



STATUTORY INSTRUMENTS.

S.I. No. 159 of 2023



EUROPEAN UNION (DRIVER QUALIFICATION CARD) (PERSONS
FROM UKRAINE) REGULATIONS 2023

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Regulation (EU) 2022/1280¹ of the European Parliament and of the Council of 18 July 2022 laying down specific and temporary measures, in view of Russia’s invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Driver Qualification Card) (Persons from Ukraine) Regulations 2023.

2. (1) In these Regulations –

“2006 Regulations” means the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006);

“Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961);

“approved centre” means a centre approved by the Authority under Regulation 14 of the European Communities (Vehicle Drivers Certificate of Professional Competence) (No. 2) Regulations 2008 (S.I. No. 359 of 2008);

“Authority” means the Road Safety Authority;

“category C” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category C1” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category CE” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category C1E” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category D” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category D1” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category DE” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

“category D1E” has the same meaning as it has in Regulation 6 of the 2006 Regulations;

¹ OJ L 195, 22.7.2022, p.13.

“computer-based test” means a computer-based test of driver knowledge for the purposes of Article 4(4) of the EU Regulation;

“Directive” means Directive (EU) 2022/2561² of the European Parliament and of the Council of 14 December 2022 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers (codification);

“driver qualification card” has the meaning it has in Article 4(1)(b) of the EU Regulation;

“driver qualification card issued by Ukraine” has the meaning it has in Article 2(b) of the EU Regulation;

“driver theory testing service” has the same meaning it has in the European Communities (Driving Theoretical Tests) Regulations 2003 (S.I. No. 52 of 2003);

“driving instructor” means a person whose name is entered in the Register in respect of driving licence categories C or D;

“driving licence” means a Ukrainian driving licence recognised by an order under section 23B of the Act of 1961;

“EU Regulation” means Regulation (EU) 2022/1280¹ of the European Parliament and of the Council of 18 July 2022 laying down specific and temporary measures, in view of Russia’s invasion of Ukraine, concerning driver documents issued by Ukraine in accordance with its legislation;

“individual driving”, in relation to a relevant person, means being accompanied by an approved driving instructor;

“permission to reside” has the meaning assigned to it in section 3 of the Act of 1961;

“public place” has the meaning it has in section 3 of the Act of 1961;

“Register” means the register of approved driving instructors provided for in Regulation 17 of the Road Traffic (Driving Instructor Licensing) (No. 2) Regulations 2009, S.I. No. 203 of 2009;

“registered medical practitioner” means a person who is a registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007 (No. 25 of 2007);

“relevant person” means a person who has permission to reside;

“relevant vehicle” means a vehicle of category C, C1, CE, C1E, D, D1, DE, or D1E;

“Service” means driver theory testing service.

(2) A word or expression which is used in these Regulations and which is also used in the EU Regulation or the Directive has, unless the context otherwise requires, the same meaning in these Regulations as it has in the EU Regulation or the Directive, as the case may be.

² OJ L 330, 23.12.2022, p. 46

Persons to whom these Regulations apply

3. These Regulations apply to a relevant person who is the holder of a valid driver qualification card issued by Ukraine who seeks a driver qualification card in order to work for a road transport undertaking in the State.

Compulsory training

4. (1) A relevant person who seeks a driver qualification card shall complete compulsory training which shall consist of –

- (a) a training course of a duration of –
 - (i) 35 hours for vehicles of categories C, C1, CE, C1E,
 - (ii) 35 hours for vehicles of categories D, D1, DE, D1E, or
 - (iii) 42 hours for a combination of one or more than one category from subparagraph (i) with one or more than one category from subparagraph (ii),
- (b) 8 hours of individual driving, in accordance with Regulation 5, for vehicles of categories C, C1, CE, C1E, D, D1, DE and D1E, and
- (c) a computer-based test, as specified in Regulation 6.

(2) A relevant person may apply to undergo the compulsory training referred to in paragraph (1) by submitting to the Authority –

- (a) a completed registration form,
- (b) a copy of his or her valid driving licence,
- (c) a copy of his or her valid driver qualification card issued by Ukraine,
- (d) a copy of his or her permission to reside, and
- (e) a medical report in accordance with Regulation 7 in the event that the person making the application holds a driving licence that is not a Union model driving licence issued by a Member State.

(3) Training shall take place in an approved centre.

(4) A training course shall be conducted according to the syllabus that may be determined by the Authority for the relevant vehicle category concerned in accordance with Article 7 of the Directive and section 4 of Annex I to the Directive.

(5) An approved centre shall inform the Authority by means of an electronic notification of a relevant person who has completed the training in accordance with this Regulation.

Individual driving

5. (1) Individual driving shall consist of four supervised driving sessions of 2 hours duration each.

(2) Individual driving shall be conducted by an approved driving instructor.

(3) An approved driving instructor shall, on completion of the individual driving required under this Regulation notify the Authority by electronic or such other means as may be determined by the Authority that the relevant person has completed the said training.

Computer-based tests

6. (1) A computer-based test in a designated testing facility shall be taken in respect of vehicles of category C and D.

(2) The computer-based test shall consist of a number of questions as set out in paragraph (5) chosen by the Service from a data bank of questions (“question bank”) prepared by the Minister, or such other person as he or she designates, and published by the Service, to ensure that an applicant for the computer-based test possesses the necessary knowledge of the question bank in respect of the category of test to which the application relates.

(3) The Service shall publish the questions in the question bank and keep and maintain the question bank by electronic form.

(4) The computer-based tests will be in accordance with Article 4(4) of the EU Regulation and shall include questions for the purpose of verifying that the driver has the level of knowledge required by Section 1 of Annex I to the Directive.

