

Guide to Section 88

Given the delays within DVLA regarding licence renewals and applications we have detailed below the circumstances that people can continue to drive whilst they are waiting. Being allowed to continue to drive during this time is commonly referred to as Section 88.

You must meet all the following criteria for section 88 to apply:

- Your doctor must have told you that you are fit to drive. If your doctor is unsure about how a medical condition affects driving, they should refer to 'Assessing fitness to drive – a guide for medical professionals' at www.gov.uk/dvla/fitnesstodrive
- You have held a valid driving licence and only drive vehicles you have applied for on your current application and were entitled to drive on your previous licence.
- If you hold a Group 2 (bus or lorry) licence, your entitlement has not been suspended, revoked or refused by a traffic commissioner.
- You meet any conditions that were specified on your previous licence that still apply.
- DVLA has received your correct and complete application within the last 12 months.
- Your last licence was not revoked or refused for medical reasons.
- You are not currently disqualified from driving by a court.
- You were not disqualified as a high risk offender on or after 1 June 2013 (a high risk offender is a driver convicted of a serious drink driving offence).

While the DVLA is completing medical investigations to decide whether a licence can be issued, we cannot tell you if Section 88 applies to you.

You and your doctor are in the best position to consider the Section 88 criteria and to decide whether you should drive while you are waiting for a licence to be issued.

Section 88 cover is valid until any of the following apply:

- You receive your new driving licence, (as that will cover you to drive).
- Your application is refused or licence revoked by DVLA. You will receive a letter from DVLA if this is the case.
- Your application is more than a year old.
- You have been disqualified from driving since your application was sent to the DVLA.

Here are some scenarios which may help explain how this law could apply to you.

I have a medical condition that I have already told the DVLA about. The DVLA gave me a licence when I first declared the condition and my condition has not changed. I have no other new medical conditions. Can I drive?

As soon as the DVLA receives your correct and complete application for a new licence and as long as you meet all the Section 88 criteria you may drive.

I have a new medical condition that I have told the DVLA about on my recent application. Can I drive?

As soon as the DVLA receives your correct and complete application for a new licence and as long as you meet all the Section 88 criteria, you may drive. It is important that you are satisfied that the medical condition you have declared on your application does not stop you from driving. If you are unsure, check with your doctor before you make a decision. You can also look up your

condition in the 'Assessing fitness to drive' guide, which you can find at www.gov.uk/dvla/fitnesstodrive to see whether you meet the medical standards for driving. As this guide is intended for healthcare professionals, it can be complicated. Your doctor should be able to help you if necessary.

I have a medical condition that the DVLA already knows about, but it has changed/ developed since my last application. Can I drive?

As soon as the DVLA receives your correct and complete application for a new licence and as long as you meet all the Section 88 criteria you may drive. It is important that your medical condition, as it is today, would not bar you from driving. If you are unsure, you should check with your doctor before you make a decision to drive.

I voluntarily surrendered my licence and have now applied for a new one. Can I drive?

As soon as the DVLA receives your correct and complete application for a new licence and as long as you meet all the Section 88 criteria you may drive. If your medical condition meant you had to take a specified amount of time off driving to ensure the stability of your condition, you must still complete that time off driving before you drive under Section 88 of The RTA. If you are unsure please check the 'Assessing fitness to drive' guide, which can be found at www.gov.uk/dvla/fitnesstodrive or check with your doctor.

I am going abroad and I would like to drive while I am there. Am I covered for this?

Because the Section 88 provision is in UK legislation, it may not be accepted in other countries. We advise you to check with the relevant licensing authority before you travel.

My licence was revoked/refused for medical reasons. Can I drive?

No. You must wait for the DVLA to reissue you with a new driving licence before you can start driving again.

My last licence entitled me to drive lorries/ buses. It has expired and I am now only applying for a licence to drive a car. Can I drive? And if so, what can I drive?

You can check if you still have valid car and motorcycle entitlement online at www.gov.uk/view-driving-licence. If your entitlement has expired, you can drive as soon as the DVLA receives your correct and complete application for a new licence as long as you meet the Section 88 criteria. You must only drive vehicles you have applied for on your current application and were entitled to drive on your previous licence.

If you are unsure about whether you meet the medical criteria for driving, you can check your condition(s) in the 'Assessing fitness to drive' guide for healthcare professionals, which can be found at www.gov.uk/dvla/fitnesstodrive or ask your doctor for advice.

I drive a bus/lorry for a living and I have sent my application to the DVLA to renew my licence. I do not have any medical conditions. Can I drive? As soon as the DVLA receives your correct and complete application for a new licence, as long

as you meet the Section 88 criteria and providing your Group 2 (bus or lorry) licence has not been suspended, revoked or refused by a traffic commissioner you may drive.

**I am over 70 years old and have sent my licence to the DVLA to renew my entitlement to drive.
Can I carry on driving while my form is with you?**

As soon as the DVLA receives your correct and complete application for a new licence and as long as you meet all the Section 88 criteria you may drive. If you are unsure about whether you meet the medical criteria for driving, you can check your condition(s) in the 'Assessing fitness to drive' guide for healthcare professionals, which can be found at www.gov.uk/dvla/fitnesstodrive or ask your doctor for advice. As this guide is intended for healthcare professionals, it can be complicated. Your doctor should be able to help you if necessary.