



# **All-Party Parliamentary Group on Epilepsy**

## **Report on driving bans following seizures**

**June 2016**

## **Introduction**

The issue of driving bans following seizures was raised by a member of the public via their MP and myself as Chair of the APPG on Epilepsy. An additional point of contention was the differing periods of driving bans following seizures between countries and states in the USA.

I asked the House of Commons Library to undertake research on differing driving bans. The responses are set out in Table 1 (pages 2-3). I am grateful to them for their assistance. The sources are set out in Appendix 1. This is not a complete list of all the countries but a selection to provide an overview of how the periods of driving bans differ.

## **Discussion**

The inequity in the variation of driving bans between countries and states in the USA can cause distress and confusion. It was highlighted that someone from the USA could drive after 3/6 months when they visit this country but a person living in the UK would still be subject to a longer ban.

Table 1 outlines the varying driving restrictions following seizures in the countries identified.

The European Union has unified member states under the singular policy of a 1 year ban specified for people diagnosed with epilepsy, after which a licence may be granted if there are no further seizures. In the USA alone, there is great discrepancy in legislation in the different states.

China, India and Singapore impose a total ban on driving following diagnosis of epilepsy, not seizures. This severe legislation is an outlier amongst global policy towards driving and epilepsy. A total ban on driving following diagnosis discriminates and unjustly restricts the freedom of those who have the condition.

The implementation of international legislation detailing a singular length of ban from driving following seizures, would safeguard people from onerous restrictions and break down misconceptions about epilepsy and driving.

## **Next Steps**

One of the ways forward is to raise this issue with the World Health Organisation and the International Bureau for Epilepsy.

The aim would be to ensure that a singular policy would apply internationally making it simple, transparent, and equitable.

## **All Party-Parliamentary Group**

**Chair: Valerie Vaz MP**

**Vice Chairs: Cheryl Gillan MP, Andy McDonald MP, Paul Maynard MP and Greg Mulholland MP. Secretary: Teresa Pearce MP**

**13 June 2016**

**Table 1: Driving bans following seizures**

<b>Country/State</b>	<b>Driving ban</b>
Australia (1)	Default standard is a 12 month ban following a seizure, after which a conditional licence may be granted, but this period may be reduced in certain circumstances
Canada (2)	6 months ban after seizure
China	Total ban after diagnosis
European Union (3)	1 year ban specified for people diagnosed with epilepsy, after which a licence may be granted if there are no further seizures
India (4)	Total ban after diagnosis
Japan (5)	2 years ban after seizure
New Zealand (6)	1 year ban after seizure - this period may be reduced in certain circumstances
Norway (7)	1 year ban after seizure
Singapore (8)	Total ban after diagnosis
USA (9)	Varies from state to state. There is a trend towards shorter bans following seizures. Some states have no set seizure free period and in these cases the doctor's recommendation is key.
Alabama	6 months with exceptions
Alaska	6 months
Arizona	3 months, with exceptions
Arkansas	1 year, with exceptions
California	3 or 6 months, with exceptions
Colorado	No set seizure-free period
Connecticut	No set seizure-free period
Delaware	No set seizure-free period
Florida	6 months, with doctor's recommendation
Georgia	6 months
Hawaii	6 months with exceptions
Idaho	No set seizure-free period
Illinois	No set seizure-free period
Indiana	No set seizure-free period
Iowa	6 months, with doctor's statement
Kansas	6 months with exceptions
Kentucky	3 months or longer
Louisiana	No set seizure-free period, Doctor's recommendation
Maine	3 months or 2 years depending on medical prognosis
Maryland	3 months, with exceptions
Massachusetts	6 months with exceptions
Michigan	6 months with exceptions
Minnesota	3 months, with doctor's recommendation
Mississippi	6 months

Missouri	6 months, with doctor's recommendation
Montana	No set seizure-free period, Doctor's recommendation
Nebraska	No set seizure-free period
Nevada	3 months, with exceptions
New Hampshire	1 year, less at discretion of DMV
New Jersey	6 months
New Mexico	6 months
New York	1 year, with exceptions
North Carolina	6 to 12 months, with exceptions
North Dakota	6 months; restricted license available after 3 months
Ohio	No set seizure-free period
Oklahoma	6 months with exceptions
Oregon	3 months or longer
Pennsylvania	6 months with exceptions
Rhode Island	18 months; less at discretion of DMV
South Carolina	6 months
South Dakota	6-12 months, less with doctor's recommendation
Tennessee	6 to 12 months, with exceptions
Texas	3 months, with exceptions
Utah	3 months, with exceptions
Vermont	No set seizure-free period
Virginia	6 months with exceptions
Washington	6 months with exceptions
West Virginia	6 months
Wisconsin	3 months, with doctor's recommendation
Wyoming	3 months, with exceptions

(Compiled on 13 June 2016)

## Appendix 1 (sources)

- (1)** Austroads , 'Assessing Fitness to Drive for Commercial and Private Vehicle Drivers.March 2012 as amended up to 30 June 2014', 2014 pp75-86

Australian National Transport Commission, 'Review of Transport Medical Standards Consultation Report for the Review of Assessing Fitness to Drive', November 2015 pp55-62
- (2)** Canadian Council of Motor Transport Administration 'Determining Driver Fitness in Canada', 2013

Canadian Epilepsy Alliance, <http://epilepsymatters.com/information-resources/living-with-epilepsy/driving/>, date accessed: 23 March 2016
- (3)** Commission Directive 2009/112/EC of 25 August 2009 amending Council Directive 91/439/EEC on driving licences, OJ L 223, 26 August 2009

DVLA, 'Assessing fitness to drive: guide for medical professionals', DVLA, date accessed: 31 March 2016
- (4)** Indian Epilepsy Association, [http://www.epilepsyindia.org/socialaspect\\_driving\\_iea.html](http://www.epilepsyindia.org/socialaspect_driving_iea.html), date accessed: 23 March 2016
- (5)** International League Against Epilepsy Commission of Asian and Oceanian Affairs, 'Driving license and traffic accidents of persons with epilepsy: Japanese situation', Newsletter, December 2013 pp14-15

Library of Congress Global Legal Monitor, 'Japan: Severe Punishment for Drivers Who Have Seizures in Certain Traffic Accident Cases', 11 December 2013
- (6)** New Zealand Transport Agency, 'Epilepsy/Seizures and Driving', 2012
- (7)** Lossius R, Kinge E, Nakken KO. 'Epilepsy and driving: considerations on how eligibility should be decided' Acta Neurol Scand, 2010: 122 (Suppl. 190) pp 67-71
- (8)** Singapore Epilepsy Foundation, <http://www.epilepsy.com.sg/factsheets.html>, date accessed: 23 March 2016
- (9)** Epilepsy Foundation State Driving Law database, <http://www.epilepsy.com/driving-laws>, date accessed: 23 March 2016