

Medical Exemption from Compulsory Seat Belt Wearing

*Guidance for
Medical
Practitioners*

SUMMARY

- Drivers and passengers may be exempted from seat belt wearing on medical grounds.
- Medical practitioners need to decide whether, in each case, an exemption is justified, and issue a certificate for the relevant period of time.
- Before giving an exemption, a medical practitioner should consider the evidence showing that seat belt wearing reduces risk of injury and death in road accidents.
- A range of devices can be used to overcome difficulties in wearing seat belts, especially for those with disabilities – consider these where practicable.

GUIDANCE

Regulations under the Road Traffic Act 1988 generally oblige all drivers and passengers in the front and rear of motor vehicles to wear seat belts.

There is an exemption for anyone holding a valid certificate signed by a medical practitioner stating that it is inadvisable on medical grounds for him or her to wear a seat belt.

In deciding whether to grant exemption, a medical practitioner needs to judge each case on its merits. There are no conditions (eg pregnancy) which justify automatic exemption.

Thorough assessment is important. Wherever possible ask patients to demonstrate their problem, in the vehicle if appropriate.

If a medical practitioner decides to grant exemption, then the specific certificate (see below) should be issued immediately. All certificates must specify a period of validity, which may be as long or as short as medically justified. Note that a medical practitioner's letter is not, in law, a valid substitute. The patient keeps the certificate to show if challenged by the police. A record should be kept of exemptions issued. Car insurers may need to be informed if someone is travelling when not restrained.

Reducing the risk of death or serious injury needs to be balanced very carefully against any reason for seeking exemption from wearing a seat belt. Medical practitioners should consider their decision with the same care that they apply to other medical decisions.

There is overwhelming evidence that wearing seat belts in the front and rear substantially reduces deaths and disabling injuries in road traffic accidents. In a crash at 30 mph unrestrained passengers can hit whatever is in front of them with a force of up to 35–60 times their own body weight. Reductions of up to 50%, of all types of injury including fatalities, have been recorded. Injuries to the head, face and eyes are particularly reduced.

Air bags are designed to work **with** seat belts. They are not alternatives. An activated airbag can seriously hurt a driver or passenger who is not using a seat belt.

Advice for medical practitioners in relation to driving issues generally is available from the Driver & Vehicle Licensing Agency website www.dvla.gov.uk.

REFUSAL TO ISSUE AN EXEMPTION

If exemption from seat belt wearing is refused, it is important that a clear reason is given. A patient may seek a second opinion from another medical practitioner.

CERTIFICATES

Certificates of exemption from compulsory seat belt wearing bear the recognised EU symbol and will be accepted in EU member states. A person is not exempt until they have the proper Certificate issued by a doctor.

DISABLED PATIENTS

Many people with disabilities can and do wear seat belts without undue discomfort or inconvenience. A comparatively small number experience difficulties, many of which can be resolved by simple measures such as the following.

A survey by the Royal Association for Disability and Rehabilitation (RADAR), on behalf of the then Department of Transport, showed that three quarters of the difficulties with seat belts encountered by those with disabilities could be resolved by these solutions.

- ‘Drop links’ designed to lower the position of the belt and alter the lie of the diagonal. This is particularly useful for people of restricted growth where the conventional diagonal would otherwise cross the neck.
- ‘Pulla belts’, a simple sleeve addition to the belt for people who cannot reach the top anchorage point to pull the conventional belt across them.
- ‘The clever clip’ or ‘Klunk Klip’ designed to ease belt tension across the chest and reduce any restriction of breathing. It can also reduce pressure on the abdomen, for instance for patients with a colostomy.

However, patients must be advised to ensure, by taking appropriate advice, that a device does not interfere with the safe operation of the seat belt.

Further advice for those with disabilities is available from:

RADAR

The Disability Network

12 City Forum

250 City Road

London, EC1V IAF

Telephone: 020 7250 3222

Fax: 020 7250 0121

E.mail: radar@radar.org.uk

Web: www.radar.org.uk

The Forum of Mobility Centres
c/o Providence Chapel
Warehorne
Ashford
Kent
TN26 2JX

Telephone: 0800 559 3636
(Monday-Friday 9.00am to 5.00pm)
E-mail: mobility@rcht.cornwall.nhs.org.uk
Web: www.mobility-centres.org.uk

HOW TO ORDER CERTIFICATES

Pads of “Certificates of Exemption From Compulsory Seat Belt Wearing” – each contains five blank certificates – can be obtained from:

Department of Health
On-line ordering at
www.orderline.dh.gov.uk
Or telephone 0300 123 1002

Published by the Department for Transport.
Printed in Great Britain.
© Crown copyright, November 2006.