

Seizure Disorders and Driving in Massachusetts

Restrictions on Driving if Being Treated for a Loss of Consciousness

Apr 3, 2010 Melissa Nykorchuk

Adult drivers in Massachusetts that are being treated for a seizure disorder should discuss driving at length with a treating physician before starting to drive.

The freedom that comes with driving a car can be lost for a time when a person is being treated with a seizure disorder in Massachusetts. Although a drivers' license is not automatically lost when a person suffers a seizure or an alternate loss of consciousness, it is the responsibility of the driver to report such happenings to the Department of Motor Vehicles (DMV) in Massachusetts.

Drivers in Massachusetts Must Self-Report Seizure Activity

If a driver in Massachusetts has a seizure, any treating physician does not have an obligation to report seizure activity to the DMV and often does not report such activity. It is the obligation of the licensed driver to report such activity and deal with any repercussions that occur.

According to call center representatives at the Epilepsy Foundation in Boston, Massachusetts, driving while being treated for a seizure disorder is complicated. Although technically the driver who is experiencing seizure activity still has a drivers' license until the DMV is notified and suspends the license, the driver is supposed to self-report to the DMV and may decide not to in order to keep driving.

Drivers with a Seizure Disorder Must Be Seizure-Free for Six Months

Drivers in Massachusetts that are being treated for a seizure disorder must be seizure-free for six months before they can resume driving. Physicians can send the DMV a medical report stating the reasons a driver should be driving before the six month period, but it is up to the DMV to approve the physician's report before a person with a seizure disorder can drive.

Once the six month period is over and the driver has remained seizure-free, the treating physician still must report to the DMV in order for the driver to get a license to drive in Massachusetts back. It is not an automatic procedure that after six months one can drive. The medical report sent in by the treating physician must be approved by the DMV before driving privileges are restored.

Driving with a Seizure Disorder and Not Reporting to the DMV is Unsafe

Although it may be tempting to ignore the self-reporting rule and continue to drive, driving while being treated with a seizure disorder is a big responsibility and no one should drive without written permission granted from their treating physician.

According to the Epilepsy Foundation, drivers who do not report to the DMV in Massachusetts seizure activity risk legal liability if they are to get into a car accident. On the other hand, if a driver takes responsibility and self-reports seizure activity to the DMV and drives with medical clearance, they will not be legally liable should

they get into a car accident due to seizure activity.

Sources:

Epilepsyfoundation.org, *"Massachusetts Driver Licensing Laws" (date accessed April 3, 2010)

Mass.gov, *"Seizure and Loss of Consciousness Policy Statement" (date accessed April 1, 2010)

Epilepsy Foundation of Massachusetts, Rhode Island, New Hampshire and Maine, 888-576-9996, (date called April 1, 2010)

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