



OFFICE OF RAIL AND ROAD

Ian Prosser CBE

HM Chief Inspector of Railways

Email: ian.prosser@orr.gov.uk

Telephone: 020 7282 2187

To:

Managing Directors of train operating companies

Doctors registered with ORR to carry out medical examinations of train drivers

General Secretaries of ASLEF and RMT

7 August 2018

Train Driving Licences and Certificates Regulations 2010 (TDLCR)

I am writing to set out ORR's decision to waive specific elements of the vision requirements for existing train drivers applying for a licence under the TDLCR. This letter sets out the action you must take if you intend to make use of the exemption and also reminds you of the vision standards required by TDLCR.

The implementation phase of the TDLCR ends on 29 October 2018 and by this date, all mainline train drivers must have a licence issued by ORR to continue driving duties in the future. Ongoing work by ORR and industry means that we expect to meet this deadline.

ORR has become aware of some confusion in the industry about the required content of the medical examination to assess train drivers' fitness for driving duties. Therefore, I want to remind both employers of train drivers and the doctors carrying out medical examinations of train drivers that these examinations must be done in accordance with the criteria of Schedule 1 of the TDLCR. This is because passing this medical examination is one of the conditions to be met for being issued with a licence. Following appointment, these medical examinations must be taken at least every three years up to the age of 55, and every year thereafter. Schedule 1 and our guidance on the requirements are available at http://orr.gov.uk/data/assets/pdf_file/0003/4998/train-driving-licences-regulations-guidance.pdf and http://www.opsi.gov.uk/si/si2010/uksi_20100724_en_1.

Rail Industry Standard RIS-3451-TOM published by RSSB also provides guidance on the medical examination in schedule 1 (available at <https://www.rssb.co.uk/rgs/standards/RIS-3451-TOM%20Iss%201.pdf>). Although RIS – 3451 TOM incorporates the previous Railway Group Standard GO/RT3451 (RGS) in its entirety, both employers and doctors carrying out train driver medical assessments **must** ensure they are referring to the correct section of the RGS that gives specific guidance on the medical examination for Schedule 1 of the TDLCR.

As the end of the implementation phase approaches, we have been made aware of the possibility of a small number of train drivers who have failed, or will fail, elements of the visual acuity standard in Schedule 1. Therefore, these train drivers cannot obtain a

train driving licence and this means that they will not be able drive trains after 29 October 2018. The failure to meet the standard has arisen because the visual standards for driving trains under the TDLCR are different to the previously accepted standard set out in the RGS in relation to distance visual acuity and the maximum corrective strength of any lenses (glasses or contact lenses).

Regulation 39(5)(b) of the TDLCR permits us in exceptional cases to waive, in whole or in part, the medical examination requirement when applying for a first licence if we think it is appropriate to do so, provided that any licence issued under such an exemption is limited to Great Britain only.

In our view, the difference between the RGS and Schedule 1 standard is sufficiently narrow to only affect a small number of train drivers and therefore consider these drivers fall within the “exceptional cases” threshold. As such we consider it appropriate to exempt the requirements in paragraphs 1(2)(a) and (b) of Schedule 1 of the TDLCR for first applications for train driving licences.

This exemption only applies where:

- the train driver was qualified and driving trains prior to 29 October 2013;
- they have not yet applied for or been issued with a first train driving licence; and
- the train driver fails to meet the visual acuity requirements set out in paragraphs 1(2)(a) and (b) but meets the previous RGS GO/RT3451. The difference in the current RIS-3451-TOM and previous GO/RT3451 is set out below (equivalents given in brackets).

	<u>TDL schedule 1 Standard</u>	<u>Previous Railway Group Standard GO/RT 3451</u>
<i>Distance visual acuity with correction if worn</i>	1,0 (6/6) both eyes; minimum of 0,5 (6/12) for the worse eye.	Distance vision at least 6/9 (0,7) in the better eye and 6/12 (0,5) in the other eye.
<i>Maximum corrective lens strength</i>	Hypermetropia +5 Myopia -8	Where spectacles or contact lenses are used, uncorrected visual acuity shall be at least 3/60 (0,05) in each eye [no maximum corrective lens strength given in the standard]

This exemption only applies to the medical examination required for the first application for a train driving licence and therefore will not apply at the train driver’s next medical examination, which must be taken at least every three years after appointment up to the age of 55 and every year thereafter.

This exemption **does not** apply to any other aspect of the medical examination requirements as set out in Schedule 1.

The validity of any train driving licence issued in accordance with this exemption is limited to Great Britain and therefore the exemption may not be used for licence applications for train drivers to be deployed on cross-border services.

We will monitor the numbers of train drivers who utilise this exemption. When an employer is making an application for a licence on behalf of a train driver on the basis of

this exemption (either using the online application portal or via email), **the employer should also notify Paul Carey at ORR** (paul.carey@orr.gov.uk) of the train driver's name and date of birth. This is so that our register can be maintained and we can record use of the exemption.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ian Prosser", is positioned above the typed name.

Ian Prosser CBE
HM Chief Inspector of Railways