

Driving and epilepsy

Private Vehicles

The default standard (all cases)

A person is not fit to hold an unconditional licence if the person has experienced a seizure.

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.

The 'default standard' is the standard that applies to all drivers who have had a seizure unless their situation matches one of a number of defined situations listed and described below. These situations are associated with a lower risk of a seizure-related crash and therefore driving may be resumed after a shorter period of seizure freedom than required under the default standard, at the discretion of your treating specialist. However, the need for adherence to medical advice and at least annual review still applies. If a seizure has caused a crash within the preceding 12 months, the required period of seizure freedom may not be reduced below that required under the default standard.

Variations to the default standard

There are a few situations in which a variation from the default standard may be considered by the driver licensing authority to allow an earlier return to driving:

- 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.

Exceptions to the default standard will be considered only for private vehicle drivers.

If a person has experienced a crash as a result of a seizure, the default non-driving seizure-free period applies, even if the situation matches one of those above.

Other factors that may influence licensing status

A number of other factors may influence the management of epilepsy (at the discretion of your epilepsy specialist) with regards to driving and licensing:

Epilepsy treated by surgery

Resection of epileptogenic brain tissue may eliminate seizures completely, allowing safe driving after a suitable seizure-free period as defined by your treating specialist. The vision standard may also apply if there is a residual visual field defect.

Medication noncompliance

Compliance with medical advice regarding medication intake is a requirement for conditional licensing. Where non-compliance with medication is suspected by the treating doctor, the doctor may recommend to the driver licensing authority that the licence be granted conditional upon periodic drug-level monitoring. Where a person without a history of noncompliance with medication experiences a seizure because of a missed dose and there were no seizures in the 12 months leading up to that seizure, the situation can be considered a provoked seizure.

Withdrawal or dose reduction of one or more anti-epileptic medications

In people who have had no seizures while taking anti-epileptic medication over a suitable period, the specialist may attempt a withdrawal of all anti-epileptic medication, a reduction in the number of medications or a reduction in dose.

The medication may also be changed because of side-effects or potential side-effects (such as teratogenicity). *The person should not drive for the full period of withdrawal or dose change and for 3 months thereafter.* However, if the dose is being reduced only because of current dose-related side-effects and is unlikely to result in a seizure, driving may continue.

Seizure causing a crash or loss of control of a vehicle

Not all seizures carry the same risk of causing a crash or lack of control of a vehicle. People who have lost control of a vehicle as a result of a seizure are likely to have a higher crash risk. *If a person has lost control of a vehicle or experienced a crash as a result of a seizure, the default seizure-free non-driving period of 12 months applies, even if they fall into one of the categories that allow consideration of a reduction.*

Resumption of an unconditional licence

Where a person has had *no seizures for at least five years* and has taken no anti-epileptic medication for at least the preceding 12 months, the driver licensing authority *may consider* granting an unconditional licence. This does not apply to commercial vehicle drivers.

Commercial Vehicles

A person is not fit to hold an unconditional commercial vehicle licence if the person has experienced a seizure.

A conditional licence may be considered by the driver licensing authority subject to at least annual review, taking into account information provided by a specialist in epilepsy as to whether the following criteria are met:

- *There have been no seizures for at least 10 years;* and
- An EEG conducted in the last six months has shown no epileptiform activity and no other EEG conducted in the last 12 months has shown epileptiform activity; and
- The person follows medical advice, including adherence to medication if prescribed or recommended.

Important

These restrictions posed to driving are law. Your treating specialist is not able to work around the legal requirements regarding seizures and driving.

Above all, the restrictions in place are for your safety and those travelling with you, and for the safety of other road users.

Reference

(Assessing Fitness to Drive—Medical Standards for Driving and Clinical Management Guidelines, Austroads, 2016, available <https://www.onlinepublications.austroads.com.au/items/AP-G56-17>)