

# CHAPTER 1

## THE FREEDOM TO DRIVE

### **DRIVING — A RIGHT OR A PRIVILEGE?**

Mobility — the ability to get from point A to point B — is one of the cornerstones of every modern society. And indeed, the freedom to exercise our mobility is a right. In everyday life, for many of us, freedom of mobility translates to our practical dependence on some mode of transportation to get us where we need to go, be it work, shopping, visiting friends or family, taking part in various activities within our community or exploring new places. And with the car as our primary means of transportation, for many driving is not only the means to exercise freedom of mobility, but an integral part of our quality of life.

We take driving so much for granted that we do not realize it is not a right — it is a privilege.

The difference between a right and a privilege is simple: Rights are yours regardless of the will, wishes, opinions or regulations of a government's administrator; privileges are the administrator's to bestow and withhold.

At any given time, your driving privileges can be revoked or revised, and you can be taken off the road, at the discretion of your Department of Motor Vehicle (DMV) administrator based on the rules and regulations enacted by each state's legislator, and the interpretation of these rules by the administrator and its advisory (medical/vision) board.

## **DEALING WITH THE THREAT OF LOSING YOUR DRIVING PRIVILEGES**

Eye injury or eye disease that affects your vision can jeopardize your freedom to drive, if the administrator decides that the impairment is serious enough to affect your ability to drive safely and legally.

Older people may expect to lose some vision as the years go by. For some the loss is gradual and for others, it may be more abrupt and pronounced. At some point, as a result of such vision loss, you may be faced with a threat to your freedom to drive, previously taken for granted.

Depending on your particular situation such a prospect can be not only frightening but can also threaten your livelihood and your way of life.

Faced with such a threat, some people bow to the inevitable, and though grudgingly, accept and accommodate the loss of the license. Others, on the other hand, insist on challenging administrative decisions, and on examining in detail the legal and medical basis for such decisions.

As a rule, we recommend never to accept the initial determination of the person at the DMV counter as the last and final word on the subject. If you feel that you can drive safely, you should demand and receive full evaluation from your driver's licensing authority.

As we shall see in this book, no two states have an identical set of regulations handling visual requirements for an unrestricted driver's license. The variations are even more pronounced in the way the various states deal with low vision drivers. Vagueness, ambiguity and substantial variations exist between the way that each state deals with drivers and potential drivers with vision impairments. These variations reflect a variety of opinions as well as a measure of confusion as to the question of what should be measured and how, when trying to determine a person's fitness to exercise driving privileges.

But before you go out to argue with the decision makers in your state's Department of Motor Vehicles (DMV), you would want to know everything about your rights and about your limitations: you would most probably want to learn more about your condition, about the rules and regulations governing driving in your state, and about the organizations and professionals that may help you evaluate your condition and decide what to do next.

Alongside your wish to maintain your driving privileges whenever and wherever it is safe and legal to do so, it is also your obligation to consider the eventuality that your vision loss might be of such magnitude or nature so as to prevent you from driving safely. In such a case it would be for your own benefit and

everyone else's safety that you quit before a tragedy occurs. Helping you recognize this situation is no less important than helping you stay on the road.

Car accidents take an enormous toll on life, limb and property. In 1996 alone there were about 10 million vehicular collisions in the USA; 41,907 people had died in these crashes, and more than 3.5 millions were injured (Transportation, 1996). Looking at these numbers, it is easy to understand why every decision regarding driving should be taken with the utmost seriousness.

## LOW VISION AND ITS CONSEQUENCES

Low Vision is defined as *vision loss that cannot be corrected by regular spectacles or contact lenses, and is serious enough to be considered disabling.*

The World Health Organization (WHO) classifies the consequences of vision loss in the following way:

### *Disorder*

Deviation from normality in the structure of the eye

E.g. cataract

### *Impairment*

Limitation in the overall function of the eye

E.g. reduced visual acuity

### *Disability*

Limitation in the ability to perform a task

E.g. driving

### *Handicap*

Limitation in the social functioning of a person

E.g. unable to get to work without driving

A person is considered to have low vision if his vision impairment causes disability.

