

## Reporting Unfit Drivers

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The College of Physicians & Surgeons of Alberta provides [Advice to the Profession](#) to support the implementation of the [Standards of Practice](#). This information does not define a Standard of Practice nor should it be interpreted as legal advice.

### Key Points

- A physician should be familiar with the spectrum of medical conditions that may impact fitness to drive.
- A physician is only required to report that a patient has failed to meet a published medical standard for fitness to drive.
- A physician is encouraged to report all instances where a patient fails to meet the medical standards for operation of a motor vehicle.

### Advice

#### a. Reporting Obligations

There is no mandatory requirement in Alberta for reporting an individual's fitness to drive. However, a physician that does report is protected from legal action.

The *Traffic Safety Act*, Section 60 states that:

“No liability accrues to a physician, optometrist or other health care provider by reason only that the physician, optometrist or other health care provider provides to the Registrar under this Act information respecting a person's medical condition that may impair that person's ability to operate a motor vehicle in a safe manner.”

A physician is encouraged to report all instances where a patient fails to meet the medical standards for operation of a motor vehicle.

#### b. Published Medical Standards for Fitness to Drive

The Canadian Medical Association has published a comprehensive list of medical fitness standards. A physician should be familiar with the spectrum of medical conditions that may affect a patient's ability to drive. Standards are written to enable a physician to be as objective as possible in conducting a clinical assessment.

Some examples of medical conditions that **may** affect safe driving include stroke, seizures, diabetes, dementia, syncope and double vision.

#### c. Where to Report

A physician is not required to declare a patient to be unfit to drive, only to report a failure to meet a published medical standard.

A physician should report to the Driver Fitness and Monitoring Branch of the Alberta Ministry of Transportation. This office reviews every driver's medical form and report. Where a clinical condition fails a medical standard, the driver will be notified of restrictions on his or her driving or required to surrender his or her driver's licence.

#### d. Processes for Review of a Report

Complex or disputed cases are reviewed by a Medical Review Board comprised of experienced physicians. The Board may request further medical evaluation, recommend restrictions or recommend withdrawal of a licence.

The Registrar has the authority to require an individual to submit to a medical or physical examination.

## References

- Canadian Medical Association Driver's Guide: Determining medical Fitness to Operate Motor Vehicles, 7<sup>th</sup> Edition, 2006  
<http://www.cma.ca/determining%20medical%20fitness%20to%20drive:%20a%20guide%20for%20physicians>
- Medical Conditions that May Affect Safe Driving – Summary:  
<http://www.transportation.alberta.ca/2560.htm>
- Reporting Concerns about Driver Fitness  
<http://www.transportation.alberta.ca/2561.htm>
- Driver Fitness and Monitoring, Transportation Ministry Contact Information:  
<http://www.transportation.alberta.ca/2567.htm>

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<sup>i</sup> Replaces *Reporting Unfit Drivers, CPSA Guideline*, Issued March 2003