

Safety on roads and highways is an essential part of protecting people within our communities. That is why licences, and conditions as to when and how people may operate motor vehicles, are necessary.

A medical condition may affect your ability to hold a Yukon driver's licence. This document explains how the Government of Yukon makes decisions about your ability to drive safely. It also explains how to appeal these decisions if you disagree. Contact and other resources information is included as well as a form called "MEDICAL CONDITION RELEASE OF INFORMATION."

Your rights under the *Yukon Human Rights Act*

You have a right to make a complaint under the *Yukon Human Rights Act* if you think you have been discriminated against because of your disability, age, or any other ground listed in section 7 of the Act. To file a complaint contact the Yukon Human Rights Commission.

Your rights to legal representation

You may wish to retain legal counsel to help you appeal decisions of Motor Vehicles or the Driver Control Board about your driver's licence. The Law Society of Yukon maintains a lawyer referral service to help you find and obtain an initial consultation from a lawyer. Legal information may also be obtained free of charge from the Law Line. There are other resources in the community that may be helpful to you. These include Legal Aid, Yukon Learn and your First Nation (if applicable). You should also talk to your doctor or other medical practitioner or contact the Motor Vehicles office directly, with any questions you may have regarding either your fitness to drive or your rights in that regard.

General Considerations

Please note the following considerations:

- If changes to your health interfere with your ability to safely operate a motor vehicle, you are required to report these changes to Motor Vehicles.
- You are required to do this each time you apply for a licence, or any time your medical condition changes.
- All information is kept confidential.

- This includes hearing and vision conditions.
- Your doctor and optometrist must also report changes to your health condition to Motor Vehicles.
- Medical practitioners and optometrists must make Motor Vehicles aware of any health problems you may be having that would interfere with the safe operation of a vehicle. Again, this information is kept confidential.

Motor Vehicles considers the impacts of your health condition on your driving

All information Motor Vehicles receives is reviewed and assessed on an individual basis using standards such as the Canadian Council of Motor Transport Administrator's (CCMTA) Medical Standards for Drivers and the Canadian Medical Association's Guide for Physicians in Determining Fitness to Drive.

Depending on the type of medical condition, Motor Vehicles may add restrictions to your licence or cancel your driving privileges.

If restrictions are added to your licence

An example of an applied restriction would be restricting a person with limited night vision to driving only during daylight hours. The restrictions on a licence remain unless the medical condition improves.

If your licence is cancelled

It is the combined responsibility of your medical practitioner, Motor Vehicles, and the Driver Control Board to determine whether your medical condition may affect your ability to drive safely.

If your medical condition interferes with your ability to drive safely, your driver's licence will be cancelled. You will not be able to hold a Yukon driver's licence unless your medical condition improves to the point where you could once again safely operate a motor vehicle.

You will be notified of the decision of Motor Vehicles as soon as possible

When Motor Vehicles has reached a decision, you will be notified either over the telephone, in person or through the mail. If the decision is to cancel your licence or to apply restrictions, you will be contacted immediately by phone or in person. You will also be given written information on the Driver Control Board review process.

Your licence is considered officially restricted or cancelled once you are contacted by a government official or the notification letter is deemed served under the law. It is a serious offence to drive without a valid licence.

Review and Appeal

If you are not satisfied with the decision of Motor Vehicles you can request the Driver Control Board to review the restriction or cancellation of your licence. You must request this review within 30 days of the day the Motor Vehicles letter was delivered to your address.

Driver Control Board review process

Once you have requested an appeal of Motor Vehicles' decision, the Driver Control Board will individually assess the restriction or cancellation of your driver's licence as a result of a medical condition. The Board is made up of five board members and a medical advisor.

1. Notify the Driver Control Board in writing that you wish to appeal the decision of Motor Vehicles. Fill out and provide the Board with the "MEDICAL CONDITION RELEASE OF INFORMATION" form to obtain information on your condition. *Please note: this form is attached below.
2. When requested, your medical practitioner will provide you with documents related to your health condition. Forward these medical documents to the Driver Control Board.
3. The Driver Control Board will notify you in writing of the time and place of the Driver Control Board hearing. You will be given this notice at least 10 days before the hearing.
4. You have the right to be heard by the Board and the right to choose to have legal representation before the Board. The Board has an obligation to ensure you are treated with fairness.
5. Once the restrictions or cancellation has been reviewed by the Driver Control Board at the hearing, the Board may:
 - uphold the decision of Motor Vehicles;
 - reinstate the cancelled licence; or,
 - change the restrictions applied by Motor Vehicles.

The Driver Control Board will give you its decision in writing.

If you are not satisfied with the decision of the Driver Control Board, you can appeal to the Courts.

To file an appeal with the Yukon Courts, provide Court Services with information about your appeal within 30 days of the day the Driver Control Board decision is mailed to you. Court Services will set a date and time for you to appear before a Judge for a hearing.

Court Services will notify the Driver Control Board that you wish to appeal its decision. At the scheduled date and time, both you and the Driver Control Board will be asked to give evidence before the Court. Once the Judge has heard from both parties, the Judge may confirm, change, or set aside the decision of the Driver Control Board. A written decision will be provided.

If You Develop a Medical Condition

If you develop a condition that could interfere with your ability to drive safely, your medical practitioner may want to discuss your case by referring to the “CCMTA Medical Standards for Drivers.” This information may help you better understand how your condition may affect your ability to safely operate a motor vehicle. Most medical offices in the Yukon have copies of these standards.

Contact Information:

In Whitehorse, call:

Deputy Registrar, Motor Vehicles 667-5313

Driver Sanctions Coordinator 667-3563

Driver Control Board 667-5623

Court Services 667-5441; in Yukon communities call toll-free 1-800-661-0408 ext. 5441

Other Resources:

Yukon Human Rights Commission in Whitehorse, call 667-6226; in Yukon communities, call toll-free 1-800-661-0535

Law Society of Yukon in Whitehorse, call 668-4231

Yukon Law Line in Whitehorse, call 668-5297; in Yukon communities call toll-free 1-866-667-4305



DRIVER RECORD
RELEASE OF INFORMATION

I, _____, request a Hearing with the Yukon Driver Control Board to appeal the decision of the Deputy Registrar regarding my medical disqualification.

The Yukon Driver Control Board is hereby authorized to access information pertaining to my driving abilities and any and all driver's licence information from the following:

- Motor Vehicle Branch records from any applicable jurisdiction
- RCMP or any other policing agency
- Family Doctor
- Applicable emergency room visits
- Optometrist
- Ambulance or other emergency care/transportation records

This release will be valid for 1 year from date of signing.

(Signature)

(Date)

Current Mailing Address:

Contact Phone Number: _____