| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2880  Responded to: xx November 2023 |
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Your recent request for information is replicated below, together with our response.

In the event of a Road Traffic Collision where the Police attend:

## 1. Is a roadside eyesight test routinely conducted on each driver involved?

## 2. If not routinely, under what circumstances is a test conducted?

For ease of response, Q1 and Q2 have been answered together

A roadside eyesight test is conducted if the attending officers judge that the presenting circumstances indicate that poor eyesight may have been a causation factor.

## 3. If an eyesight test is carried out, what method is used, including whether each eye is tested separately or the subject is tested with both eyes open?

As per the attached DVLA form D751E, drivers who have sight in both eyes are tested using both eyes together to read a number plate over a distance of 20 metres in good daylight. (In respect of number plates of the size manufactured from 01/09/2001).

## 4. If a driver is unable to take a roadside test as a result of injury or incapacitation, are arrangements made to carry out a test at a later date?

If the presenting circumstances indicate to the attending officers that poor eyesight may have been a causation factor and the driver concerned is unable to participate in a roadside eyesight test, or it cannot be conducted in good daylight at the relevant time, arrangements would be made to carry out the eyesight test at a later date.

## 5. In each of the last five complete calendar years, a) How many drivers were tested and b) How many drivers failed a test?

Having considered your request in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, all road traffic incidents and offences are recorded under the appropriate classification and there is no marker to indicate whether an eyesight test was undertaken at the roadside. Therefore, thousands of incidents would have to be examined to establish the specific details of your request – an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To illustrate, you may wish to review Group 7 offences of our published crime statistics which are available on our website: [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/).

## 6. In the event that a driver fails a test, what action is taken

The attached form D751E would be submitted to the DVLA. This is a referral form for police officers to report circumstances where a driver has failed to read a number plate over the prescribed distance, to allow the DVLA to withdraw entitlement to drive.

When appropriate in the presenting circumstances, a report may also be submitted to the Procurator Fiscal in respect of the offence, under sections 89(3) & 96(1) of the Road Traffic Act 1988, of being unable to read a number plate over the prescribed distance.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.