

Information update

October 2019

Seizures and driving

Road safety and Medical Review

VicRoads vision is to create a safe system of roads, laws, vehicles, drivers and behaviour that supports and improves the safe movement of our community. This includes supporting drivers to drive at any age so long as they are medically fit to do so.

We encourage people with medical conditions to speak with their doctor to understand their health conditions and the potential impact on their driving.

Drivers are legally required to notify VicRoads of any serious, permanent or long term illness, disability, medical condition or injury (or the effects of treatment for any of those things) that may affect their fitness to drive).

Each driver is reviewed individually to determine the outcome that is best for the safety of the individual and the community.

If you can show that you can drive safely, but only under certain conditions, a conditional licence may be considered. A wide range of conditions are possible to maximise your safety and that of other road users. Common licence conditions include wearing corrective eye glasses, driving automatic vehicles, driving in daylight hours or only in certain areas.

The purpose of this information update is to explain how seizures can affect your driving and your responsibilities as a driver.

What are seizures?

A seizure occurs when there is a disruption to normal brain activity. This can involve loss of awareness or ability to control movements and behaviour changes that may impact on safe driving. Epilepsy is a condition where recurrent seizures are experienced. Not all people who have a seizure have epilepsy. Referral to a neurologist is important for correct diagnosis and advice about driving.

Driving and seizures

Some circumstances or substances may increase the risk of having seizures. For example:

- inadequate sleep
- stress
- excessive alcohol
- irregular use of anti-epileptic medication.

Having a seizure while driving impacts on safety as the driver can lose control of the vehicle.

What do you need to do?

If you have epilepsy or seizures you may be eligible to hold a learner permit or driver licence for private vehicles as long as your seizures are well-controlled. You should discuss this with your doctor.

If you have a seizure or epilepsy you are required by law to notify VicRoads. Failure to notify could also affect your insurance cover.

How will VicRoads assess my fitness to drive?

VicRoads determines your fitness to drive on a case by case basis in accordance with national medical standards (*Assessing Fitness to Drive 2016 edition*). Medical advice and assessment outcomes are considered. VicRoads may also request a report from a specialist in epilepsy. The report must be no more than six months old. In every case, individual circumstances apply and you may wish to discuss these with your doctor.

Seizure-free periods for drivers of private vehicles

If you have had a seizure, the period that you must be free from seizures before driving depends on the type of seizure, the circumstances surrounding it, and whether you hold a private or commercial licence.

The frequency of VicRoads periodic reviews may vary depending on your medical report and the opinion of VicRoads medical advisors.

Driving commercial vehicles

Standards for commercial truck, taxi and bus licences are stricter than those for private licences. In many cases, if you have had a seizure, you may not be permitted to drive these vehicles. If you wish to drive a commercial vehicle, you will need to consult a specialist in epilepsy who can provide VicRoads with a medical report to assist in determining your fitness to drive. A conditional licence may be considered taking into account this medical opinion, and whether you meet the national medical standards for licensing. Please note: commercial drivers are required to be seizure free for 10 years.

If your licence is varied, suspended or cancelled

VicRoads may vary, suspend or cancel your learner permit or driver licence on medical grounds. Your permit/licence may be reissued if you provide a satisfactory medical report and meet other licensing requirements.

You can request a refund of the remainder of your driver licence fee if your licence is cancelled, or if you decide to surrender it.

If VicRoads varies, suspends or cancels your licence you can appeal against the decision. However, you cannot appeal if VicRoads requests you to provide a medical or other report, or asks you to undertake a driving test.

There are two ways you can appeal:

- 1** You can write to VicRoads and ask for an independent internal review.
- 2** You can appeal to the Magistrates' Court.

Where can I get further information

Further information is available on the VicRoads website: vicroads.vic.gov.au or by calling VicRoads on 13 11 71 (TTY 13 36 77, Speak and Listen 1300 555 727).

VicRoads Medical Review

Email medicalreview@roads.vic.gov.au

Call (03) 8391 3226

Fax (03) 9854 2307

Mail Medical Review
PO Box 2504, Kew VIC 3101

Epilepsy Foundation of Victoria

Email epilepsy@epilepsyfoundation.org.au

Call (03) 8809 0600

Information Line 1300 761 487

Mail 587 Canterbury Road,
Surrey Hill, Victoria 3124

Web epilepsyfoundation.org.au

VicRoads has prepared this information in consultation with the Epilepsy Foundation of Victoria Inc.