

Fitness to drive



Quick guide

- Always refer to the Austroads Assessing Fitness to Drive guidelines when assessing your patient's ability to drive safely.
- Document your clinical assessment and the advice given to a patient about their fitness to drive.
- It is not a breach of privacy or your duty of confidentiality to the patient if you make a report to a licensing authority where appropriate.

You may need to assess your patient's fitness to drive, either at the patient's request or because you are concerned about changes in their condition.

In all states and territories, patients have a statutory obligation to report any medical conditions that may adversely affect their ability to drive.

The Austroads Assessing Fitness to Drive guidelines outline the role of doctors in assessing and certifying a patient's fitness to drive.

The guidelines contain:

- The assessment criteria for a range of different medical conditions that can impact a patient's ability to drive safely.
- A framework to guide your assessment of a patient.
- Flowcharts explaining the process including what actions might be required after your assessment.

The assessment

Always refer to the Austroads Assessing Fitness to Drive guidelines when assessing your patient's ability to drive safely.

Document your clinical assessment including the advice given to your patient about their fitness to drive.

Outcomes from the assessment

If based on your assessment you consider the patient is unfit to drive, then you should discuss this with them.

You have a duty to advise the patient if it is unsafe for them to drive due to long-term or short-term health conditions, disabilities or treatments.

Remind them of their obligation to self-report to the licensing authority.

You may also wish to inform other members of the patient's healthcare team as appropriate.

If you are concerned that a patient may not stop driving or may not self-report, then you need to consider reporting your patient to the licensing authority.

Doctors' duty to the community

If a patient you have examined is likely to endanger the public by driving when they are medically unfit, you may have a duty to notify the state or territory licensing authority.

Laws in South Australia and the Northern Territory make it mandatory for health professionals to notify the licensing authority in this situation.

In other jurisdictions, there is no mandatory obligation to report a patient, but it may be necessary as part of your ethical duty to protect the public.

State and territory legislation will protect you from civil or criminal liability if you make a report in good faith. It is not a breach of privacy or your duty of confidentiality to the patient to make such a report.

If you are going to make a report, you should let the patient know and document this in your records.

Unclear or complex assessments

If the patient has a significant or complex underlying medical condition or the outcome of your assessment is unclear, you may need to arrange a specialist or second opinion.

If the patient is reluctant to accept your opinion

You may feel pressure from patients to assess them as fit to drive. This can be difficult to manage, particularly if you have a long-standing relationship with your patient.

It can be tempting to advocate for your patient or focus on the impact of losing their licence. If you certify a patient as fit to drive despite your concerns, and they have an accident, the consequences can be tragic for the patient and the community. You may also be exposed to legal action.

Consider showing your patient the parts of the guidelines they do not meet. This may help them understand the risks that the guidelines address and your obligations in conducting the assessment.

You can empathise with your patient while upholding your obligation to assess them appropriately.

Start the discussion early

Where a patient has a progressive condition that may affect their driving, it is helpful to raise this early. It may allow the patient time to consider the future impact on their ability to drive, discuss it with those close to them and plan around it.

Follow up your patient

Consider seeing the patient a few weeks after your assessment to follow up the discussion and reinforce your recommendation.

Patient support

It may be helpful for the patient to bring a family member or other support person to their appointments.

Further references

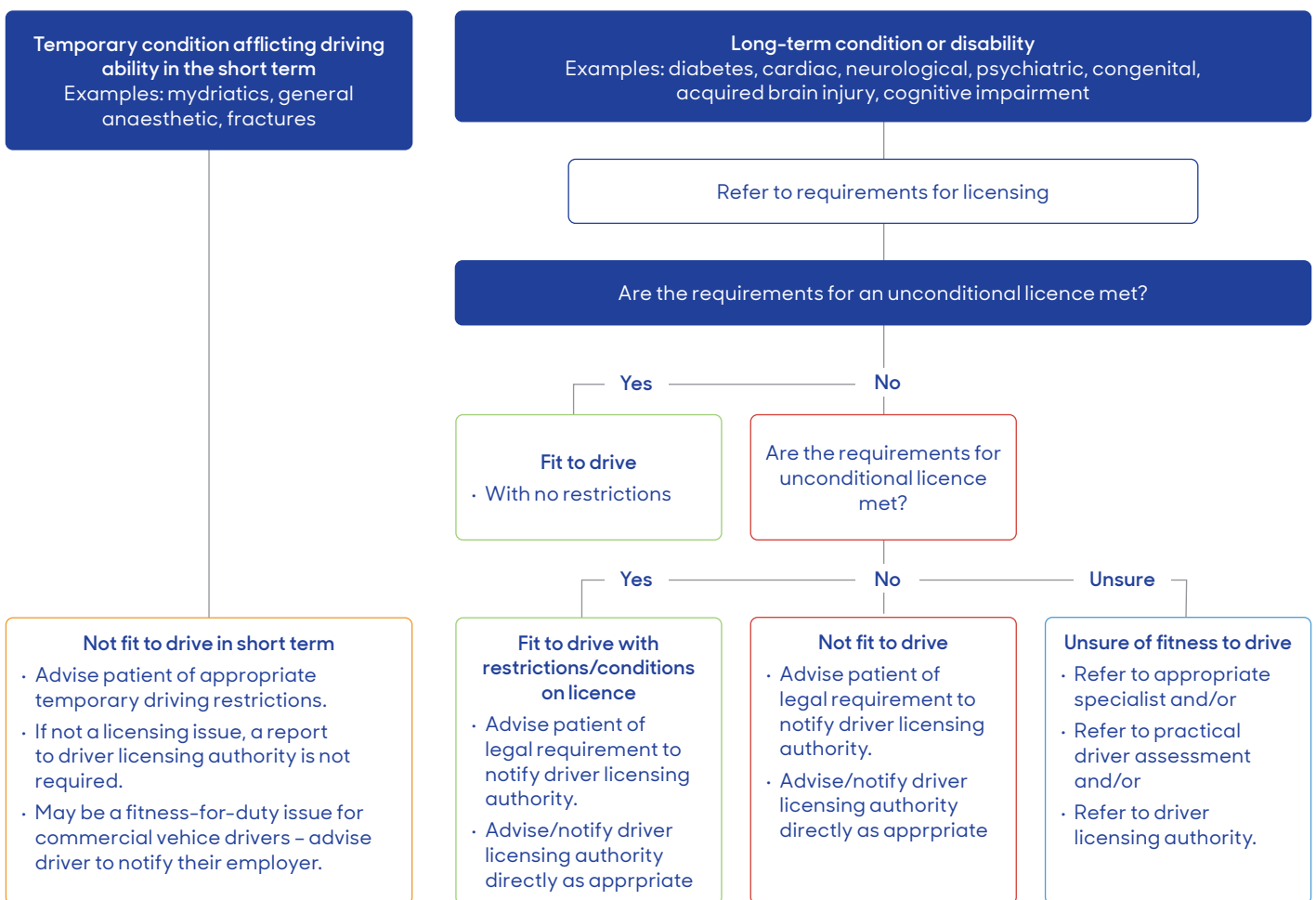
- AustRoads guidelines [austroads.com.au/drivers-and-vehicles/assessing-fitness-to-drive](https://www.austroads.com.au/drivers-and-vehicles/assessing-fitness-to-drive)

For more information or immediate medico-legal advice, call us on **1800 128 268**, 24/7 in emergencies. [avant.org.au/mlas](https://www.avant.org.au/mlas)



[avant.org.au/avant-learning-centre](https://www.avant.org.au/avant-learning-centre)

Medical decision-making process for assessing fitness to drive*



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