

## Drivers with Epilepsy

### Why Drivers With Epilepsy Submit Medical Reports

Under the Motor Vehicle Act, the Superintendent of Motor Vehicles has the responsibility to determine the fitness to drive of people who hold or are applying for a British Columbia driver's licence. Drivers who have a medical condition that has the potential to affect their fitness to drive may be required to have their doctor complete a Driver's Medical Examination Report. A driver's medical examination is one tool that provides the Superintendent with the information needed to decide whether someone is fit to drive.

Epilepsy is a general term referring to disorders which can cause seizures. Seizures may come without warning. Having a seizure while driving will clearly impact a person's ability to drive safely.

In some circumstances, medication can control seizures, and a driver who has had seizures may then be able to drive safely. If a driver's condition has been diagnosed by a doctor, medication has been prescribed, and the medication is diligently taken by the driver, driving privileges may be granted or restored after a required seizure-free time period. In some circumstances, drivers who had seizures, but who have been seizure-free without medication for a required period of time, may also be granted driving privileges.

As each person may be affected by epilepsy differently, the information we request allows us to assess each epileptic driver individually. This fact sheet outlines the procedures we follow to collect information about the severity, progression, treatment or effects of epilepsy with respect to driving.

### The Requirements

The type and frequency of assessment and follow up by the Office of the Superintendent of Motor Vehicles (OSMV) varies depending on the class of driver's licence held or applied for, as well as the ability to control seizures and their underlying condition.

While each driver will be assessed individually, in consultation with his or her physician, the following general guidelines for frequency of testing and monitoring apply to persons wanting to obtain or reinstate their driver's licence:

### Class 1, 2, 3, or 4 (Professional Driver)

Professional Drivers who have a single spontaneous seizure must immediately refrain from operating any motor vehicle. If a complete examination by a neurologist does not show epilepsy, or another condition that precludes driving, and the risk of another seizure is determined to be low, the driver may be permitted to obtain or reinstate a Professional Driver's licence after 12 seizure-free months without medication. This time period is to ensure another seizure does not occur.

Drivers on medication, who have been seizure-free for a continuous period of five years on medication, are eligible to be considered for a Professional Driver's licence.

Drivers not on medication, who have been seizure free for a continuous period of five years, are eligible to be considered for a Professional Driver's licence.

Professional Drivers who have been taken off their medication by their doctor must then remain

seizure-free for five years before resuming professional driving. After obtaining their Professional Driver privileges, if the Professional Driver has a recurrence of their seizures, they must stop driving, and be back on medication and seizure free for six months before being eligible for reinstatement of Professional Driving privileges.

Due to the heightened responsibility and risk factors associated with driving professionally, the circumstances in which a person with epilepsy will be permitted to hold a Professional Driver's Licence are limited to those above. However, in some cases persons with epilepsy may hold other classes of licence after being seizure-free for a shorter period.

### **Class 5, 6, 7, or 8 driver's licence**

A driver who has been seizure-free on medication for not less than six months, and who will conscientiously and reliably take their medication, may be licensed as a Private Driver (Class 5, 6, 7, or 8) without undue risk, provided their medication does not affect muscular coordination or alertness.

A driver who required surgical treatment to prevent seizures generally will not be licensed for 12 seizure-free months after surgery.

Since a single, unprovoked seizure does not necessarily mean a driver has epilepsy, in appropriate individual cases, your doctor may seek the opinion of a neurologist after such a seizure. Private Drivers may nevertheless have their privileges cancelled for up to six months, to ensure another seizure does not occur.

Persons with epilepsy who have had seizures only while asleep or just after awakening, for a period of five years (or less, on the recommendation of a neurologist) may be eligible for a Private Driver's licence. Persons whose seizures are fully controlled and whose physicians are withdrawing their

medication must not drive for a period of three seizure-free months from when their medication is discontinued. If they have a seizure during that time, they may be allowed to drive again after they resume medication provided they have previously been seizure-free for six months, and their physician is satisfied that the medication is adequate.

Persons with types of simple partial seizures that do not impair their overall ability to control a motor vehicle or impact their level of consciousness may be eligible to hold a Private Driver's licence on the recommendation of a neurologist.

If a person has stopped taking their anti-seizure medication against their physician's advice, they must not be re-licensed until they have resumed medication, and their physician is satisfied they will continue to take their medication.

Persons taking anti-seizure medication and who drink to impairment are at increased risk of having unexpected seizures, or failing to take medication and should not hold a driver's licence of any kind. For similar reasons persons who have had an alcohol withdrawal seizure should not drive again for six months, and then only upon demonstrating that they have successfully completed an alcohol treatment program.

### **General**

In all cases, the Superintendent of Motor Vehicles retains the discretion not to licence an individual person, considering their circumstances—particularly placing the interest of public safety as paramount.

Driver's Medical Examination Reports are the usual method for the OSMV to collect the required medical information to make a decision regarding driver fitness. The driver must make arrangements with their doctor to schedule the examinations.

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### **For More Information**

Call the Office of the Superintendent of Motor Vehicles in Victoria at (250) 387-7747.