



Seizure Smart

DRIVING

Serving Australians with Seizures

Driving has become almost a necessity in our society and no-one should not be unfairly prevented from obtaining a licence. Losing your driver's licence can have a significant impact on aspects such as employment, getting to and from work, maintaining social contact and accessing every day needs.

Seizures

When you have your first seizure, the doctor should inform you that you cannot drive – and for how long. This period will depend on many things including; what has caused the seizure, if it is epilepsy, and what type of epilepsy. Ultimately the decision to remove or return a drivers licence rests with the driver licensing authorities (DLAs).

Sudden loss or alteration of consciousness that happens during a seizure clearly impairs your ability to control a vehicle.

It is important to remember that the suspension of your licence may be temporary and, once you meet the criteria to be able to drive, you will be able to drive again - safely and legally. Unfortunately, not everyone will get their licence returned, and others may be issued a conditional licence.

Factors considered when returning your licence include response to treatment, previous frequency of seizures, EEG findings and the type of epilepsy.

Can I keep my licence?

This depends on the circumstances of the seizure and the diagnosis. Not all seizures or seizure types will pose a risk to driving. You may be able to retain your licence card for identification purposes and to use when you are safe to drive again.

General considerations

- *Any person experiencing seizures, blackouts or episodes of memory loss should see a doctor for testing and evaluation, so the risk of further episodes and the need for treatment can be determined.*
- *Correct diagnosis of epilepsy or your seizure type is important. It means the right treatment is started, and assessment for driving safely can be considered.*

- There are some seizure types and circumstances that offer no real danger with regard to impact on driving ability - given the right treatment and you comply with this treatment.
- *Different licenses have different regulations.* There are two sets of rules, one for drivers of private vehicles, and one for drivers of commercial vehicles.
- *Professional drivers* such as drivers of trucks, public passenger vehicles and vehicles carrying dangerous goods must meet higher medical standards
- Consideration for the return of a licence can also be given to people who have been seizure-free for prolonged periods without medication.

It is a legal requirement for the person with epilepsy to notify the Driver Licensing Authority in their state or territory.

Your responsibilities

You are responsible and for making sure you are well enough to drive safely - by managing your condition in combination with the support of your doctor. The Australian guidelines concerning seizures and driving may seem severe but these laws are created to protect public safety.

- You must have been free of seizures for the specified period (see <http://www.austroads.com.au/cms/AFTD%20web%20Aug%202006.pdf>)
- You must continue to take anti-epileptic medication regularly as prescribed
- You should ensure adequate sleep and not drive if sleep-deprived
- You may need to abstain from alcohol and other drugs (it has been found that a repeated episodes of seizures may be precipitated by consumption of alcohol or drugs not under prescription for epilepsy)

Who tells the authorities?

- The laws require *you* to report to your DLA, any permanent or long-term illness that is likely to affect your ability to drive safely.
- In some cases, the DLA may be able to issue a conditional licence. This means that you may continue to drive as long as certain conditions or restrictions are met.

- *The DLA always makes the final decision* about your licence status. They will consider the advice of your doctor and other factors such as your accident history and the type of vehicle you drive (for example a truck, car or a public passenger vehicle).

What if I don't tell the authorities?

- Driving against medical advice is illegal and dangerous to you, passengers and the general public. There are many safety factors to consider as seizures often occur without warning.
- If you continue to drive despite your doctor's advice and you do not report your condition to the DLA, you are not fulfilling your legal responsibility.
- If you are involved in a crash during the recommended non-driving period and it is found that your health condition was a contributing factor, you may be prosecuted and your insurance may not be valid. You may also have difficulty obtaining insurance in the future.

The Doctors Role in Reporting

- Your doctor does not make the rules but provides advice about how your particular health condition might affect your ability to drive safely and how it might be managed.
- As the relationship between you and your doctor is a confidential one, your doctor will not normally communicate directly with the DLA – he or she will provide you with advice about your ability to drive safely as well as a letter or report to take to the authority
- Doctors have an obligation to public safety. If your doctor is aware that you are continuing to drive and feels that your driving is a serious risk to you and other road users, he or she may feel obliged to notify the DLA directly.

Can I get any travel assistance?

There are taxi subsidies available and Centrelink offers a mobility allowance. Both forms of assistance have strict criteria that have to be met before they are approved. Not all people are suitable for these forms of assistance.

Mobility Allowance

Centrelink's Mobility Allowance provides assistance to people with disabilities who are unable to use public transport without substantial assistance. For more details contact Centrelink or check the website (www.centrelink.gov.au). Search for 'mobility allowance' from the homepage.

Taxi Subsidy Scheme

This scheme subsidises the cost of travel by taxi for those who are unable to use public transport because of a disability. Applicants will need a supporting letter from their doctor and must meet strict eligibility criteria. Each state has its own scheme.

It is best to contact your local Centrelink office or local taxi subsidy scheme.

Transport tips:

- Car-pooling – grab a lift with a friend or colleagues
- Public transport – catch the bus, train or ferry
- Ride a bike
- Walk
- Investigate travel subsidies

Summary:

- *Seizures can affect your ability to drive safely*
- *You must report epilepsy to the licensing authority*
- *You are legally responsible for making sure you are well enough to drive safely*
- *All states and territories in Australia have laws about reporting health conditions that might affect your ability to drive safely*
- *These laws have been created to protect public safety*

Web Resources

Epilepsy Action

(www.epilepsy.org.au/driving.asp) General information on epilepsy and driving

Austroads

(www.austroads.com.au/aftd/index.html) Australian guidelines on assessing fitness to drive.

National Transport Commission

(www.ntc.gov.au) The *Assessing Fitness to Drive – Interim Review Report* is available online. Go to the search page and search for 'assessing fitness to drive'.

American Academy of Physicians

(www.aafp.org) An article from the Jan1999 issue of *American Family Physician* offers a case study on 'Epilepsy, Driving and the Law' with commentary. Search for the headline from the homepage to find the article.

ABC

(www.abc.net.au) The ABC's 'Health Report' featured a story in May 2000 looking at epilepsy and driving. Search for 'epilepsy and driving' on the ABC's search page.

For more information:

Contact the Driver Licensing Authority in your State or Territory.

ACT. Road User Services, Department of Urban Services (02) 6207 7000

NSW. Roads and Traffic Authority NSW 13 22 13

NT. Department of Infrastructure, Planning & Environment 1300 654 628

QLD Queensland Transport 13 23 80

SA Transport SA 13 10 84

Tas Department of Infrastructure Energy & Resources 13 11 05

Vic VicRoads 13 11 71

WA Department for Planning and Infrastructure 13 11 56

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