



Engineers New Zealand
Transportation Group

Management Committee
C/- Don McKenzie (Group Administrator)
Traffic Design Group
PO Box 13-835
CHRISTCHURCH
don.mckenzie@tdg.co.nz
<http://www.ipenz.org.nz/ipenztg/>

Driver Licensing Amendment Rule (No 2) 2006 Rule 91001/3

Submission to Land Transport New Zealand
February 2006

Introduction and Summary

The IPENZ Transportation Group ("IPENZ TG") is pleased to present this submission on the Proposed Rule. IPENZ TG consists of nearly 700 transportation and traffic engineering professionals working in central government, local government, academia and the private sector. IPENZ TG represents a segment of considerable expertise in the fields of traffic and transportation and has a significant interest in managing the effects of transportation on society and in managing vehicle emissions.

This submission has been prepared for the Management Committee of IPENZ TG. Because of the diversity of members of IPENZ TG there is also a diversity of views on issues such as this and this submission may not necessarily represent the views of all members.

Summary

1. The IPENZ Transportation Group supports a relaxation of the requirements for driver licensing of persons 75 and older.
2. The proposed regime will make it easier for many older drivers to renew their driving license.
3. We are concerned that the basis of the Fitness to Drive Guide (for doctors) has not been reviewed for a long time. A comprehensive review should be undertaken.
4. This review should include use of experience from countries that that have less (or more) onerous conditions on re-licensing of older drivers and New Zealand crash statistics, while taking the older drivers rights into account.
5. It is suggested that, following the review, doctors should be able to place older driver applicants into three board categories:
 - Medical condition clearly indicates the applicant is currently an unacceptable risk to other road users. Doctor effectively has authority (subject to appeal) to decline renewal of a drivers license until medical condition improves.
 - Medical condition may increase the risk of a crash, but on balance the rights of the older driver indicate that the license should be reissued. The condition for a practical driving test, area or time restrictions could be added as a further option within this category.

- Current medical condition indicates that increased risk of a crash is low enough to approve an immediate renewal.
6. Legal liability. Doctors making these decisions are performing a community service and should have immunity from legal liability, provided they have undertaken appropriate training.

Discussion

7. Crash statistics (consistent with the safety and other objectives of the New Zealand Transport Strategy) are very important when developing any safety policy .
8. We find the report “Older Driver Crash Statistics” by Charles Sullivan of Capital Research, prepared for Ministry of Transport, dated 28 April 2004, to be a comprehensive and technically reliable report. This is referred to as Sullivan (1) and can be found at <http://www.transport.govt.nz/downloads/sullivan.pdf>
9. Sullivan (1) paragraph 47 makes the point we must distinguish between being injury prone and accident-prone.
10. Clearly older persons are more fragile and more injury prone than younger persons. This will result in older drivers suffering more injury crashes, and more severe injuries for a given crash (speed, car, object hit etc)
11. In any assessment of driver safety, crash data must be corrected for fragility. There is much debate as to whether crash rates for drivers of different ages should be compared per vehicle km driven or per license holder.
12. When the question is whether to impose or continue a regime which affects the ease of renewing a drivers license or not the crash statistics should be based on a per license holder basis. Hence when assessing changes in policy on whether older persons should be licensed to drive, crash rates should be assessed per license holder and adjusted for fragility. This data is presented in Sullivan (1) fig 1.
13. We agree with the Sullivan (1) paragraph 66, *“the evidence concerning fragility strongly suggests that much of the increased risk is clearly to older drivers rather than from them”*. The conclusion then follows that the rules for licensing older drivers should be relaxed. This will allow older drivers to make their own decisions as to the risks they take for their own safety, while legislation (rules) should provide for reasonable safety for others.
14. In support of this contention, it is noted we allow motorcyclists to drive very dangerous vehicles with a poor crash record. As an aside Sullivan (1) fig 1, implies that 80+ drivers (80 to 90 and beyond) are only twice as fragile as 45 to 54 year old drivers. The methodology for calculation of fragility is not known, but on a qualitative, non-technical experience basis, this does not appear to be correct. It appears that 80+ people are many times more fragile than 45 to 54 year olds. If this were correct it would imply that even less restriction should be placed on licensing 75+ drivers. We have no doubt that the proposal to reduce requirements for mandatory driver license retesting will be well received by older drivers.
15. For all its faults, the older persons’ driver test was objective and based on the ability to drive. If produced, a group of 75+ drivers, who had a better grasp of road rule changes than many younger drivers, e.g. signaling at roundabouts.

Review of Fitness to Drive Guide

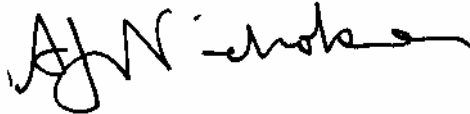
16. It is apparent that review of New Zealand crash statistics and experience from countries with less onerous conditions on re-licensing older drivers has led to proposed changes in conditions for re-licensing.
17. In a similar way it is suggested the advice given to doctors may be too onerous on older drivers and should be reviewed. This review should be based on an acceptable risk to other road users rather than the older driver.
18. It is suggested that, following the review, doctors should be able to place older driver applicants into three board categories:
19. Medical condition clearly indicates the applicant is currently an unacceptable risk to other road users. Doctor effectively has authority (subject to appeal) to decline renewal of a drivers license until medical condition improves.
20. Medical condition may increase the risk of a crash, but on balance the rights of the older driver indicate that the license should be reissued. The condition for a practical driving test, area or time restrictions could be added as a further option within this category.
21. Current medical condition indicates that increased risk of a crash is low enough to approve an immediate renewal.
22. The summary of our submission is found at para 1. and repeated below:

Summary

18. The IPENZ Transportation Group supports a relaxation of the requirements for driver licensing of persons 75 and older.
19. The proposed regime will make it easier for many older drivers to renew their driving license.
20. We are concerned that the basis of the Fitness to Drive Guide (for doctors) has not been reviewed for a long time. A comprehensive review should be undertaken.
21. This review should include use of experience from countries that that have less (or more) onerous conditions on re-licensing of older drivers and New Zealand crash statistics, while taking the older drivers rights into account.
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- Current medical condition indicates that increased risk of a crash is low enough to approve an immediate renewal.
23. Legal liability. Doctors making these decisions are performing a community service and should have immunity from legal liability, provided they have undertaken appropriate training.

We would be pleased to meet to discuss this proposal further.



Dr Alan Nicholson
Chair, IPENZ Transportation Group

Head of Department of Civil Engineering
University of Canterbury
Private Bag 4800
Christchurch

Phone (03) 364 2233
e-mail alan.nicholson@civil.canterbury.ac.nz