(5) The computer-based test will be divided into 4 tests comprising –

- (a) a test, consisting of 100 questions, in relation to vehicles of category C,
- (b) a test, consisting of 100 questions, in relation to vehicles of category D,
- (c) a combined test, consisting of 140 questions, in relation to vehicles of both categories C and D, and
- (d) a test, consisting of 40 questions, in relation to –
 - (i) vehicles of category C where the applicant has been issued with a theory test certificate in relation to category D within the previous 2 years, or
 - (ii) vehicles of category D where the applicant has been issued with a theory test certificate in relation to category C within the previous 2 years.

(6) On completion, by an applicant, of a computer-based test arranged by the Service, the Service shall if it is satisfied that the applicant has demonstrated, by answering correctly –

- (a) 35 questions out of 40 questions,
- (b) 74 questions out of 100 questions, or
- (c) 104 questions out of 140 questions,

taken from the question bank, that he or she possesses the necessary knowledge of the question bank in respect of the category to which the test relates, issue a theory test certificate to the applicant in respect of the category.

(7) A theory test certificate will be in the form set out in Part 1 of the Schedule or in a form substantially to the like effect and shall be valid for a period of 2 years from the date of issue.

(8) A theory test certificate issued for a vehicle of category C is valid for a vehicle of category C, C1, CE and C1E.

(9) A theory test certificate issued for a vehicle of category D is valid for a vehicle of category D, D1, DE and D1E.

(10) An applicant for the computer-based test shall pay to the Authority the appropriate fee set out in column 1 of the table opposite the test category in column 2 in respect of which the application relates.

Table

Column (1) Application Fee €	Column (2) Test Category
72	A test, consisting of 100 questions, in relation to vehicles of category C.
72	A test, consisting of 100 questions, in relation to vehicles of category D.
84	A combined test, consisting of 140 questions, in relation to vehicles of both categories C and D.
45	A test, consisting of 40 questions in relation to vehicles of category C where the applicant has been issued with a theory test certificate in relation to category D within the previous 2 years.
45	A test, consisting of 40 questions, in relation to vehicles of category D where the applicant has been issued with a theory test certificate in relation to category C within the previous 2 years.

Physical and mental fitness

7. (1) Where Regulation 4(2)(e) applies, a person shall submit to the Authority a report set out in Part 2 of the Schedule which is provided by a registered medical practitioner and is dated not more than three months prior to the date of the application for compulsory training referred to in Regulation 4(2).

(2) The report referred to in paragraph (1) shall indicate that, in the opinion of the registered medical practitioner and for the period to which the report relates, the person meets the minimum standards of physical and mental fitness specified in Part 3 of the Schedule and is fit to drive vehicles of the category to which the application relates.

(3) Where a report in accordance with paragraph (2) is received by the Authority, then subject to Regulation 4(2), a relevant person may undergo the compulsory training referred to in Regulation 4(1).

(4) A medical report submitted to the Authority in accordance with this Regulation in respect of any category of relevant vehicle is considered a medical report for all categories of relevant vehicle.

Application for driver qualification card

8. (1) A relevant person who seeks a driver qualification card shall make an application to the Authority.

(2) An application under paragraph (1) shall be accompanied by the following:

- (a) a declaration signed by the applicant that he or she has completed applicable compulsory training specified in Regulation 4(1),
- (b) a recently taken passport-sized photograph, and
- (c) a theory test certificate issued under Regulation 6(6).

(3) The photograph accompanying an application under paragraph (1) or Regulation 9 shall –

- (a) be signed on the back by the applicant,
- (b) provide an adequate facial likeness of the applicant for identification purposes, and
- (c) be 3.5 centimetres wide by 4.5 centimetres long, approximately, on a white or other plain light background.

Application for a replacement driver qualification card

9. (1) Where a driver qualification card becomes damaged, lost or stolen, the person named on the card may apply to the Authority for a replacement driver qualification card (in these Regulations “replacement card”).

(2) An application under paragraph (1) shall, subject to paragraph (3), be accompanied by the following:

- (a) a fee of €50,
- (b) a declaration signed by the applicant to the effect that his or her driver qualification card has been –
 - (i) lost or stolen, or
 - (ii) damaged,

and

- (c) a recently taken passport-sized photograph.

(3) Where subparagraph (b)(i) of paragraph (2) applies, the declaration shall be countersigned by a member of the Garda Síochána and where subparagraph (b)(ii) of that paragraph applies, the damaged card shall be submitted with the application.

Issue by Authority of a driver qualification card or replacement card

10. (1) The Authority shall, where it is satisfied that an application under Regulation 8 or 9 is in order, issue a driver qualification card or a replacement card, as the case may be, to a relevant person.

(2) A driver qualification card and replacement card shall be marked with a special temporary Union code ‘95.01 (max 06.03.2025)’ in field 10 of side 2 thereof, as referred to in Article 10(1) of the Directive.

(3) Notwithstanding paragraph (2), the period for which a driver qualification card or replacement card is issued is conditional upon the period to which a medical report under Regulation 7 relates.

Forms

11. The Authority shall direct the forms, declaration and other documents to be used for the purposes of these Regulations.

Requirement to carry and produce evidence of driver qualification card

12. (1) A driver to whom these Regulations apply shall, at all times whilst driving a relevant vehicle, carry his or her driver qualification card.

(2) A member of the Garda Síochána or a transport officer may at any time request a driver to produce his or her driver qualification card.

(3) A driver who does not comply with paragraph (1) or (2) commits an offence and is liable to a class C fine.

