

DRIVING MOTOR VEHICLES WHEN SUFFERING FROM EPILEPSY

Uncontrolled epilepsy

Section 15(1)(e)(i) of the **National Road Traffic Act 93 of 1996**, states that "A person shall be disqualified from obtaining or holding a learner's or driving licence if such licence relates to a class of motor vehicle which he or she may already drive under a licence held by him or her; if he or she is suffering from one of the following diseases or disabilities :

i) Uncontrolled epilepsy;

Therefore a person suffering from uncontrolled epilepsy may not be permitted to drive any motor vehicle, whether a light vehicle for private use or as a driver for passenger or goods conveyance.

"Controlled" epilepsy

Section 12.5 of the Statutory Code in terms of the **Mine and Health Safety Act, 29 of 1996**, reads as follows: -

12.5 DISEASES OF THE NERVOUS SYSTEM AND SENSORY ORGANS

12.5.1 EPILEPSY AND OTHER CONDITIONS OF ALTERED OR IMPAIRED CONSCIOUSNESS

Any medical condition which may result in an altered or impaired level of consciousness, including epilepsy, renders a person unsuitable for employment in certain areas or occupations on a mine, such as underground, or operation of moving machinery or in dangerous situations such as working at heights, near water, high voltage electricity or any other potentially dangerous situations.

Notwithstanding the above, an epileptic under medical treatment and without any events within a preceding period of two years may be considered for certain categories of work underground or on the surface.

No persons with a history of epilepsy may be certified fit as a driver for passenger or goods conveyance.

In view of the above, it would appear that an epileptic under medical treatment and without any events within a preceding period of two years may be certified fit for driving a light vehicle for private use.

Driver for passenger or goods conveyance

According to the above Statutory Code, no person with a history of epilepsy may be certified fit as a driver for passenger or goods conveyance. These provisions would appear to be applicable to both, controlled and uncontrolled epilepsy. The South African position in this regard deviates from the British Guidelines as provided by the SAMA Specialist Group, SA Society of Occupational Medicine, which apparently allows an epileptic to drive as a professional where a period of 8 years has lapsed without seizures after stopping treatment.