

**Submission in response to Older Driver Safety
Advisory Committee:**

***Recommendations to Improve the Safety of Older
Drivers (aged 75 and older) in Queensland.***

October 2012 (Updated March 2013)

National Seniors

Australia

About National Seniors Australia (National Seniors)

With over 200 000 members Australia-wide (**including over 78, 000 in Queensland**), National Seniors is the consumer lobby for the over-50s. It is the fourth largest organisation of its type in the world.

We give our members a voice – we listen and represent our members' views to governments, business and the community on the issues of concern to the over 50s.

We keep our members informed – by providing news and information to our members through our Australia-wide branch network, comprehensive website, forums and meetings, bi-monthly lifestyle magazine and weekly e-newsletter.

We provide a world of opportunity – we offer members the chance to use their expertise, skills and life experience to make a difference by volunteering and making a difference to the lives of others.

We support those in need – as a not-for-profit organisation, we raise funds and redirect monies received to older Australians who are most in need.

We help our members save – we offer member rewards with discounts from over 7000 businesses across Australia, we offer discount travel and tours designed for the over 50s, and we provide older Australians with affordable, quality insurance to suit their needs.

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Recommendations

- 1.** Medical certificates to be made mandatory for people of all age groups diagnosed with medical conditions that may inhibit an individual's ability to drive safely, as is currently required in Queensland.
- 2.** Medical Practitioners be made more aware of their legal responsibilities with regards to the rules governing older drivers and be mindful of their accountability to their professional standards.

In the event of a recommendation to cancel a driver's licence

- 3.** Form and implement an additional appeals process to allow those people who wish to dispute the cancellation of a licence as a result of medical testing. It is recommended that this appeals process would occur prior to appealing to the Queensland Civil and Administrative Tribunal (QCAT).
- 4.** Explore options for alternative modes of transport to prevent experiences of isolation for those people living in remote areas and where public transport is not easily accessible.
- 5.** Mandatory eye testing be included with medical tests and medical practitioners be provided with information on the licensing system.
- 6.** Develop educational programs which raise awareness within the medical field of the existing legislative provisions on licensing.
- 7.** Review the current lists of specialists to whom a referral can be made and include audiologists and psychologists within these lists.
- 8.** Ensure older Queenslanders have access to driver training programs including interactive online programs to update their awareness and understanding of road rules.
- 9.** Practical retests of older drivers in a car which they find familiar to operate.

National Seniors Response:

Safer Road Users

Recommendation 1: *Medical certificates to be made mandatory for people of all age groups diagnosed with medical conditions that may inhibit an individual's ability to drive safely, as is currently required in Queensland.*

Recommendation 2: *Medical Practitioners be made more aware of their legal responsibilities with regards to the rules governing older drivers and be mindful of their accountability to their professional standards.*

In the event of a recommendation to cancel a driver's licence

Recommendation 3: *Form and implement an additional appeals process to allow those people who wish to dispute the cancellation of a licence as a result of medical testing. It is recommended that this appeals process would occur prior to appealing to the Queensland Civil and Administrative Tribunal (QCAT).*

Recommendation 4: *Explore options for alternative modes of transport to prevent experiences of isolation for those people living in remote areas and where public transport is not easily accessible.*

Recommendations Relating to the Age at which Older Driver Requirements are Imposed

Committee Recommendations 2.1.1 and 2.1.2

National Seniors believes that medical certificates should be provided to Transport and Main Roads by all people who have an illness, disease or disability that may affect a person's ability to drive safely. The possession of a medical certificate should not be attributable to age, but rather based upon individual capacity to drive. National Seniors believes that imposing age based rules when there is no factual evidence to suggest that age is specifically attributable to road safety is blatant age discrimination. One member states:

Statistics still show that the under 25's are the high accident risk group, don't hear any fuss about forcing them to attend defensive driving courses...one older driver [has] an accident and there is a great fuss. Does one perhaps dare suggest age discrimination; I thought there were laws against that...we should be afforded the same rights as the rest of the community regarding licensing to drive.

Another member expresses concerns regarding age discrimination:

Older drivers are discriminated against. It's not only older drivers who have medical conditions.

Additionally, there is a general consensus amongst National Seniors members who attest that older members of society drive to meet road rules and regulations imposed by authorities and adapt their driving behavior to suit individual ability and general road conditions.

My father in law has just had his licence renewed for five years at 89 years of age. He is currently a competent driver but regulates when and where he drives.

National Seniors members provide additional evidence that people aged 75 and older are also driving to conditions imposed by their medical practitioners, while further responses from members indicate that age alone should not be a governing factor to driving, rather the ability to drive safely:

Age is a number – ability is what counts and should be the deciding factor.

We also agree that no matter what age you are, your ability to concentrate, abide by the road rules, your agility & vision ... [need to be in] good order.