Keeping of records

13. (1) The Authority shall keep records in relation to –

- (a) the training provided in accordance with these Regulations, and
- (b) driver qualification cards and replacement cards issued by it under these Regulations.

(2) All records and documentation kept by an approved centre in connection with training provided under these Regulations are the property of the Authority, which has the power to inspect and take copies of or remove from an approved centre any such records or documentation as it considers appropriate.

Falsification of documentation

14. (1) A person who knowingly gives false information to the Authority in relation to an application for a driver qualification card or replacement card under these Regulations commits an offence.

(2) A person who forges a document purporting to be a driver qualification card or knowingly has in his or her possession or use such a document commits an offence.

(3) A person who alters or uses an altered driver qualification card, with intent to deceive, commits an offence.

(4) A person guilty of an offence under this Regulation is liable on summary conviction to a class A fine.

Driving without a valid driver qualification card

15. (1) A person shall not drive a relevant vehicle for hire or reward unless he or she holds a valid driver qualification card in respect of the vehicle.

(2) A person who fails to comply with paragraph (1) commits an offence and is liable on summary conviction to a class C fine.

(3) A person who causes or permits another who does not hold a valid driver qualification card in relation to a relevant vehicle to drive a relevant vehicle commits an offence.

(4) A person who contravenes paragraph (3) is liable on summary conviction to a class A fine.

SCHEDULE

Part 1

Theory Test Certificate

DEIMHNIÚ TÁSTÁLA TEOIRICE THEORY TEST CERTIFICATE

Ainm an Iarratasóra / Name of applicant.....

Seoladh / Address.....

An data ar eisíodh an deimhniú / Date certificate issued.....

Deimhniú Uimhir / Certificate Number.....

Uimhir phearsanta seirbhíse poiblí / Personal Public Service Number.....

Deimhnítear leis seo gur léirigh an t-iarratasóir ar Dheimhniú Tástála Teoirice atá ainmnithe thuas go bhfuil eolas sásúil aige/aici ar an Stór Ceisteanna i gcatagóir tástála.....

This is to certify that the applicant for a Theory Test Certificate named above has demonstrated a satisfactory knowledge of the Question Bank in test category.....

An tSeirbhís um Thástáil Teoirice Tiomána Driver Theory Testing
Service

Fógra Tábhachtach

Scoirfidh an deimhniú seo de bheith bailí mura ndéanfar, laistigh de dhá bhliain tar éis an dáta eisiúna, é a chur faoi bhráid an údaráis ceadúnúcháin chuí i dteannta iarratais ar chead foghlaimora nó ar cheadúnas tiomána, de réir mar is cuí.

Important Notice

This certificate ceases to be valid unless within two years after the date of issue it is submitted to the appropriate licensing authority with an application for a learner permit or a driving licence as appropriate.

Part 2 - Report on physical and mental fitness

Driving Licence Medical Report Form



Part 1 to be completed by applicant (applicant must sign part 1 in the presence of the Medical Practitioner)

1. Driver Information:

Applicant Name:

PPSN

Date of birth
Day Month Year

Driver number (if available)

a) My application is for a driving licence/learner permit as a driver of a **Group 1** Yes No
(see page 2 for vehicle categories).

Group 2 Yes No

b) Has your most recent licence/permit been revoked or have you been advised by a medical professional to cease driving for a period? Yes No

If yes state reason _____

c) Have you ever had an **epileptic seizure**? Yes No

If yes give the date of your last seizure ____/____/____

Unless your case meets the exceptional case criteria allowed for **Group 1 drivers only you must by law be 12 months seizure free** before you can drive/return to driving. (See Part 2 for epilepsy exceptional case criteria)

I declare that to the best of my knowledge the above information is true and I have made the doctor completing this medical report form required under the Road Traffic Acts aware of any medical conditions, drugs and medications that I use.

Signature of applicant _____ Date: ____/____/____

Part 2 to be completed by a Medical Practitioner on the Irish Medical Council Register (Specialist or General)

1. Applicant name _____ DOB ____/____/____ meets the relevant medical fitness standard for:

a) **Group 1 vehicles** Yes No for a period of 1 yr 3 yrs 10 yrs

b) **Group 2 vehicles** Yes No for a period of 1 yr 3 yrs 5 yrs

c) The applicant needs to wear corrective lenses while driving Yes No

d) The applicant has a physical disability requiring adaptations on vehicle to drive Yes No

e) The applicant has a limb prosthesis/orthesis Yes No

f) Does the applicant suffer from epilepsy. (If yes please see 2.2a exceptional case criteria overleaf) Yes No

g) Does the applicant require restrictions to be applied to his / her driving licence / learner permit Yes No
(Please see overleaf 2.2b)

Signature of Medical Practitioner _____ Date: ____/____/____

Note: This form must be submitted to the NDLS within one month of this date

Stamp of Medical Practitioner whose name is on the Irish Medical Council Register

Medical Practitioner telephone number: (Specialist or General)

Irish Medical Council Registration Number

Driving Licence Medical Report Form



Part 2 (continued) to be completed by Medical Practitioner

2. Special licence requirements including exception cases for epilepsy

a) Epilepsy:

If this does not apply mark - Not Applicable

If your patient has had an epileptic seizure within the last 12 months, have they been declared fit to drive a group 1 vehicle (See below for vehicle categories) by a consultant neurologist under the exceptional case criteria for epilepsy shown below:

Yes No

Exceptional case criteria include: First seizure; provoked seizure only in preceding year; seizure not affecting consciousness or driving ability; seizure in preceding year only on medically supervised withdrawal of antiepileptic medication; or seizure exclusively while asleep and the first such sleep seizure was a minimum of 12 months previous

b) Restricted licence recommendation

If this does not apply mark - Not Applicable

limited to day-time driving (one hour after sunrise and one hour before sunset)

Yes No

limited to journeys within a radius of 30 km from holder's place of residence.

