

The Road Traffic Act 1988 – Implications for the ED

- Section 172 - ED must furnish the Police with the identity of any persons involved in an RTC
- When the police require a sample, the doctor should allow this unless it may be prejudicial to the care of the patient
- Forensic specimens should be taken by the police surgeon
- Diagnostic samples may only be used by the police with consent, or after the authorisation of a circuit judge (PACE 1984)
- The doctor should warn a patient when there is concern over fitness to drive.

GMC guidance states that if there is concern that a person may not heed advice not to drive then the doctor may in confidence warn the DVLA after telling the patient what he is going to do.