National Seniors believes some difficulties may arise with the issuing of medical certificates due to inconsistencies in accessibility of health records by different medical practitioners and irregular patient visits to differing practitioners.

National Seniors does not support the automatic issuing of medical certificates to the Transport and Main Roads (TMR) registration and licensing database. Member responses indicate that older drivers acknowledge and agree with the current medical testing rules required to continue driving.

We already have a requirement in place for quite a few years now. I am aged 81, and go to my GP each year to get checked and obtain the medical certificate on a Queensland Government form obtained from the Department of Transport that I carry with my license in my wallet.

I am 78 years old and make sure that I have regular 2 yearly driving tests all of which have shown my skills remain and I also have 6/12 monthly health checks with my local GP.

Where a recommendation has been made to cancel a drivers' licence, National Seniors recommends that an additional appeals process be established for those people who wish to dispute the licensing decision. This process may incorporate an individual's ability to gain a second opinion on a medical or practical assessment. National Seniors suggests that this take place prior to appealing to

QCAT in acknowledgement of the considerable number of cases that QCAT may handle on a daily basis.

In addition, National Seniors recommends that options are explored for provision of alternative transport options for those older Queenslanders who no longer have the ability to drive and have limited options for public transport. This will decrease risks of social isolation which is a common experience of people who live remotely and for those people who can no longer drive and are therefore not as mobile.

Public transport is not available at regular times in smaller towns. Country towns and most places outside the south east corner do not have rail options for transport... [and] Taxi fares are too much for pensioners to afford.

Vision Testing

Recommendation 5: *Mandatory eye testing be included with medical tests and medical practitioners be provided with information on the licensing system.*

Reinstatement of vision testing at in-person driver license renewal

Committee Recommendation 2.1.4

National Seniors advocates for the inclusion of eye-testing as part of a medical assessment by a practitioner for drivers aged 75 and older. This should include the referral of a patient to an optometrist or ophthalmologist for further follow up.

Additional professional development opportunities should be provided to medical practitioners, optometrists and ophthalmologists to better support their understanding of the link between these tests and the licensing system.

Professional Reporting

Recommendation 6: *Develop educational programs which raise awareness within the medical field of the existing legislative provisions on licensing.*

Recommendation 7: *Review the current lists of specialists to whom a referral can be made and include audiologists and psychologists within these lists.*

To widen the range of professions who can report to the TMR with legal protection, triggering follow-up review

Committee Recommendation 2.1.5

National Seniors supports the development and implementation of an educational program for medical practitioners to better understand the rules governing the licensing system in Queensland. This will ensure that the correct reporting is occurring to the TMR for people of all ages who are assessed by their medical practitioner as no longer having the capacity to drive.

It is important that the medical profession receives training in assessment and keep updated on their legal knowledge if issuing a medical certificate when indeed they shouldn't.

Additionally, National Seniors supports extensions to the list of approved practitioners permitted to undertake medical assessments for licensing. The inclusion of audiologists and psychologists will ensure that their specific knowledge and skills result in adequate testing and accurate assessments being undertaken to determine the status of a person's licence.

Family Involvement

Recommendation 7: Older Australians have access to driver training programs including interactive online programs to update road rules.

Encouraging Family Involvement: Committee Recommendation 2.1.8

National Seniors advocates that older drivers have voluntary access to driver training courses and interactive online programs which include up to date road rules and personal skills assessment tools specifically designed for older drivers.

Families of older people living in the country are not always available to transport elderly relatives and public transport is not available at regular times in country towns which may produce difficulties. Therefore, exploration of options for alternative transport is essential in areas where public transport is not available (as in Recommendation 4 under cancellation of a licence).

National Seniors understands that it is sometimes difficult for a family member to have discussions with older family members regarding their driving ability. One member states that:

Families need to be educated /encouraged to take some responsibility for their older family members and should notify the family doctors if they have concerns.

Safer Vehicles

<p>Recommendation 8: <i>Practical retests of older drivers in a car which they find familiar to operate.</i></p>

Promote purchase of vehicles with better occupant protection characteristics

Committee Recommendation 2.4

This recommendation is supported and if implemented, National Seniors believes that it will enhance occupant safety.

Furthermore, National Seniors members have identified some difficulties within practical licence retests, such as driving cars where the controls are on opposite sides and retesting in an automatic where a person is used to driving a manual.

[Some people] need the automatic option in a car.

Conclusion

In summary, National Seniors supports the recommendations made by the Older Driver Safety Committee and advocates that the assessment system of driving skills be based in the first instance on ability to drive rather than age, particularly as the latter introduces elements of age discrimination.

Furthermore, National Seniors is supportive of the current requirement to gain a medical certificate at the age of 75 and older in recognition of the fact that health conditions can change rapidly as we age.

However, we strongly believe that medical assessments should occur at **all ages** at the first detection of a condition that may affect a person's capacity to drive safely.