Yes No

limited to journeys with a speed not greater than 80 km/h

Yes No

Signature of Medical Practitioner _____

Date: ____ / ____ / ____

Note: This form must be submitted to the NDLS within one month of this date

Vehicles are classed as Group 1 and Group 2. If you are applying for a vehicle in both Groups, please tick Group 1 and 2. Where an applicant meets the medical criteria for Group 2 vehicles, they will automatically meet the criteria for Group 1 vehicles

Group 1 Vehicles and Licence Category	Group 2 Vehicles and Licence Category
AM	C
A	C1
A1	CE
A2	C1E
B	D
BE	D1
W	DE
	D1E

EXPLANATORY NOTES

- To complete your medical examination you must go to your doctor, have your medical examination and sign this form in the presence of the doctor. When the form is completed by your doctor you must submit it to the National Driver Licence Service with your learner permit/driving licence application **within one month of the date of the medical examination.**
- For medical fitness standards, vehicles are classed as being in Group 1 or Group 2. This table describes which vehicles are in Group 1 and in Group 2. Further information on each licence category can be found online at ndls.ie and on the licence application form. A higher standard of medical fitness is required of those drivers who hold licences for Group 2 vehicles. Please note that Group standards apply to all categories of vehicles within that Group. Individual categories should not be marked on the table above.
- A person driving a Group 2 category vehicle must be certified as medically fit at least every five years.
- Applicants over 75 years of age can only be certified as being fit to drive for either one or three years.
- Where appropriate the doctor may engage the services of other medical and driving professionals (e.g. consultant, occupational therapist, optometrist, on-road driving assessor) to inform their completion of this form.
- Please have your Doctor initial any alteration or change made in completing this form. This is important in assessing the validity of the document presented.
- For more information on medical fitness standards see **Medical Fitness to Drive Guidelines** on www.ndls.ie.

Making an application for a learner permit or driving licence? Apply online now at ndls.ie

There is no need for you to complete paper forms, make appointments or visit an NDLS centre in person. All you need is your Public Service Card and your verified MyGovID for secure access to an online application at ndls.ie

Your medical report form can be uploaded when you apply online or can be posted after you make your application.

Part 3

Minimum standards of physical and mental fitness

Eyesight

1. In the case of an applicant for a learner permit or driving licence, or for the renewal of such a permit or licence, to drive vehicles of category A, A1, A2, AM, B, BE or W, the eyesight of the person shall comply with the standards outlined in Part 4.

2. In the case of an applicant for a learner permit or driving licence, or for the renewal of such a permit or licence, to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E, the eyesight of the person shall comply with the standards outlined in Part 4.

Other Aspects of Physical and Mental Fitness

Preamble.

Driving is more comfortable and safer if all medical conditions are under optimal control. Specialist opinion may be helpful in cases of doubt, not only to help decision-making when driving may no longer be safe but also to ensure a maximisation of health status and the provision of relevant compensatory measures i.e. spectacles, car choice, vehicle adaptations, physiotherapy.

General.

1. (1) In the case of an applicant for a licence or permit, or the renewal of a licence or permit, to drive a vehicle of any category, the medical examination shall take account of the following aspects of the applicant's physical and mental condition:

Ear conditions (vertigo and labyrinthine conditions),

General physique and physical disabilities,

Condition of cardiovascular system,

Condition of haemopoietic system,

Condition of endocrine system,

Condition of respiratory system,

Condition of gastro-intestinal system,

Condition of genito-urinary system,

Condition of nervous system,

Condition of mental system,

in so far as any condition of abnormality in any one or more of these aspects would affect such person's fitness to drive safely vehicles of that category having regard to—

(a) the ability of the person concerned, both physically and mentally, to operate efficiently and safely the controls of the vehicles and to continue so to operate the controls over a reasonable period,

(b) the susceptibility of the person concerned to sudden incapacity, such as loss of consciousness, fainting or giddiness, which might affect such person's ability to operate the controls of the vehicle so as to bring the vehicle to stop safely, and

(c) the susceptibility of the person concerned to fatigue such that such person's ability to operate the controls of the vehicle might be seriously impaired.

(2) Fitness to drive shall not be certified in the case of an applicant to drive a vehicle of any category who suffers from any condition or abnormality in any one or more of the aspects of such person's physical and mental condition set out in sub paragraph (1) of this paragraph to such extent that the driving by the applicant of vehicles of the category to which the application relates would be a danger to the applicant or other road users.

(3) Special attention shall be paid to the additional risks and dangers involved in driving vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E.

General Physique and Physical Disabilities.

2. (1) As a general rule, fitness to drive shall not be certified in respect of persons suffering from complaints or abnormalities of the locomotor system which make it dangerous for them to drive a power-driven vehicle.

(2) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category A, A1, A2, AM, B, BE or W, fitness to drive may be certified in respect of physically handicapped persons subject to periodic medical review. Where a person is suffering from a progressive complaint, fitness to drive may be certified on condition that the disabled person is regularly examined to check that the person concerned is still capable of driving the vehicle efficiently and safely.

(3) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E, the medical examination shall cover the full range of body movements — strength, control, and co-ordination — and in particular, movements of the upper and lower limbs. Fitness to drive shall not be certified if the applicant has any disablement which is likely to prevent the proper and safe control of such vehicles.

Hearing.

