

# Sleep apnoea and driving

## Road safety and Medical Review

**Victoria's 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.**

Some medical conditions may affect the ability to drive safely. People with medical conditions are encouraged to speak to their doctor to understand their health condition and to discuss the potential impact on driving.

Drivers are legally required to notify Medical Review if they have any serious or chronic medical conditions, injuries or disabilities (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.

The purpose of this information sheet is to explain how sleep apnoea can affect your driving and your responsibilities as a driver.

### What is sleep apnoea?

Sleep apnoea is a condition which has been reported to affect 12.9 percent of men and 3.7 percent of women. It leads to excessive day time sleepiness, poor concentration and impaired short term memory. It may also increase the chance of a heart attack or stroke. Most sufferers experience one or more of the following symptoms:

- snoring during sleep
- complete cessation of breathing or severely restricted breathing lasting from 10 to 90 seconds while asleep
- restless sleep
- constantly being tired during the day
- difficulty staying awake during the day
- morning headaches
- irritability.

### What are the risks of driving with sleep apnoea?

Road safety research shows that:

- sufferers have between two and seven times the risk of having a road crash than those without sleep apnoea
- excessive day time sleepiness can result in the tendency to doze when intending to stay awake
- there is a higher prevalence of sleep apnoea in road transport drivers.

### With treatment

The good news is that this condition is easily diagnosed and treated with dramatic improvements to quality of life.

With medical treatment, there may be a reduction in day time sleepiness and risk of a motor vehicle crash.

### How is sleep apnoea treated?

Assessment by a sleep specialist may be required. Once a diagnosis of sleep apnoea is confirmed a range of treatment options are available depending on the severity of the condition. These may include weight loss, avoidance of alcohol, mandibular splint, corrective surgery when there is a distinct obstruction to the nose and/or throat, or use of a CPAP (Continuous Positive Airway Pressure) device.

### What are my responsibilities as a driver?

In addition to notifying Medical Review about your medical condition, it is your responsibility to comply with treatment or advice recommended by your doctor. Failure to notify may also affect your insurance cover.

To assist you to manage your condition you may also be advised to:

- avoid driving if sleepy or minimising driving at times when you would be asleep
- avoiding alcohol and sedative medications

- avoid using over the counter or non-prescribed substances for maintaining wakefulness
- allowing adequate time for sleep
- heed the advice of a passenger if the driver is warned that they are dozing off.

## What are the medical standards for sleep apnoea and driving

Medical Review determines your fitness to drive on a case by case basis in accordance with national medical standards. Medical advice and assessment outcomes are also considered.

Medical Review will request a doctor (general practitioner) report, and may also request a report from a sleep or respiratory specialist. These reports must be no more than six months old, and address the severity of sleep apnoea, type and treatment.

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.

Medical standards for commercial truck, taxi and bus licences are stricter than those for private licences.

Medical Review is responsible for making sure all licence holders can drive safely. *The Road Safety Act 1986* gives the Department of Transport and Planning (Transport Victoria) Medical Review the right to ask any licence holder to provide medical and other reports and to undertake tests of their driving skills.

## What happens if I don't provide a medical report?

The medical report must be completed to enable Medical Review to assess your fitness to drive. If you do not provide the medical report, the Medical Review team will be unable to complete the assessment and is obliged, under law, to suspend or cancel your licence.

You can write to the Department and ask for an Internal Review of any decision. An independent person will review the decision and reply to you within 28 days.

You may also have the right to appeal to the Magistrates' Court if the department has made a discretionary decision to cancel, suspend or vary your driver licence or learner permit.

It is important for you to know that there is no right to appeal to the Magistrates Court if our decision to cancel, suspend or vary your driver licence or learner permit is a mandatory decision, made under section 24(1) of the *Road Safety Act 1986*.

Keep in mind that if you lose an appeal at the Magistrates' Court, you may have to pay costs.

## Where can I get further information about the medical review?

Further information is available on the **Transport Victoria website**.

### Medical Review

**Email** [medicalreview@roads.vic.gov.au](mailto:medicalreview@roads.vic.gov.au)

**Call** (03) 8391 3226

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## Find out more



If you have any questions please email us at [medicalreview@roads.vic.gov.au](mailto:medicalreview@roads.vic.gov.au) or visit our website and search 'Medical conditions and review'.

**Call:** (03) 8391 3226

**Web:** [transport.vic.gov.au/medical-review](http://transport.vic.gov.au/medical-review)



Language Loop (formerly Victorian Interpreting & Translating Services - VITS) call (03) 9280 0783, then ask for 13 11 71.