



Jet Rowland

Medical condition reporting
Jet's Law
Driving, your health and the law

Here for Life



Driving, your health and the law

Driving a motor vehicle is an essential part of most people's lives. However, the privilege of driving also comes with certain responsibilities. Driving a motor vehicle is a complex task that requires perception, good judgement, adequate responsiveness and reasonable physical capability. For your safety and the safety of others, you should only drive when you are medically fit to do so.

A range of medical conditions (mental or physical) may adversely affect your ability to drive safely, and could result in a crash causing death or injury. Follow your doctor's advice and know your legal responsibilities before you drive on Queensland roads.

Jet's story

The story of Jet Rowland, pictured on the cover of this brochure, demonstrates why managing your medical condition is essential.

In 2004, a driver with epilepsy had a seizure and crashed into the car Jet was travelling in. Jet, 22 months old, was killed by the impact of the crash. Jet's seven-year-old brother Bailey was confined to a wheelchair and his mother Anita was also severely injured.

Medical condition reporting legislation introduced after the tragic death of Jet Rowland has been named 'Jet's Law' in his recognition.

Your duties as a driver licence holder

As a Queensland driver licence holder, you are required to promptly tell the Department of Transport and Main Roads of any long-term or permanent medical condition that is likely to adversely affect your ability to drive safely.

You must tell the department as soon as a condition develops or if there will be a long-term increase to an existing condition. You cannot wait until you renew your licence.

When applying for a Queensland driver licence, you must tell the department of any medical condition that may adversely affect your ability to drive safely.

You will need a medical certificate confirming your fitness to drive. Your doctor may also recommend that your licence be subject to conditions.

If you fail to report your condition, you may receive a \$6000 penalty and be disqualified from driving.

How will I know if I have a medical condition that may affect my driving?

You should talk to your doctor. Common examples include but are not limited to:

- blackouts or fainting
- diabetes (early and late onset)
- epilepsy
- eye problems (for example, cataracts)
- hearing problems
- heart disease
- psychiatric disorders
- sleep disorders
- stroke.

How will my doctor assess my fitness to drive?

Your doctor will refer to the private and commercial medical standards for driving in the *Assessing Fitness to Drive* publication. These standards are recognised by all Australian driver licensing authorities.

Your doctor will provide advice on how your condition may affect your driving ability and how to manage it. However, the department makes the final decision on your ability to hold a driver licence.

What if I drive a vehicle to earn a living?

If you drive heavy vehicles, public passenger vehicles (e.g. buses or taxis) or vehicles carrying dangerous goods, you must meet the commercial medical standards in the *Assessing Fitness to Drive* publication. These standards are more stringent than private standards and reflect the increased risk associated with motor vehicle crashes involving such vehicles.

Despite having a medical condition, with treatment and regular review, you may be able to continue to drive such vehicles under a conditional licence.

What if my condition is only temporary?

Your doctor may advise that you restrict your driving activity temporarily if your condition is only short-term (e.g. after anaesthesia or a broken limb). In this case your driver licence status will not be affected and you do not need to report the condition to the department.

Are there special rules for older drivers?

Yes. If you are a Queensland driver licence holder 75 years or older, you must carry a current medical certificate while driving and drive in accordance with the certificate. This is mandatory regardless of whether or not you have a medical condition.

If my doctor gives me a medical certificate about my fitness to drive, what must I do?

You must promptly give your medical certificate to the department if your doctor completes a *Medical Certificate for Motor Vehicle Driver* form (form F3712), stating in their opinion one of the following:

- that you meet the medical standards for a driver licence but with stated condition/s
- that your driver licence should be subject to conditions that differ to the condition/s already shown on your licence
- that you are medically unfit to drive.

See the back of this brochure for details on how to lodge your medical certificate.

Can I still drive with a medical condition?

In most cases, having a medical condition will not stop you from driving.

Your doctor must determine whether you are:

- fit to drive with no conditions
- fit to drive under stated conditions (for example, only during daylight or in a vehicle with automatic transmission)
- not fit to drive.

Do I need to carry my medical certificate when I drive?

Yes. If your driver licence is subject to conditions, it will have an 'M' condition on it. You must carry your current medical certificate and drive in accordance with it at all times. You must also show it to a police officer if asked to do so.

What happens if I fail to comply with the condition/s of my licence?

You must comply with any conditions imposed on your licence. If you fail, you may receive a penalty of \$2000.

What must I do if I'm medically unfit to drive?

Your licence may be suspended for a period of time or be cancelled. If your licence is cancelled, you must surrender it to the department.

If you do not agree with this decision, you may appeal or ask the department to reconsider.

If you continue to drive during your licence suspension or cancellation, you may receive a \$4000 penalty or be imprisoned for up to one year.

What happens if I ignore my doctor's advice and I'm involved in a crash?

If your medical condition contributes to a crash, your licence could be cancelled. There may also be legal implications including imprisonment.

Can my doctor report me if I'm medically unfit to drive?

Yes. If your doctor has given you advice and is concerned that it may be ignored, or they feel that your condition poses a risk to public safety, they are encouraged to tell the department.

Your doctor is provided protection under legislation when giving information in good faith to the department about your fitness to drive.

What should I do if I'm concerned about a friend or relative's fitness to drive?

It is important that you advise them to talk to their doctor. With appropriate treatment or restrictions, the person may be able to continue to drive.

If they are unwilling to talk to their doctor, you can provide this advice in writing to the department. Supporting evidence, such as advice from a police officer or health professional, should be included where possible to substantiate your claims. Include your name and address, together with the name and address of the person you believe is medically unfit to drive.

The department may suspend or cancel the person's Queensland driver licence, or withdraw their authority to drive in Queensland if they are a non-Queensland licence holder.

For more information

For more information or to download the *Medical Certificate for Motor Vehicle Driver* form (form F3712), visit www.transport.qld.gov.au/medicalconditions

To lodge your medical condition form, you can:

- visit:
 - a departmental Customer Service Centre
 - an authorised Queensland Government Agency Program office
 - a licence-issuing police station.
- mail:

Medical Condition Reporting Unit
Locked Mail Bag 2000
Central Qld Mail Centre Qld 4702
- fax: **07 4931 1624**
- email: **mcr@transport.qld.gov.au**

Alternatively, contact the department's call centre on **13 23 80*** Monday to Friday 8 am – 5 pm, excluding public holidays.

* Local call charge in Australia. Higher rates apply from mobile phones and payphones.

The *Assessing Fitness to Drive* publication, used by your doctor to assess your fitness to drive, can be viewed at www.austroads.com.au/aftd