3. In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive a vehicle of category C, CE, C1, C1E, D, DE, D1 or D1E,

fitness to drive shall not be certified if the applicant's hearing is so deficient that it interferes with the proper discharge of his or her duties as a driver.

Cardiovascular Diseases.

4. (1) Cardiovascular conditions or diseases can lead to a sudden impairment of the cerebral functions that constitutes a danger to road safety. These conditions represent grounds for establishing temporary or permanent restrictions to driving.

(2) For the following cardiovascular conditions, driving licences and learner permits may be issued or renewed for applicants or drivers in the indicated categories, only after the condition has been effectively treated and subject to competent medical authorisation and if appropriate, regular medical assessment:

(a) brady-arrhythmias (sinus node disease and conduction disturbances) and tachy-arrhythmias (supraventricular and ventricular arrhythmias) with history of syncope or syncopal episodes due to arrhythmic conditions (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);

(b) brady-arrhythmias: sinus node disease and conduction disturbances with second degree atrioventricular (AV) block Mobitz II, third degree AV block or alternating bundle branch block (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(c) tachy-arrhythmias (supraventricular and ventricular arrhythmias) with

— structural heart disease and sustained ventricular tachycardia (VT) (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E), or

— polymorphic nonsustained VT, sustained ventricular tachycardia or with an indication for a defibrillator (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(d) symptomatic of angina (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);

(e) permanent pacemaker implantation or replacement (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(f) defibrillator implantation or replacement or appropriate or inappropriate defibrillator shock (applies to categories A, A1, A2, AM, B, BE and W);

(g) syncope (a transient loss of consciousness and postural tone, characterised by rapid onset, short duration, and spontaneous recovery, due to global cerebral hypoperfusion, of presumed reflex origin, of unknown cause, with no evidence of underlying heart disease) (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);

- (h) acute coronary syndrome (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (i) stable angina if symptoms do not occur with mild exercise (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (j) percutaneous coronary intervention (PCI) (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (k) coronary artery bypass graft surgery (CABG) (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (l) stroke/transient ischemic attack (TIA) (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (m) significant carotid artery stenosis (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);
- (n) maximum aortic diameter exceeding 5.5 cm (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);
- (o) heart failure:
 - New York Heart Association (NYHA) I, II, III (applies to categories A, A1, A2, AM, B, BE and W),
 - NYHA I and II provided that the left ventricular ejection fraction is at least 35 % (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);
- (p) heart transplantation (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (q) cardiac assist device (applies to categories A, A1, A2, AM, B, BE and W);
- (r) valvular heart surgery (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (s) malignant hypertension (elevation in systolic blood pressure ≥ 180 mmHg or diastolic blood pressure ≥ 110 mmHg associated with impending or progressive organ damage) (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (t) grade III blood pressure (diastolic blood pressure ≥ 110 mmHg and/or systolic blood pressure ≥ 180 mmHg) (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);
- (u) congenital heart disease (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);
- (v) hypertrophic cardiomyopathy if without syncope (applies to categories A, A1, A2, AM, B, BE and W);
- (w) long QT syndrome with syncope, Torsade des Pointes or QTc > 500 ms (applies to categories A, A1, A2, AM, B, BE and W).

(3) For the following cardiovascular conditions, subject to the final paragraph of this subsection, driving licences and learner permits shall not be issued or renewed for applicants or drivers in the indicated categories:

(a) implant of a defibrillator (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(b) peripheral vascular disease — thoracic and abdominal aortic aneurysm when maximum aortic diameter is such that it predisposes to a significant risk of sudden rupture and hence a sudden disabling event (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E);

(c) heart failure:

— NYHA IV (applies to categories A, A1, A2, AM, B, BE and W),

— NYHA III and IV (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(d) cardiac assist devices (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(e) valvular heart disease with aortic regurgitation, aortic stenosis, mitral regurgitation or mitral stenosis if functional ability is estimated to be NYHA IV or if there have been syncopal episodes (applies to categories A, A1, A2, AM, B, BE and W);

(f) valvular heart disease in NYHA III or IV or with ejection fraction (EF) below 35 %, mitral stenosis and severe pulmonary hypertension or with severe echocardiographic aortic stenosis or aortic stenosis causing syncope; except for completely asymptomatic severe aortic stenosis if the exercise tolerance test requirements are fulfilled (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(g) structural and electrical cardiomyopathies — hypertrophic cardiomyopathy with history of syncope or when two or more of the following conditions present: left ventricle (LV) wall thickness > 3 cm, non- sustained ventricular tachycardia, a family history of sudden death (in a first degree relative), no increase of blood pressure with exercise (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(h) long QT syndrome with syncope, Torsade des Pointes and QTc > 500 ms (applies to categories C, CE, C1, C1E, D, DE, D1 and D1E);

(i) Brugada syndrome with syncope or aborted sudden cardiac death (applies to categories A, A1, A2, AM, B, BE, W, C, CE, C1, C1E, D, DE, D1 and D1E).

Driving licences and learner permits may be issued or renewed in exceptional cases, provided that it is duly justified by competent medical opinion and subject to regular medical assessment ensuring that the person is still capable of driving the vehicle safely taking into account the effects of the medical condition.

(4) Other cardiomyopathies

The risk of sudden incapacitating events shall be evaluated in applicants or drivers with well described cardiomyopathies (e.g. arrhythmogenic right ventricular cardiomyopathy, non-compaction cardiomyopathy, catecholaminergic polymorphic ventricular tachycardia and short QT syndrome) or with new cardiomyopathies that may be discovered. A careful specialist evaluation is required. The prognostic features of the particular cardiomyopathy shall be considered. This should be done by a cardiologist.

(5) The issue or renewal of driving licences or learner permits for applicants or drivers with other cardiovascular diseases may be restricted.

