

Sleep Apnoea and driving – the facts

**Developed by The OSA Partnership Group and the
Driver and Vehicle Licensing Agency (DVLA)**

September 2013

Introduction

This document has been developed following collaboration between the OSA Partnership Group and the DVLA, and the guidance provided has been approved by both the Medical and the Policy teams at the DVLA. It offers answers to the most commonly asked questions surrounding driving and Obstructive Sleep Apnoea (OSA) and Obstructive Sleep Apnoea Syndrome (OSAS).

The OSA Partnership Group has been established to bring together organisations from the commercial vehicle sector, clinicians, patient groups and those interested in health and safety at work to raise awareness of sleep apnoea and to address the road safety issues associated with the condition.

One of the Group's key objectives is to encourage a more open approach to the problem of OSAS and to make it easier for drivers to come forward if they believe they have symptoms. The document reflects these objectives. It has been produced to provide clear guidance on what to do if you have symptoms of OSA or OSAS, particularly if you are a commercial driver.

To contact the OSA Partnership Group email: gillian@wychwoodcommunications.com

Sleep Apnoea and Driving – The Facts

Obstructive sleep apnoea (OSA) is a condition which affects approximately 5% of the population, but which often goes undiagnosed. If you have OSA with symptoms, so called Obstructive Sleep Apnoea Syndrome (OSAS), and it is not treated, this can be very dangerous to your health. It can significantly reduce your quality of life and, when causing sleepiness or related symptoms, can be a risk factor for road traffic accidents. Sleepiness is implicated as a major contributory factor in up to 20% of motorway traffic accidents, and is associated with an increase in the severity of an accident, as driver reactions are impaired.

It is therefore very important that if OSAS is suspected, medical advice is sought. This document seeks to answer questions on how the diagnosis of OSAS may affect your licence status with the DVLA, and to explain what you need to do to ensure that you continue to drive legally and safely, particularly if you are a commercial driver.

What is Obstructive Sleep Apnoea (OSA)?

OSA is a condition that affects breathing *while you are sleeping*, due to partial or total closure of the airway behind the tongue. This:

- Disrupts your normal breathing pattern
- Causes your body to briefly wake up to restore normal breathing
- May prevent you from enjoying a good night's rest
- Is nearly always accompanied by loud snoring

What is Obstructive Sleep Apnoea Syndrome (OSAS)?

OSAS is a more severe form of OSA where there is evidence of both a disruption of normal breathing patterns during sleep, *and* symptoms such as excessive sleepiness in the daytime. OSAS occurs in approximately a quarter of those with OSA.

If you suffer from OSAS, the pauses in breathing can happen hundreds of times a night, which most of the time you won't be aware of. This means you're getting less of the restorative kind of sleep required to enable you to work with the levels of energy and concentration needed to drive safely.

IMPORTANT!

Apart from the immediate danger of possibly nodding off whilst driving, if left untreated long-term OSAS increases the risk of high blood pressure, stroke and heart attacks, and can reduce life expectancy by 20%.

What is the difference between OSA and OSAS?

Because OSAS is a more severe form of OSA, where there is evidence of symptoms such as excessive daytime sleepiness, it may affect your ability to drive.

If you have OSA, without daytime sleepiness sufficient to impair driving, you do not have to notify the DVLA. However if you are diagnosed with OSAS (with sleepiness or related symptoms sufficient to impair your driving) you must notify the DVLA and stop driving until the symptoms have been satisfactorily controlled.

Indeed if you have any daytime sleepiness regardless of the cause, sufficient to impair your safety and that of other road users, you should not drive, and if this is linked to a medical condition you will need to notify DVLA.

What are the symptoms of OSAS?

Symptoms will include excessive daytime sleepiness, and may include some or all of the following symptoms.

- Frequent loud snoring
- Stopping breathing during sleep
- Choking episodes during sleep
- Morning headaches
- Depression
- Frequent trips to the bathroom during the night
- Waking with a dry mouth/sore throat
- Waking feeling un-refreshed despite a night's sleep
- Difficulty concentrating
- Irritability
- High blood pressure
- Reduced sex drive

Many sufferers of OSAS are also overweight.

What should I do if I think I may have OSAS?

If you are displaying excessive daytime sleepiness and/or a number of the symptoms listed above, you should make an appointment to see your GP straightaway. If your symptoms are *sufficient to impair driving* you need also to notify DVLA and stop driving.

What should I ask my doctor/sleep clinic specialist if I think I have OSA /OSAS?

It would be helpful to clarify with your doctor/medical consultant:

- Whether you have OSA or OSAS?
- Whether any sleepiness or related symptoms are sufficient to impair driving, and whether you are able to continue driving, or whether you should temporarily give up driving until successfully treated? (See below 'Can I continue to drive with OSA?')
- What are the treatment options?
- How long it will be until the treatment takes effect?

Can I continue to drive with OSA/OSAS?

This will depend on the severity of the symptoms and how they impact on your driving. If you simply have OSA, i.e. no daytime sleepiness sufficient to impair driving, you can continue to drive and do not need to inform the DVLA.

However, whether you are a Group 1 or a Group 2 driver, you are legally obliged to tell the DVLA if you have been diagnosed *with OSAS and symptoms that are sufficient to impair driving*. Failure to do so is a criminal offence, and may affect the validity of insurance cover.

Why is it dangerous to drive with untreated OSAS?

If you have been diagnosed with OSAS, and have sleepiness sufficient to impair driving, you will most likely be less alert at the wheel of a vehicle, thus more likely to cause road traffic accidents. Therefore, if you generally feel sleepy when driving, you shouldn't drive until your condition is being successfully treated.

