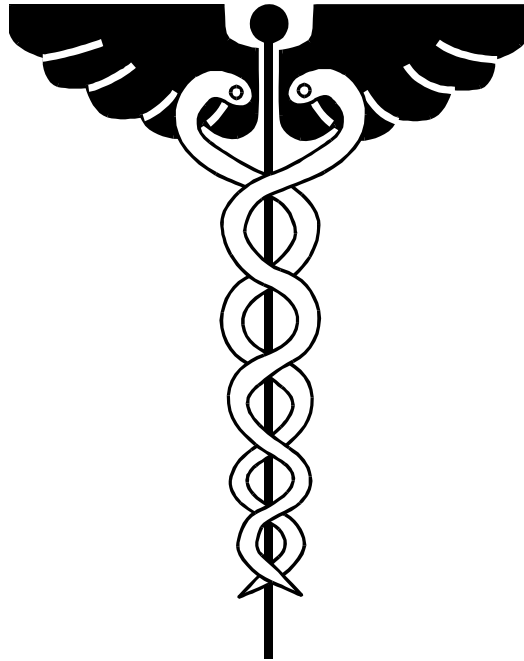




Physical and Mental
Conditions Guidelines
(Chapter 1 - Physical and Mental
Evaluation Guidelines)



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PURPOSE

This document provides guidelines for evaluating and taking action against the driving privilege of drivers with physical or mental conditions or disabilities that may impair the ability to drive.

AUTHORITY

Vehicle Code Sections 12806 and 12809 authorize the department to refuse to issue or renew a driver license to an individual who is incapable of safely operating a motor vehicle for reasons relating to physical or mental conditions. Vehicle Code Section 12814 permits the department to administer certain tests and perform a reexamination upon renewal of a license.

Vehicle Code Section 13800 allows the department to make an investigation and perform a reexamination of a driver. Vehicle Code Section 12818 authorizes priority reexamination of a driver for reasons relating to a physical or mental condition which impairs the driving ability, and Section 13953 permits immediate suspension or revocation of the license. Vehicle Code Section 13359 authorizes the department to suspend or revoke a driver licenses on any grounds pertaining to refusal of license.

Health and Safety Code Section 103900 mandates the department to develop guidelines designed to enhance the monitoring of patients affected with disorders specified in this section. Guidelines covering lapses of consciousness, Alzheimer's disease and related disorders, are included in this document.

INVESTIGATION/REEXAMINATION

Investigation and reexamination of the status of the driver's will determine whether the driver has the necessary physical and mental skills to safely operate a motor vehicle. This investigation or reexamination will focus on the following factors:

Physical Requirements

- Strength
- Coordination
- Stamina
- Mobility

Sensory Functions

- Visual
- Auditory
- Tactile

Mental Requirements

- Proper integration/interpretation of sensory input
- Focus of attention
- Proper associations of thought
- Appropriate judgment

Emotional Stability

Knowledge Requirements

- Rules of the road (written/oral test results)

Physical Limitations/Restrictions

- Operation of vehicular controls
- Ability to steer, coordinate pedals, control gearshift
- Ability to scan left/right, over shoulder, use mirrors

Physical or Mental Condition and History

- What is the condition? Diagnosis?
- Specific symptoms
- Onset of condition
- Date of last episode or when symptoms last experienced
- Current status. Are symptoms continuing or recurring
- Specific cause of condition
- Consistency with information in department's records
- Results of any medical tests
- Physician's evaluation/prognosis

Aggravating Factors

- Alcohol use/abuse
- Drug use/abuse
- Stress
- Sleep deprivation
- Poor diet/nutrition
- Physical over-exertion
- Inability/unwillingness to control/avoid aggravating circumstances

Treatment

- Medication
 - Effectiveness of prescription
 - Side effects
- Other medical regimen prescribed
 - Diet
 - Sufficient sleep
 - Exercise
 - Avoidance of stress
 - Avoidance of specific activities
 - Follow up examinations/consultations
 - Supplementary oxygen
- Compliance with prescribed regimen

NEXUS OF PHYSICAL/MENTAL CONDITION TO DRIVING

The mere existence of a physical or mental condition is irrelevant. There must be a nexus to driving. There must be sufficient facts to support an action by the department. The following factors will be considered:

- Driving record and circumstances of accidents, if any
- Characteristics about driving that bear consideration
 - Mileage
 - Amount of traffic
 - Area of residence (rural vs. urban)
 - Amount of time spent driving
 - Time of day (effect on vision/traffic)
 - Availability of and access to food, sleep, medication

DETERMINATION OF COMPENSATING FACTORS

The following factors may indicate the driver is able to compensate for a physical or mental condition or disability that would otherwise impair his/her ability to drive:

Adjustment or Selection of Equipment

- Type of vehicle
- Automatic transmission
- Type of controls
 - Steering knob
 - Hand controls
 - Extra mirrors
 - Power steering

Adjustment in Physical Habits

- Scanning techniques
- Following distance
- Choice of lane
- Brake usage

Adjustment in Driving Environment

- Hour of day
- Amount of driving/mileage
- Avoidance of certain weather conditions
- Avoidance of certain routes/intersections
- Combining destinations into single trips

DRIVER UNDERSTANDING AND AWARENESS

- The driver is aware of and able to articulate the details/specifics of the condition, regimen or treatment.
- The driver shows appropriate concern about the condition and its relation to traffic safety and personal responsibility.

DECISION OPTIONS

A determination may be made that no condition exists which warrants an action against the driving privilege. The department may also find that a condition exists which warrants:

- Reexamination on a specified date (Calendar Reexamination)
- Medical Probation I: driver must comply with medical regimen and report any changes to the department
- Medical Probation II: annual medical reports required to be submitted to the department on specified dates
- Limited Term Licenses: license issued by the field office for one to two years which requires the driver to return to the department for reevaluation and/or testing
- Restrictions
- Suspension
- Revocation

HEARING RIGHTS

Under Vehicle Code Section 14100, the driver has the right to request a hearing within 10 days after receipt of the notice of the order of suspension or revocation when action is taken against the driving privilege based upon documentation of a physical or mental condition or disability.

The request for a hearing will not stay the action when evidence exists of a physical or mental condition which presents an immediate driving hazard or risk and action has been taken under Vehicle Code Section 13953.

If the driver requests a hearing, the driver has an opportunity to rebut the department's evidence or provide new medical evidence to show that the action should not be sustained. The action will not be terminated until evidence satisfactory to the department establishes that the cause for suspension/revocation is removed or does not render the driver incapable of safely operating a motor vehicle safely. The hearing officer will consider medical evidence and results of any examination as it relates to the physical and mental requirements and driving factors previously covered in the reexamination investigation section.

The following sections contain guidelines for evaluating drivers with dementia, diabetes mellitus, lapse of consciousness disorders, and vision conditions that may impair the ability to drive.