Endocrine Disorders.

5. (1) In the following paragraphs, a severe hypoglycaemia means that the assistance of another person is needed, and a recurrent hypoglycaemia is defined as a second severe hypoglycaemia during a period of 12 months.

(2) (a) An applicant or driver with diabetes treated with medication which carries a risk of

inducing hypoglycaemia shall demonstrate an understanding of the risk of hypoglycaemia and adequate control of the condition.

(b) Driving licences and learner permits shall not be issued to, or renewed for, applicants or drivers who have inadequate awareness of hypoglycaemia.

(c) Driving licences and learner permits shall not be issued to, or renewed for, applicants or drivers who have recurrent severe hypoglycaemia, unless supported by competent medical opinion and regular medical assessment. For recurrent severe hypoglycaemias during waking hours a licence or permit shall not be issued or renewed until 3 months after the most recent episode.

(d) Driving licences and learner permits may be issued or renewed in exceptional cases, provided that it is duly justified by competent medical opinion and subject to regular medical assessment, ensuring that the person is still capable of driving the vehicle safely taking into account the effects of the medical condition.

(3) A severe hypoglycaemic event during waking hours, even unrelated to driving, should be reported to the medical practitioner and should give rise to a reassessment of the licensing status.

(4) In the case of an applicant for a learner permit or driving licence, or for the renewal of such a permit or licence, to drive vehicles of category A, A1, A2, AM, B, BE or W, permits or licences may be issued to, or renewed for, applicants or drivers who have diabetes mellitus. When treated with medication, they should be subject to authorised medical opinion and regular medical review, appropriate to each case, but the interval should not exceed five years.

(5) In the case of an applicant for a learner permit or driving licence, or for the renewal of such a permit or licence, to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E consideration may be given to the issuing

permits/licences to persons with diabetes mellitus. When treated with medication which carries a risk of inducing hypoglycaemia (that is, with insulin, and some tablets), the following criteria should apply:

- (a) no severe hypoglycaemic events have occurred in the previous 12 months,
- (b) the driver has full hypoglycaemic awareness,
- (c) the driver must show adequate control of the condition by regular blood glucose monitoring, at least twice daily and at times relevant to driving,
- (d) the driver must demonstrate an understanding of the risks of hypoglycaemia, and
- (e) there are no other debarring complications of diabetes.

In these cases, such permit or licences should be issued subject to the opinion of a competent medical authority and to regular medical review, undertaken at intervals of not more than three years.

Diseases of the Nervous System.

6. (1) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive a vehicle of any category who suffers from—

- (a) encephalitis, multiple sclerosis, myasthenia gravis or hereditary diseases of the nervous system associated with progressive muscular atrophy and congenital myotonic disorders,
- (b) diseases of the peripheral nervous system, or
- (c) trauma of the central or peripheral nervous system,

fitness to drive shall be certified for a limited period only to ensure that the applicant remains under medical supervision.

Neurological disturbances associated with diseases or surgical intervention affecting the central or peripheral nervous system, which lead to sensory or motor deficiencies and affect balance and co-ordination, must be taken into account in relation to their functional effects and the risks of progression. In such cases and in the event of risk of deterioration, fitness to drive shall be for a limited period only.

(2) (a) Epileptic seizures or other sudden disturbances of the state of consciousness constitutes a serious danger to road safety if they occur in a person driving a power-driven vehicle.

Epilepsy is defined as having had two or more epileptic seizures, less than five years apart. A provoked epileptic seizure is defined as a seizure which has a recognisable causative factor that is avoidable.

A person who has an initial or isolated seizure or loss of consciousness should be advised not to drive. A specialist report is required, stating the period of driving prohibition and the requested follow-up.

It is extremely important that the person's specific epilepsy syndrome and seizure type are identified so that a proper evaluation of the person's driving safety can be undertaken (including the risk of further seizures) and the appropriate therapy instituted. This should be done by a neurologist.

(b) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive a vehicle of any category A, A1, A2, AM, B, BE or W —

(i) drivers assessed with epilepsy should be under licence review until they have been seizure-free for at least five years;

(ii) if the person has epilepsy, the criteria for an unconditional licence are not met. Notification should be given to the licensing authority;

(iii) provoked epileptic seizure: the applicant who has had a provoked epileptic seizure because of a recognisable provoking factor that is unlikely to recur at the wheel can be declared able to drive on an individual basis, subject to neurological opinion the assessment should be, if appropriate, in accordance with other relevant sections of this Schedule (e.g. in the case of alcohol or other co-morbidity);

(iv) First or single unprovoked seizure: the applicant who has had a first unprovoked epileptic seizure can be declared able to drive after a period of six months without seizures if there has been an appropriate medical assessment. Drivers with recognised good prognostic indicators may drive sooner;

(v) Other loss of consciousness: the loss of consciousness should be assessed according to the risk of recurrence while driving;

(vi) Epilepsy: persons can be declared fit to drive after a one-year period free of further seizures;

(vii) Seizures exclusively in sleep: the applicant or driver who has never had any seizures other than seizures during sleep can be declared fit to drive so long as this pattern has been established for a period which must not be less than the seizure-free period required for epilepsy. If there is an occurrence of attacks/seizure arising while awake, a one-year period free of further event before licensing is required;

(viii) Seizures without influence on consciousness or the ability to act: the applicant or driver who has never had any seizures other than seizures which have been demonstrated exclusively to affect neither consciousness nor cause any functional impairment can be declared fit to drive so long as this pattern has been established for a period which must not be less than the seizure-free period required for epilepsy. If there is an occurrence of any other kind of attacks/seizures a one-year period free of further event before licensing is required;

(ix) Seizures because of a physician-directed change or reduction of anti-epileptic therapy: the patient may be advised not to drive from the commencement of the period of withdrawal and thereafter for a period of six months after cessation of treatment. Seizures occurring during physician-advised change or withdrawal of medication require three months off driving if the previously effective treatment is reinstated;

(x) Subsequent to curative epilepsy surgery: see paragraph (2)(a) above.

