

AT-RISK DRIVER PROGRAM

VOLUNTARY REPORTING

FREQUENTLY ASKED QUESTIONS

Q: What is the At-Risk Driver Program?

A: DMV's At-Risk Driver Program addresses the reporting of any drivers who may no longer be safe to drive due to medical conditions, impairments or on-going driving behaviors. DMV considers the reporting of "at-risk" drivers to be an important tool in ensuring highway safety.

Reports of "at-risk" drivers are received from a number of sources. Some reports are required by law and others are voluntarily submitted. A [mandatory report](#) is one that is required by Oregon law 807.710 and administrative rule Chapter 735, Division 074. Physicians and some health care providers are required to report individuals with severe and uncontrollable impairments. The impairments must limit a person's ability to perform normal daily activities, including driving, and cannot be controlled by medication, therapy, surgery or adaptive devices.

A [non-mandatory report](#) is one that is not required by Oregon law. The report is voluntarily submitted to DMV. It describes a possible medical condition, impairment and/or recurring unsafe or dangerous driving behavior that indicates the person may not be able to drive safely. DMV receives non-mandatory reports from law enforcement, physicians and other medical providers, family members, social service providers, courts, DMV field office employees and others. Oregon administrative rule Chapter 735, Division 076 outlines DMV's procedures for reviewing and taking action on non-mandatory reports.

Q: How can I make a non-mandatory report?

A: Non-mandatory reports must be made in writing. DMV will not accept telephone reports. They may be made by either completing a Driver Evaluation Request Form or writing a letter to DMV. The report must contain the name and signature of the person making the report. DMV will not accept anonymous reports.

Q: What information should I include on the non-mandatory report?

A: The report must contain sufficient information for DMV to identify the driver you are reporting such as: name, date of birth, driver license number and current address. You must also provide sufficient information to give DMV reason to believe the driver may no longer be able to drive safely. This information should include specific details about recurring unsafe driving behavior or any medical conditions or impairments the driver may have that impair safe driving. When describing a medical condition or impairment, please describe how the conditions or impairments impair safe driving. DMV will not honor reports made solely on age or diagnosis.

If DMV has reason to believe the information provided is inaccurate or inadequate, DMV will request more information from the person making the report before taking any action.

Q: Can the person reported obtain a copy of the non-mandatory report?

A: A reported driver can request a copy of the report by submitting DMV form, 735-7266, *Order Your Own Record*. DMV's Record Services staff will review the report to determine if it qualifies for release under any of the conditions listed below.

All written documentation, including the name of the reporter, will be kept confidential and not released to any person unless:

- o The report was submitted by a police officer or judge acting within the scope of his/her official duties; or,
- o DMV determines the documentation must be released pursuant to the Public Records Law, ORS 192.410 to 192.505 or the Attorney General or a court orders disclosure in accordance with the Public Records Law; or,
- o DMV determines the documentation to be necessary evidence in an administrative proceeding involving the suspension or cancellation of the person's driving privileges or right to apply for driving privileges.

Q: What happens to the driver after I submit a non-mandatory report?

A: Oregon law 807.340 authorizes DMV to require any licensed Oregon driver to reestablish eligibility for the license or permit. This action can be taken if DMV has reason to believe the driver is no longer qualified or safe to operate a motor vehicle.

DMV will review all information received to determine the impact on the person's ability to safely operate a motor vehicle. Depending on the type of information contained in the report, DMV may immediately suspend driving privileges if the person is a risk to safety. However, a driver will normally be given 60 days to take and pass a vision, knowledge, and drive test. In some cases, a driver may be asked to provide current medical information for review and medical clearance by DMV's Medical Determination Officer. The driver will be given 30 days to provide medical information before any suspension actions are taken.