According to the Road Traffic Act (1988) all drivers have a duty of care to be fit to drive, which includes being fully alert.

However, in addition to the above it is extremely important that you seek treatment for OSAS. If you do not, the condition will have a significant impact on your health and life expectancy. In addition, you will also miss out on an opportunity to greatly improve the quality of your life.

What if I only have a private driving licence?

If you are diagnosed with OSAS and symptoms including sleepiness sufficient to impair driving, whether you are a private or commercial driver, you are legally obliged to inform the DVLA.

What responsibilities does my employer have?

Your employer has a duty of care to ensure your safety and that of the general public. Therefore it is important that you inform your employer at the earliest opportunity that you are being treated for OSAS, so that your employer is better placed to discuss your options while you are undergoing treatment.

How does OSAS affect my insurance?

According to advice given by the Association for British Insurers (ABI), there should be no effect on insurance premiums for drivers who have been diagnosed with OSAS where the symptoms are being controlled through treatment, providing you have informed the DVLA and have been given permission to drive.

Insurers are required by the Equality Act 2010 to justify any different treatment of customers with medical conditions using risk data, medical research information or medical reports about the individual. If the DVLA is satisfied that an individual is fit to hold a licence, then they should not be treated differently to an individual without OSAS.

Your medical consultant will respond to any requests by the DVLA to inform them of your condition. The DVLA will only contact your GP or medical consultant when they need to. If they are happy with your response on the SL1, they may not need to do this.

N.B. Clinicians recommend that if you are on any form of CPAP treatment¹ permanently, you should tell the DVLA. Providing you are compliant with your treatment, there should be no impact on your licence.

IMPORTANT!

It should be noted that it *may be better* to surrender your licence, rather than risk having it revoked. If you do this, once your medical consultant has said that you can resume driving, you can do so immediately under section 88 of the Road Traffic Act, *as long as a qualifying application has been received by the DVLA*. The DVLA requirements for OSAS are:

What are the DVLA's requirements for Group 1 and Group 2 drivers?

Cars and motorcycles (Group 1 entitlement) Driving must stop if there is obstructive sleep apnoea syndrome and symptoms including excessive daytime sleepiness severe enough to impair safe driving. Driving will again be permitted when satisfactory control of the symptoms has been achieved.

Lorries and buses (Group 2 entitlement) Driving must stop if there is obstructive sleep apnoea syndrome and symptoms including excessive daytime sleepiness severe enough to likely impair safe driving. Driving will be permitted once satisfactory control of the symptoms has been achieved, together with ongoing compliance with treatment, confirmed by consultant/specialist opinion.

¹ CPAP treatment stands for continuous positive airway pressure and is the common form of treatment for OSA and OSAS, as well as other respiratory conditions. For more information visit <http://www.realsleep.co.uk/rsuk/osauk/treatmentoptions.html>

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Approved by the DVLA Policy and Medical Teams

If you are in any doubt you may contact the DVLA directly:

By post:

Drivers Medical Group,
DVLA,
Swansea,
SA99 1TU

or telephone

Cars and Motorcyclists – 0300 790 6806

Lorry and Buses – 0300 790 6807

What steps do I need to take while I undergo treatment?

- Ensure that you tell your medical consultant if you are a commercial driver, and request that this is mentioned in any referral process so that diagnosis and treatment is managed as quickly as possible.
- Talk to your medical consultant with regard to your driving ability and specific OSAS diagnosis. They will clarify your individual situation. If in doubt contact the DVLA directly.
- Keep all paperwork relating to your diagnosis and request that the process is documented in your medical notes (particularly in relation to advice on driving).
- Notify your employer that you have been diagnosed with the condition as failure to do so may impact on your company's insurance. You could also mention that you have been informed that following effective treatment you should be able to resume driving normally once again.
- Do remember to inform your insurer and be prepared to provide documentation from your medical consultant to verify that you are fit to drive if required.

How long will it be before I can drive safely?

OSAS is a fully treatable condition and if you are referred to a specialist quickly you should be able to return to driving within a few weeks. It is important that you mention to your GP and medical consultant at the outset that you are a commercial driver as they should be able to fast track your treatment to limit the time you are off the road.

Indeed, once your medical consultant is satisfied that you are receiving treatment successfully (normally 1-2 weeks) and therefore your symptoms are fully controlled, driving can resume safely.

Once I've been treated successfully, what do I need to do to start driving again?

Once your condition has been controlled, you will need to reapply for your licence(s). If you voluntarily surrendered your licence, this will be similar process to when you notified DVLA.

Once the DVLA receive your application, plus the SL1 or SL1V, and following your medical consultant's confirmation of your successful treatment, you should be able to resume driving under section 88 of the Road Traffic Act.

However, if your licence was previously refused or revoked by the DVLA you will not be able to drive until a licensing decision has been made on your application. This process may be lengthy depending on the DVLA's work volume.

The OSA Partnership Group

The role of the OSA Partnership Group is to identify ways of raising awareness of OSA, whether with the general public, specific clinical audiences such as GPs or specific sectors such as commercial drivers, and to actively work with these groups to inform and educate with regard to the symptoms and treatment of OSA, and the implications if the condition is untreated.

Members of the group include representatives from:

Sleep Research Centre, Loughborough University

Oxford Sleep Centre

Society of Motor Manufacturers and Traders (SMMT)

National Obesity Forum

Men's Health Forum

Royal Society for the Prevention of Accidents (ROSPA)

Sleep Apnoea Trust Association (SATA)

Driver and Vehicle Licensing Agency (DVLA)

Association of Car Fleet Operators (ACFO)

Freight Transport Association (FTA)

Diabetes UK

British Lung Foundation (BFL)