(c) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive a vehicle of any category C, CE, C1, C1E, D, DE, D1 or D1E—

(i) drivers assessed with epilepsy should be under licence review until they have been seizure-free for at least five years;

(ii) the applicant should be without anti-epileptic medication for the required period of seizure freedom and an appropriate medical follow-up has been done. On extensive neurological investigation, no relevant cerebral pathology was established and there is no epileptiform activity on the electroencephalogram (EEG). An EEG and an appropriate neurological assessment should be performed after the acute episode;

(iii) provoked epileptic seizure: the applicant who has had a provoked epileptic seizure because of a recognisable provoking factor that is unlikely to recur at the wheel can be declared able to drive on an individual basis, subject to neurological opinion. An EEG and an appropriate neurological assessment should be performed after the acute episode. A person with a structural intracerebral lesion who has increased risk of seizures should not be able to drive vehicles of these categories until the epilepsy risk has fallen to at least 2% per annum. The assessment should be, if appropriate, in accordance with other relevant sections of this Schedule (e.g. in the case of alcohol);

(iv) First or single unprovoked seizure: the applicant who has had a first unprovoked epileptic seizure can be declared able to drive once five years' freedom from further seizures has been achieved without the aid of anti-epileptic drugs if there has been an appropriate neurological assessment. Drivers with recognised good prognostic indicators may drive sooner;

(v) Other loss of consciousness: the loss of consciousness should be assessed according to the risk of recurrence while driving. The risk of recurrence should be 2% per annum or less;

(vi) 10 years freedom from further seizures shall have been achieved without the aid of anti-epileptic drugs. A licence or permit may be granted sooner than ten years to applicants with recognised good prognostic indicators. This also applies in case of "juvenile epilepsy".

Certain disorders (e.g. arterio-venous malformation or intra-cerebral haemorrhage) entail an increased risk of seizures, even if seizures have not yet occurred. In such a situation an assessment should be carried out by a competent medical authority; the risk of having a seizure should be 2% per annum or less to allow licensing.

(3) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category A, A1, A2, AM, B, BE or W who suffers from a cerebrovascular disease, fitness to drive may be certified—

(a) provided that, where necessary, the controls of the vehicle to be driven are suitably rearranged or modified or a suitable special type of vehicle is used, and

(b) for a limited period only to ensure that the applicant remains under medical supervision.

In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category A, A1, A2, AM, B, BE or W who has suffered a lesion with damage to the spinal cord and resultant paraplegia, fitness to drive may be certified subject to the vehicle to be driven being fitted with special controls.

In the case of an applicant for a licence to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E, fitness to drive shall not be certified where the applicant suffers, or has at any time suffered, from a cerebrovascular disease or a lesion with damage to the spinal cord and resultant paraplegia.

(4) (a) In the following paragraphs, a moderate obstructive sleep apnoea syndrome corresponds to a number of apnoeas and hypopnoeas per hour (Apnoea-Hypopnoea Index) between 15 and 29 and a severe obstructive sleep apnoea syndrome corresponds to an ApnoeaHypopnoea Index of 30 or more, both associated with excessive daytime sleepiness.

(b) Applicants or drivers in whom a moderate or severe obstructive sleep apnoea syndrome is suspected shall be referred for further authorised medical advice before a driving licence is issued or renewed. They may be advised not to drive until confirmation of the diagnosis.

(c) Driving licences may be issued to applicants or drivers with moderate or severe obstructive sleep apnoea syndrome who show adequate control of their condition and compliance with appropriate treatment and improvement of sleepiness, if any, confirmed by authorised medical opinion.

(d) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category A, A1, A2, AM, B, BE or W with moderate or severe obstructive sleep apnoea syndrome under treatment shall be subject to a periodic medical review at intervals not exceeding three years, with a view to establish the level of compliance with the treatment, the need for continuing the treatment and continued good vigilance.

(e) In the case of an applicant for a licence to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E with moderate or severe

obstructive sleep apnoea syndrome under treatment shall be subject to a periodic medical review at intervals not exceeding one year, with a view to establish the level of compliance with the treatment, the need for continuing the treatment and continued good vigilance.

Mental Disorders.

7. (1) In the case of an applicant for a licence to drive vehicles of category A, A1, A2, AM, B, BE or W, the medical examination shall take due account of: —

- (a) severe mental disturbance, whether congenital or due to disease, trauma, or neurosurgical operation on the central nervous system,
- (b) severe mental retardation,
- (c) psychosis, which in particular has caused general paralysis; or
- (d) severe behavioural problems due to dementia; psychoneurosis; or personality defects or disorders leading to seriously impaired judgement, behaviour, or adaptability.

If necessary, certification shall be for a limited period only.

(2) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E who suffers from any of the disorders outlined in (1) above, the medical examination shall take due account of the additional risks and dangers involved in the driving of such vehicles.

Alcohol.

8. In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of any category who suffers from or has suffered in the past from alcoholism, fitness to drive may be certified for a limited period only, to ensure that the applicant remains under medical supervision.

Drugs (prescription and illicit) and Medications.

9. (1) Abuse:

In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of any category, fitness to drive shall not be certified if the person concerned is dependent on psychotropic substances or, if the person is not dependent on such substances, regularly abuses them.

