



ALK Positive Lung Cancer (UK)
A patient-focused charity that
Supports Empowers Advocates

METASTATIC BRAIN DEPOSITS and DRIVING

Frequently Asked Questions

Q. I have been diagnosed with Brain Mets and my Oncologist has told me that I must stop driving. Is this correct?

A. Unfortunately, yes. You must stop driving and inform the DVLA of your diagnosis.

Q. What happens if I continue to drive and not inform the DVLA?

A. You risk being fined £1,000 and having your licence revoked. Also, consider the insurance implications of driving against medical advice.

[Driving with medical conditions](#)

Q. Is this advice still relevant if I have no symptoms and have never had a seizure?

A. Unfortunately yes. Being symptom and seizure free is not a consideration under the current DVLA rules.

Q. Which DVLA publication details these driving restrictions?

A. They are included in the DVLA publication Assessing Fitness to Drive – a guide for medical professionals which can be found [here](#) (*latest publication March 2021*)

Q. If I don't inform the DVLA of my condition will my Oncologist report me?

A. The driver is legally responsible for telling the DVLA about any such condition or treatment. If medical professionals believe that, after advising you of your responsibilities, you have ignored their advice, they have a duty to report it.

Q. How do I report my condition to the DVLA?

A. You can do this by downloading and completing DVLA form B1 and posting to the address shown on the form.

Details can be found [here](#).

Alternatively, you can phone the Drivers Medical Group at the DVLA (0300 790 6806) and report your condition and they will send the necessary documents for you to complete.

Note: we also recommend that at the same time you voluntarily surrender your licence by enclosing it, together with a short covering note explaining that you wish to surrender your licence or complete the surrender form below
[Surrender form](#)

Q. Why do you recommend that I voluntarily surrender my licence?

A. When you send in form B1, if you don't voluntarily surrender your licence, the DVLA will write to you informing you that they have assessed your medical condition and that you no longer meet the requirements for driving. They will then inform you that your driving licence has been revoked.

Q. What is the difference between having my driving licence revoked and voluntarily surrendering it. Aren't they one and the same?

A. The DVLA website does not explain this situation very well. In essence, if your licence is revoked you are likely to encounter more difficulties than voluntarily surrendering it when the time comes to reapply for it.

As an example, when the time comes to reapply for your licence, if your Oncologist is supportive of your application and you have previously surrendered your licence, you may be able to recommence driving once both the period of driving restriction has passed and your application is with the DVLA and whilst you are waiting for the DVLA to agree that you have met the requirements and to issue you with a new valid licence. This is possible under Section 88 of the Road Traffic Act 1988. If your licence has been revoked, Section 88 will not apply and you will have to wait until the DVLA has approved your application and your driving licence has been issued.

[Can I drive while my application is with dvla.pdf](#)

Q. How long will it be until I will be able to drive again?

A. This will depend on the type of treatment that you will be receiving for the Brain Mets. The relevant DVLA rule stipulates: -

“For drivers with supratentorial metastatic brain disease who have received or are receiving immunotherapy or other molecular targeted treatment, relicensing may be considered one year after completion of primary treatment (or one year after commencement of the targeted therapy if no other primary treatment for the intracranial disease has been given) if there is clinical and imaging evidence of disease stability or improvement, with no deterioration both intracranially and elsewhere in the body.

If these criteria cannot be met driving must cease for 2 years. This standard can be applied both to isolated metastasis and to a driver with multiple brain metastases.”

Q. What is meant by primary treatment?

A. For many the primary treatment will be the particular TKI that they have been prescribed to tackle their brain mets.

Q. **What is meant by “other primary treatment?”**

A. Other primary treatment may include radiation if this has taken place in addition to the prescribed TKI.

Unfortunately, at the moment it would appear that the default DVLA position is that radiation such as SRS (Stereotactic Radiosurgery) given in order to eradicate any brain mets is also defined by the DVLA as “other primary treatment”. However, some people with ALK+ have been successful in challenging this and got the DVLA to apply the 1-year criteria to them. We would encourage members to make it clear on their application that they believe the 1-year criteria should be applied and has been applied by the DVLA to other people who have had SRS and been taking a TKI.

Q. **Why does one of the DVLA conditions for relicensing mention “no deterioration elsewhere in the body”. How is this relevant?**

A. We also do not understand how this is relevant. We have asked the DVLA to explain this.

Q. **Do I have to wait until the relevant period has passed before I can apply for my licence back?**

A. No - it is recommended that you re-apply for your licence 6-8 weeks before the expiry of the 12/24-month period, whichever applies to you, assuming that you can meet the specified criteria.

When re-applying for your licence, please check to see if a new photo is also required since, if one is and you don't submit one, the application will be immediately rejected

Note: If you apply sooner than 8 weeks, the DVLA may not accept your application and return it to you.

Q. **Do I need anything from my Oncologist before I re-apply for my licence?**

A. No, the DVLA will contact your Oncologist and send him/her some documents to complete.

It is recommended that you ensure that your Oncologist is aware and supportive of your application before sending it to the DVLA.

Q. **How do I re-apply for my licence. Is there a set of forms that I need to complete?**

A. You will need to complete the following forms.

Form D1 – Which you can order on-line or obtain from your local Post Office

Form B1 – Which you can download via the following link [Form B1](#)

Note: When re-applying for your licence, we recommend sending all documentation to DVLA using Royal Mail Tracked to ensure that you know the letter was received and signed for, especially if you are including your license.

Q. Do I have to wait until I receive my driving licence before I can drive?

A. There are provisions under Section 88 of the Road Traffic Act which may allow you to drive whilst you are waiting for your application to be approved and your licence returned to you.

[DVLA Section 88 provisions](#)

It is your responsibility to ensure that you meet all of the provisions outlined.

We also suggest that: -

- I. You obtain a “to whom it may concern” letter from your Oncologist confirming that in his/her opinion you have met the medical conditions of Section 88.

- II. You ensure that your insurance company will insure you to drive under Section 88, particularly if you have previously cancelled your insurance. A further explanation of Section 88 including insurance considerations can be found [here](#)

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