

# ASK AN EDUCATOR I HAVE EPILEPSY, CAN I DRIVE?

Having a diagnosis of epilepsy may impact your driving status. It is important to discuss transport and driving guidelines with your GP or neurologist.

At Epilepsy Queensland, we understand the challenges and concerns relating to a change in driving status, even if this is on a temporary basis. Not driving may make people feel a loss of independence, that you can't go where you want, when you want or that you are dependent on others.

A number of health conditions, including epilepsy and seizure disorders, can impair a person's ability to drive safely. As seizures can cause loss or impairment of awareness and loss of motor control, the risks associated with driving are increased. Driver health and fitness to drive is imperative to road safety, not only for the drivers themselves but for the safety of passengers, pedestrians and other drivers.

## Your first seizure

Following a first seizure, the Australian recommendation is a driving ban for a minimum of six months for private vehicle licence holders.

It is good medical practice for any person with initial seizures to be referred to a specialist, for accurate diagnosis of the specific epilepsy syndrome so that appropriate treatment can begin and all the risks associated with epilepsy, including driving, can be explained.

With regard to licensing, the treating doctor/general practitioner may liaise with the driver licensing authority (Department of Transport in Queensland) about whether the criteria are met for driving a private vehicle, but only a specialist may do so for a commercial vehicle driver.

According to the Queensland Department of Health, a conditional licence may be considered by the driver licensing authority subject to at least annual review, taking into account information provided by the treating doctor as to whether the following criteria are met:

- There have been no seizures for at least 12 months; and
- The person follows medical advice, including adherence to medication if prescribed or recommended.

There are certain situations associated with a lower risk of a seizure-related crash whereby driving may be resumed after a shorter period of seizure freedom. However, this is at the

discretion of your treating specialist. An annual review still applies and you must abide by all medical treatment and advice.

Circumstances under which an exception to a 12 month driving ban may made include:

- First seizure (requires 6 months of seizure freedom unless the seizure results in a motor vehicle accident)
- Epilepsy treated for the first time (requires 6 months seizure freedom)
- Seizures only in sleep
- Seizures in a person previously well controlled.

## Your responsibilities as a driver

Assessing Fitness to Drive, a joint publication of Austroads and the National Transport Commission (NTC), details the medical standards for driver licensing for use by health professionals and driver licensing authorities. Under section 6.2.2 the responsibilities of licence holders living with epilepsy are explained.

The person:

- must continue to take anti-epileptic medication regularly as prescribed
- should get adequate sleep and not drive when sleep-deprived
- should avoid circumstances, or the use of substances (e.g. excessive alcohol), that are known to increase the risk of seizures

If a person refuses to follow a treating doctor's recommendation to take anti-epileptic medication, it is likely the person will be assessed as not fit to drive.

## Consequences of not reporting a medical condition that may impact safe driving

Further describing a driver's role and responsibilities, Austroads advises drivers may be liable at common law if they continue to drive knowing that they have a condition that is likely to adversely affect safe driving. Drivers should be aware that there may be long-term financial, insurance and legal consequences





where there is failure to report an impairment to their driver licensing authority.

### Options for travel assistance

If your condition prohibits the use of public transport, you may be eligible for the following supports.

### Taxi Subsidy Scheme

For people with severe disabilities who are unable to use other forms of subsidised public transport, the Taxi Subsidy Scheme (TSS), under the National Disability Insurance Scheme (NDIS) may provide a co-contribution of up to \$25 per trip for those eligible. The scheme was due to end on June 30, 2019, however, the Queensland and Commonwealth Governments have dedicated funding to ensure the scheme can be accessed by NDIS participants until 31 October 2021.

Find more information under “Taxi Subsidy Scheme and Lift Payment” at the Queensland Government website [www.qld.gov.au](http://www.qld.gov.au)

### Mobility allowance

Where a person experiences a disability, illness or injury that means they cannot use public transport, they may be eligible for a mobility allowance payment to assist with travel costs for work, study or job seeking.

Read more under “Mobility Allowance” at Services Australia’s website [www.servicesaustralia.gov.au/](http://www.servicesaustralia.gov.au/)

For more information visit the Epilepsy Queensland website: <https://bit.ly/EpiDriving>

*The above information has been abstracted from the following references:*

*Services Australia - <https://www.servicesaustralia.gov.au/>*

*individuals/services/centrelink/mobility-allowance*

*Austrroads - <https://austrroads.com.au>*

*Queensland Government - <https://www.qld.gov.au/transport/licensing/update/medical/fitness>*

*Queensland Government Department of Health - <https://www.epilepsyqueensland.com.au/wp-content/uploads/Driving-and-epilepsy-QH.pdf>*

## ASSISTANT HEALTH MINISTER VISITS TO HEAR IMPACT OF EPILEPSY

We were pleased to welcome Assistant Minister for Health, Nikki Boyd MP who visited our Woolloongabba Office to hear more about the impact of our services on Queenslanders living with epilepsy.

Epilepsy Queensland is grateful to receive Queensland Health funding to assist us to support people living with epilepsy through our Helpline, counselling, training and online communities.

We look forward to continuing to work with the Queensland Government to continue to get the best outcomes for people living with epilepsy and their family members.

