all advice boils down to this simple golden rule:

It is illegal for anyone to drive whilst impaired by tiredness or sleepiness

In the same way that it's illegal to drive whilst impaired by alcohol

- Being too **sleepy** is when you fall asleep in situations where you shouldn't, or despite trying not to
- Being too **tired** is when you cannot concentrate on your daily tasks because you are too tired

All drivers are responsible for their own fitness to drive every time they get behind the wheel

If you drive whilst too tired or sleepy

- **You are breaking the law**
- You are likely voiding your insurance – almost all policies include a clause that you must only drive if legally fit to do so, and driving whilst too tired or sleepy would break this clause
- You risk the costs of property damage – particularly if your car insurance is voided
- Your future insurance costs may increase sharply
- You risk the safety of yourself, your passengers, other road users, pedestrians, animals, and property
- You risk the shock and trauma of a vehicle collision – it's scary even if there's no injury or damage
- You risk damage to your reputation, which may affect your career – dangerous driving cases are usually published in the local news outlets, if not nationally
- You could cause serious injury or death to yourself or others

You can be charged with 'dangerous driving' even if there was no accident or injury

Dangerous driving carries a mandatory minimum 12-month ban from driving

Causing death by dangerous driving carries a minimum sentence of 2 years imprisonment

Who needs to inform the DVLA?

The DVLA must be notified of any driver who is at risk of dozing off whilst driving or suddenly being impaired by tiredness whilst driving (this is often called 'excessive sleepiness').

You can continue to drive as normal and do not need to inform the DVLA if:

- Your driving is not impaired by tiredness or sleepiness
- **OR** you always choose not to drive on the occasional times you are too sleepy or tired to drive safely
- **AND** you do not have sudden unpredictable episodes of tiredness or sleepiness

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You **must stop driving and inform the DVLA** if:

- Your driving is routinely impaired by tiredness or sleepiness for more than three months
- **OR** you have sudden unpredictable episodes of tiredness or sleepiness (e.g. narcolepsy)

How is the DVLA informed and what happens next?

If you **must** inform the DVLA about your excessive sleepiness, the easiest way to do this is online at www.gov.uk/excessive-sleepiness-and-driving

When you inform the DVLA, they will write to your healthcare team and ask for details of your diagnosis and treatment. It is always fastest to tell the DVLA to write to the Sleep Clinic directly, not your GP.

- **If you are on effective treatment and your excessive sleepiness has been resolved:**
the DVLA will likely take no action, and simply ask for an update from your Sleep Clinic every 3 years
- **If you still have excessive sleepiness because you're not on treatment or treatment is not effective:**
the DVLA will formally ask you to stop driving and surrender your driving licence

The **driver** is responsible for informing the DVLA about their condition

The Sleep Service only responds to requests for information from the DVLA; we do not 'report' anyone except under extremely exceptional circumstances.

Frequently Asked Questions

Q. Can I drive if I'm waiting for a sleep study / sleep study report / treatment for a sleep disorder / the DVLA to respond to me?

A. The DVLA state that you can continue to drive under these circumstances, as long as you do not drive whilst impaired by tiredness or sleepiness.

Q. I'm now on treatment for my sleepiness. When can I drive again?

A. If you simply chose to not drive and did not surrender your driving licence, you may drive again when your sleepiness has resolved or has been controlled by treatment.

A. If you surrendered your licence or the DVLA told you that you must stop driving, you'll have to notify them about the improvement in your condition and request for your licence to be reinstated. The DVLA will likely write to your Sleep Clinic to confirm that your excessive sleepiness is now under control.

Q. I have a diagnosis of a sleep disorder. Do I need to inform my car insurance company?

A. This will depend entirely on the specific policy you have with the insurance company, and you should always check your individual case with them. However as a general rule, the insurance company would expect to be informed of any change in circumstances which may affect your driving. A sleep disorder which causes excessive sleepiness would likely be included and failure to inform may void your policy.

Q. I have an HGV / bus / other special licence. Are there different rules?

A. The rules are the same for special licences, except that the DVLA will request updates from your Sleep Clinic every year, instead of every 3 years.

Q. How do I get signed off as fit to drive?

A. Unfortunately, there is a misconception that doctors can sign a form to say that people are safe to drive. With sleep conditions, this is not the case. **Only you can decide whether you are alert enough to drive any specific journey.** The only information that your healthcare team can provide to the DVLA is your diagnosis, your treatment details, and how effective your treatment is. The DVLA then uses this information to make their decision. We cannot state that anyone is or is not 'fit to drive'.