



Optical Confederation Response to the Second Consultation on Driving and Vision (Implementation of Annex III Directive 2009/113/EC)

Introduction

We have attached our previous response because seven months after the close of the first consultation, little of substance appears to have changed in the DVLA proposals for drivers' vision according to the letter dated 15 November and attached documents. We welcome the Medical Advisory Panel's recognition that 'the number plate test is not an accurate method of assessing acuity as defined by the Directive', which the Optical Confederation, along with road safety, transport and other health organisations, has argued from the outset. Our core positions on abolishing the number plate test, and assessing all drivers' visual acuity on licence renewal remain valuable propositions to appropriately implement the EU directive on driving and vision and we hope you will consider these carefully.

We are very concerned that proposals for Group 2 drivers in the consultation documents are not comparable to recent Government correspondence on diabetes, epilepsy and vision.

We also welcome the recent request from the Transport Select Committee that the Department for Transport and DVLA should initiate an independent review of the number of individuals driving with vision below the legal standards. In order to address the concerns that we and other have raised about the current system, this should include both visual acuity and visual fields checked against the underlying EU standards.

House of Commons Standard Note 387

We are alarmed that the Government is sending out confusing messages about what is being proposed. Standard Note 387 (dated 7 November 2011) from the House of Commons Library states that both Group 1 and 2 drivers will be assessed using the same number plate test (ie at 17.5 metres). We have already raised concerns about the accuracy of the number plate test, backed by a number of academic papers. As the Government is doubtless aware, the visual acuity standards for Group 1 (6/12 or better) and Group 2 (6/7.5 or better) drivers are different under European law, see Annex III Directive 2009/113/EC for details, and it would be bizarre to say the least to assess both with the same number plate test at 17.5 metres.

Moreover, Article 7 (3) of Directive 2006/126/EC clearly states that Group 2 licence holders should be subject to 'continuing compliance with the minimum standards of physical and mental fitness set out in Annex III' (Annex III was subsequently updated by Directive 2009/113/EC). The proposals contained in Standard Note 387 would not in our opinion meet these requirements.

Problems with self-assessment

In order to self-assess their vision, drivers must be informed about this decision and encouraged to seek professional advice if they feel that their vision changes. As this seems to be the Government's preferred option, we would plea for a clear reminder to be included when renewing a Group 1 driving licence that sets out:

- the minimum visual acuity and visual field standards for Group 1 drivers
- clear advice that it is the driver's responsibility to meet these standards
- that it is an offence to drive with vision below the set minimum standards
- the sections of the population most at risk of sight loss e.g. those aged 40 and over with a family history of glaucoma
- that if they have any doubt about their vision, drivers should not delay and attend for a sight test.

The Department for Transport regularly refers to the fact the UK has among the safest roads in Europe. In order to maintain this position, road safety policy cannot stand still. Sadly the proposals set out to implement the visual requirements contained in Directives 2006/126/EC and 2009/113/EC will result in the UK falling further behind best practice in fellow European countries e.g. Estonia, Italy, Ireland, and Lithuania, all of whom require documented assessments of vision by medical practitioners prior to issuing a first (provisional) licence and on renewal above a certain age.¹

Summary of Discussions of Medical Advisory Panel for Driving and Vision Disorders (9 June 2011)

Group 1: Visual Acuity

We welcome the recognition that the number plate test is not an accurate method of assessing visual acuity. In our view this makes it an inappropriate method of screening visual acuity. The UK is one of only four Member States in Europe to use something akin to the number plate test to screen Group 1 drivers' vision. A survey of European countries method of assessing drivers' vision found that the vast majority of European countries (EU

and non-EU) assess vision on a Snellen chart or equivalent, and the assessment is performed by a medical doctor, optometrist or optician.¹

It is helpful that Snellen visual acuity of 6/12 (decimal 0.5) can be accepted for driving purposes as this clarification will allow healthcare professionals to advise drivers of their fitness to drive. The Optical Confederation (in partnership with College of Optometrists) will be preparing guidance for optometrists and opticians on assessing drivers' vision.

Given the problems with the accuracy of the number plate test, it is also sensible that where an individual fails the number plate test, he or she may submit medical evidence of visual acuity of Snellen 6/12 (decimal 0.5). This will assist individuals who have been unable to drive due to difficulties in passing the number plate test under variable environmental conditions, and this proposal will allow such cases to be fairly considered.

Nevertheless we are confused about what is now being proposed by the Medical Advisory Panel. Page 2 of the Summary of Discussions (of the MAP dates 9 June 2011) states that the number plate test should be the same as the current number plate test (i.e. 20 metres), yet in the following paragraph it states that the distance 'should be 17.5 metres'. We would welcome publication of the scientific methods (or formula) and all supporting evidence used to determine the 17.5 metre distance, and confirmation that the academic evidence that we provided (which questions the accuracy and reliability of the number plate test) has been considered.

Whatever distance is being proposed for the number plate test (and notwithstanding our fundamental objections to it, a more satisfactory "equivalent" to 6/12 would in fact be the 20 metre distance), the Optical Confederation position remains that the number plate test should be scrapped and replaced with a documented assessment of visual acuity on a Snellen chart or equivalent, performed by an appropriately qualified healthcare professional.

In our original proposal we also made the case for ongoing assessment of visual acuity for all drivers when renewing their licence, which we still believe would be a fair and proportionate method to ensure that all drivers meet the minimum visual acuity requirements. Our position on this has not changed.

Group 1: Visual Field

The Optical Confederation position that visual fields should be assessed for all drivers from the age of 50 (in order to screen for conditions such as glaucoma) has not changed.

¹ ECOO, EUROMI and EUROMCONTACT (2011) Report on Driver Vision Screening in Europe June 2011 Available online at <http://www.ecoo.info/mm/ReportonDriverVisionScreeninginEurope.pdf>

Exceptional Case Criteria

We feel it is only fair that experienced drivers who fall just below the visual acuity and visual fields standards are provided with an opportunity to present for further analysis of their visual condition, and where appropriate attend for a practical assessment of their on-road driving skills.

Vision and Driving Experts

We agree that in the context of Annex III of Directive 2009/113/EC, the DVLA Medical Advisory Panel should determine whether a Group 1 licence holder can return to driving after developing diplopia or losing vision in one eye, and similarly for Group 2 drivers who suffer from impaired contrast sensitivity or diplopia. It would be helpful to have reassurances that the Medical Advisors at the DVLA have the capacity to deal with the number of cases expected to require this analysis.

Group 2: Visual Acuity

We note that the panel supports all of the recommendations for Group 2 drivers' visual acuity.

Group 2: Visual Field

We welcome the clarification that any missed point due to pathology when assessing a Group 2 drivers' visual field would be considered significant.

It would be helpful to have clarification of how Group 2 drivers will provide evidence that they meet the visual acuity and visual fields standards when they apply for or renew a licence.