

Department
of Transport
and Planning

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Notes

The Medical Review Team has a legal responsibility under section 17 of the *Road Safety Act 1986* and the *Marine Safety Act 2010* to ensure that all motor vehicle driver licence/learner permit holders and marine licence holders are medically fit to hold a driver licence/learner permit or marine licence. This also applies to the authority to drive on an interstate driver licence/learner permit or overseas driver licence.

To meet this responsibility, section 27 of the *Road Safety Act 1986* and the *Marine Safety Act 2010* give the Medical Review Team the authority to ask any motor vehicle licence/learner permit holder or marine licence holder or applicant to provide medical evidence of their fitness to drive a vehicle or operate a vessel and/or to undergo a driving assessment.

To the practitioner

For guidance in completing this examination you should refer to the national medical standards: *Assessing Fitness to Drive for Commercial and Private Vehicle Drivers* available at austroads.com.au

This publication provides medical standards for licensing and clinical management guidelines for health professionals in Australia.

The Medical Review Team has expert medical advisors who assist in determining fitness to drive when medical conditions are complex. The Medical Review Team will be greatly assisted if you provide all relevant details. All information is treated in accordance with the law.

If you have doubts about your patient's fitness to drive, you may like to suggest a driving assessment. This does not apply to marine licence holders.

If you have any doubts about the information required, or wish to discuss the case personally, please contact the Medical Review Team (vehicles) on 9854 2407 or Safe Transport Victoria (vessels) on 1800 223 022.

Indemnity – Victorian legislation provides legal indemnity to practitioners who conduct an examination and provide the Medical Review Team with an opinion on the basis of that examination.

Criminal liability and insurance – Health professionals may be liable under civil law in cases where a court forms the opinion that they have not taken reasonable steps to ensure that impaired drivers drive only in circumstances that do not place them and other members of the community at increased risk. Professional indemnity insurers are aware of the potential liability of health professionals and may reasonably expect health professionals to comply with the national medical standards.

To the applicant

You must make an appointment with your practitioner. As the examination and completion of this report may take longer than a routine consultation, you are advised to inform your practitioner (or the receptionist) that you are attending for this purpose.

You should make the practitioner aware of any medical or mental health conditions you may have. If the medical report has been requested for a particular reason, you should let your practitioner know this reason.

You are required by law to advise the Medical Review Team of any serious or chronic medical condition or disability that may affect your ability to drive. If you provide this information to your practitioner they can provide this advice, on this form, on your behalf.

You should take any corrective lenses and hearing aids that you normally use, to the examination.

You should let your doctor know if you hold or are applying for a heavy vehicle licence, as the requirements for drivers of such vehicles are stricter. If you are required to provide a report to other agencies it is in your interest to keep a copy of this report.

Variation, suspension or cancellation of licence – If your licence is varied, suspended or cancelled on the basis of a report, you may be relicensed when you provide evidence which indicates that you have met the national medical standards and are qualified to be relicensed. You also have the right of appeal to a Magistrates Court.

Occupational therapy driver assessment (Not applicable to marine licences)

Victorian law gives specially trained occupational therapists the right to conduct a driver assessment where there is a medical concern about the customer's ability to drive safely. The aim of the occupational therapy assessment is to assist people with impairments to resume or continue driving. There are two components to the assessment.

The off-road assessment aims to evaluate the person's fitness. This involves an interview, vision screen, cognitive function test, assessment of physical strength, motor skills, reaction time, road law and road craft. The need for specialist equipment or vehicle modifications is considered at this time.

The on-road test takes a standard approach but can be designed to meet individual needs. It is conducted in a vehicle with dual controls accompanied by a driving instructor and where necessary set up with special requirements or modifications to meet the needs of the customer. The test is structured to assess the impact of injury, illness or the ageing process on driving skills such as judgement, decision making skills, observation and vehicle handling.

Licence conditions

If appropriate, the customer's medical practitioner may make recommendations to the Medical Review Team, allowing the customer to continue driving on a conditional licence (e.g. corrective lenses, no night driving, abide with Community Treatment Order).

An occupational therapist after completing a driver assessment may also make recommendations to the Medical Review Team. The final decision is made by the Medical Review Team.

If the practitioner believes that vehicle modifications are necessary (e.g. hand controls, left foot accelerator), or a prosthesis is necessary to drive safely, or that a local area driving restriction is appropriate, the customer will need to demonstrate the ability to drive safely with these licence conditions. In these cases a driver assessment is necessary.