

## SLEEP DISORDER SERVICE

CONQUEST HOSPITAL, HASTINGS.

### **SLEEP APNOEA, SLEEPINESS & DRIVING**

Every driver has a duty to ensure that they are fit to drive. There are many reasons why we may be unfit, including sleepiness. Sleepiness causes as many accidents as alcohol.

There are many causes of sleepiness, including insufficient sleep and poor quality sleep, which is the cause in people with Obstructive Sleep Apnoea (OSA).

#### **What does the law say?**

We don't fall asleep when we are wide-awake, only when we are already sleepy. We all know what sleepiness feels like, so we should be able to avoid falling asleep at the wheel. If you do fall asleep while driving you will have very few excuses.

If you have any condition that affects your ability to drive, which will last more than three months, including sleepiness, you must notify the DVLA. See the back of your driving license for confirmation. Your Doctor will advise you whether you can continue driving or not while the DVLA Medical branch decides whether your licence may be continued.

Once the sleepiness has been successfully treated, there is no reason why you may not continue to hold a Category 1 (car) or Category 2 (lorry, bus or coach) licence. The DVLA will check with us from time to time that the sleepiness remains treated, annually for Category 2 drivers. As long as we are happy that you are no longer sleepy and that you are using any treatment properly, we will confirm to the DVLA that we see no reason why your licence should not be continued.

#### **What must I do?**

If your sleepiness is overwhelming, you should stop driving. If you choose to continue driving, please remember your duty to other road users and indeed your passengers.

Most patients with OSA will be given nasal CPAP treatment. This is effective in almost all patients. Not everybody copes well with CPAP but it is well worth persisting. The clinic will help and you should not hesitate to contact us.

We try our best to get all sleepy patients with OSA started on CPAP within six months of giving you the diagnosis but if you drive for a living and loss of your licence would be a serious problem, please let us know.

You should notify the DVLA immediately at the address given below, by letter or using a form available from the post office.

Voluntarily surrendering and returning your licence to DVLA does have the advantage that when you reapply, after being placed on treatment, you will be able to drive pending any investigation by DVLA.

However, if DVLA have to ask for return of your licence, then it may not be returned to you until they have completed any investigations.

### **What about my Motor Insurance?**

You should notify your insurers as sleepiness is a “material condition” affecting your ability to drive. Don’t forget that they were happy to insure you before your condition was diagnosed, when you are treated you will be an even safer driver!

### **What happens if I don’t take to CPAP?**

The clinic will do its very best to make sure that you do get on with CPAP. We don’t mind how often you contact us, so do let us know as soon as you have any problems. If despite all our efforts, you don’t take to CPAP we will consider other treatments. They are generally less effective but may be better tolerated. We will assess your sleepiness and advise the DVLA appropriately.

### **I know I’m sleepy but I’ve never had an accident. Why do I need to tell DVLA?**

You’re very fortunate. Patients with OSA have at least 6 times as many accidents as those without. We do rely on your honesty about symptoms as related to driving and this is in your own interest. Please accept that many patients with this condition are unaware of how sleepy they are until they are treated.

### **How do you know I’m telling the truth about my sleepiness and using CPAP?**

We rely a lot on trust. We trust that you are a responsible driver and we trust that you are telling us the truth. However, we do have ways of checking whether you are using the CPAP as prescribed and if we find you are not using it properly, we will look very carefully at anything you tell us about your sleepiness.

### **You can’t shop me to the DVLA, can you?**

Actually, yes we can and do, very reluctantly. We have a duty of confidentiality to you and will respect any decisions you make about treatments BUT we also have a duty to the public. If we have good reason to believe that you are sleepy and are still driving against our advice, we will notify DVLA. We will write and tell you what we intend to do.

Addresses

Drivers Medical Branch  
DVLA  
Swansea  
SA99 1TU                      Phone: 0870 600 0301

See the DVLA website: [www.dvla.gov.uk/drivers/dmed1.htm](http://www.dvla.gov.uk/drivers/dmed1.htm) for further details.