(2) Regular Use:

- (a) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category A, A1, A2, AM, B, BE or W, fitness to drive shall not be certified if the person concerned regularly uses psychotropic substances, in whatever form, which can hamper the ability to drive safely where the quantities absorbed are such as to have an adverse effect on driving. This shall apply to all

other medications or combinations of medications which affect the ability to drive,

(b) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E who regularly uses psychotropic substances or medications, the medical examination shall take due account of the additional risks and dangers involved in the driving of such vehicles.

Diseases of the Blood.

10. In the case of an applicant for a licence or permit, or renewal or a licence or permit, to drive a vehicle of any category, special attention shall be paid to serious diseases of the blood.

Renal Disorders.

11. (a) Licences in respect of any of the categories A, A1, A2, AM, B, BE or W may be issued or renewed for applicants and drivers suffering from serious renal insufficiency subject to medical opinion and regular medical check-ups.

(b) Save in exceptional cases duly justified by medical opinion, and subject to regular medical check-ups, driving licences in respect of any of the categories C, CE, C1, C1E, D, DE, D1 or D1E shall not be issued to or renewed for applicants or drivers suffering from serious and irreversible renal deficiency.

Miscellaneous provisions.

12. (1) In the case of an applicant for a licence or permit, or renewal of a licence or permit, to drive vehicles of category A, A1, A2, AM, B, BE or W who has had an organ transplant or an artificial implant which affects the ability to drive, fitness to drive may be certified subject to periodic medical review. Fitness to drive may also be certified in respect of such persons to drive vehicles of category C, CE, C1, C1E, D, DE, D1 or D1E but due account should be taken of the additional risks and dangers involved in the driving of such vehicles.

(2) As a general rule, where an applicant for a licence or permit, or renewal of a licence or permit, to drive a vehicle of any category suffers from any disorder not mentioned in subparagraph (1) above which gives rise to, or is likely to result in, a functional incapacity affecting safety at the wheel, the medical examination shall take due account of the risks and dangers involved in the driving of the vehicles in question and certification of fitness in such instances shall be subject to periodic medical review.

Part 4
Eyesight standards
Eyesight

1. All applicants for a driving licence shall undergo an appropriate investigation to ensure that they have adequate visual acuity for driving power-driven vehicles. Where there is reason to doubt that the applicant's vision is adequate, he/she shall be examined by a competent medical authority. At this examination attention shall be paid, in particular, to the following: visual acuity, field of vision, twilight vision, glare and contrast sensitivity, diplopia and other visual functions that can compromise safe driving.

2. In the case of an applicant for a learner permit or driving licence, or for the renewal of such a permit or licence, to drive vehicles of category A1, A, B, BE, AM or W—

(a) licensing may be considered in “exceptional cases” where the visual field standard or visual acuity standard cannot be met; in such cases the driver should undergo examination by a competent medical authority to demonstrate that there is no other impairment of visual function, including glare, contrast sensitivity and twilight vision. The driver or applicant should also be subject to a positive practical test conducted by a competent authority;

(b) the person shall have a binocular visual acuity, with corrective lenses if necessary, of at least 0.5 when using both eyes together. The horizontal visual field should be at least 120 degrees, the extension should be at least 50 degrees left and right and 20 degrees up and down. No defects should be present within a radius of the central 20 degrees;

(c) when a progressive eye disease is detected or declared, driving licences may be issued or renewed subject to the applicant undergoing regular examination by a competent medical authority;

(d) who have total functional loss of vision in one eye or who use only one eye (e.g. in the case of diplopia) must have a visual acuity of at least 0.5, with corrective lenses if necessary. The competent medical authority must certify that this condition of monocular vision has existed for a sufficiently long time to allow adaptation and that the field of vision in this eye meets the requirement laid down in paragraph (b);

(e) after any recently developed diplopia or after the loss of vision in one eye, there should be an appropriate adaptation period of a minimum duration of 6 months, during which driving is not allowed. After this period, driving is only allowed following a favourable opinion from vision experts.

3. In the case of an applicant for a learner permit or driving licence, or for the renewal of such a permit or licence, to drive vehicles of category C1, C, D1, D, C1E, CE, D1E or DE—

(a) the person shall have a visual acuity, with corrective lenses if necessary, of at least 0.8 in the better eye and at least 0.1 in the worse eye. If corrective lenses are used to attain the values of 0.8 and 0.1, the minimum acuity (0.8 and 0.1) must be achieved either by correction by means of glasses with a power not exceeding plus eight dioptres, or with the aid of contact lenses. The correction must be well tolerated. The horizontal visual field with both eyes should be at least 160 degrees, the extension should be at least 70 degrees left and right and 30 degrees up and down. No defects should be present within a radius of the central 30 degrees;

(b) a learner permit or driving licence shall not be issued to a person who suffers from impaired contrast sensitivity or from diplopia;

(c) after a substantial loss of vision in one eye, there should be an appropriate adaptation period of a minimum duration of six months during which the subject is not allowed to drive. After this period, driving is only allowed after a favourable opinion from vision experts.



GIVEN under my Official Seal,
4 April, 2023.

EAMON RYAN,
Minister for Transport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for the issue of an Irish certificate of professional competence (CPC) driver qualification card to the holder of a Ukrainian truck or bus (category C or D) driving licence following the successful completion of additional compulsory training.

The compulsory training comprises of 35 hours of training, 8 hours of supervised driving and a driver theory test.

These regulations apply to holders of Ukrainian driving licences and Ukrainian driver qualification cards with permission to reside in Ireland under section 60(6) of the International Protection Act 2015.

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