Vision requirements for driving are typically defined at the impairment level. These requirements are legal terms based on medical measurements. The origin of these requirements is historical and quite arbitrary. Therefore, they vary widely from state to state. Amazingly, none of these requirements were ever shown to be a good predictor of driving performance.

There is a growing recognition among professionals that fitness to drive should be defined at the disability level of the classification. It should be realized that driving permits compensatory approaches on strategic and tactical levels to reduce the disabling effects of the impairment.

## **GETTING SOME STRAIGHT ANSWERS FROM YOURSELF AND FROM THE PROFESSIONALS**

Trying to decide whether to try and gain or retain driving privileges with vision impairment gives rise to several complex questions about your condition and about what constitutes safe driving. The answers are not always as readily apparent as they may seem at first, and yet the answers you give and receive to these questions may seriously affect your established pattern of life.

Here are some of the questions that you may want to consider, alone, and with the help of professionals, if you are experiencing a deterioration of your vision and are considering its effect on your driving:

- **Can I continue to drive safely, if I am extra careful?**
  - No, you should immediately consult an eye-care professional.
- **Must I report my condition to the DMV?**
  - Yes, in many states the law requires that any change in your health be reported.
- **Whom should I talk to about this?**
  - Your family, your eye-care professional and possibly others. For a detailed list, see Chapter 4.
- **My license is about to expire. Am I going to be able to pass the vision test?**
  - In many states you can take the test at your eye-care specialist's clinic. If in doubt, take a preliminary test and evaluate your condition together with your specialist.
- **If my license is suspended or revoked, how should I respond, and how will it affect my life?**
  - The answer to this question is the core of this book.

Obviously, just ignoring the situation would be foolhardy. On the other hand, it could be premature to simply decide to quit driving. Many people in the United States, with reduced vision severe enough to ostensibly fail them in a driving license vision test, DO continue to drive SAFELY AND LEGALLY with the help of appropriate vision aids, counseling and training.

Balancing the individual rights of many thousands of low-vision drivers to enjoy the mobility afforded by a car, against the genuine requirements for public (and personal) safety is neither simple, nor easy. The more information you will collect on these matters, the more educated your decision-making process is likely to be.

“I never questioned my ability to drive (with my condition), but I also did not try to drive beyond my ability,” said M. B., a 51 year old bioptic telescope driver with 35 years of low vision driving experience.

No driver, no matter how skilled or hawk-eyed, is guaranteed an accident-free driving record. Accumulated accident statistics have demonstrated that many vision-impaired persons can drive just as safely or even safer than other driver groups. The licensing regulations in many states now reflect this reality.

It is important to recognize that failure to pass the customary vision test used for screening drivers at the time of licensing (usually, the ability to read certain lines of letters on a chart) is not sufficient by itself to demonstrate that an individual cannot drive a car safely. Many states recognize this, and will grant a license based on additional input, although sometimes with restrictions. In states such as Alabama, Arizona, California and New York — to name just a few, applicants for a driver’s license who do not pass their first vision screening are allowed to submit the results of a vision screening test conducted by an eye care professional.

Nor, in fact, does the ability to pass a conventional driver’s license vision test serve as a guarantee that an individual’s vision meets all the needs for driving — as will be discussed later in this

book. Passing the DMV's screening test after your eye doctor told you that you lost peripheral vision (peripheral field), should not be considered an assurance of your qualification to drive safely. The proper test may not have been administered, or it may have missed the loss that your doctor diagnosed. It is important to consider your doctor's recommendation and follow-up on it even if you passed the screening test. Otherwise, you may be risking yourself and others.

Many studies have shown that there is very little correlation between safe driving experience and the screening test, when considered by itself (Charman, 1997).

The first good news is that spectacles or contact lenses can frequently improve vision. Careful evaluation of the required spectacle correction may be all that is needed by many. A change in the required spectacle correction is very common in elderly people even if the prescription was stable for many years. Vision loss can also result from eye diseases which, although they can occur at any age, are much more common among older persons. Indeed, one can expect some loss of vision with advancing age, even if there is no evidence of disease requiring medical attention.

⇒ **Remember:** Millions of people in the US have moderately-reduced vision, which may lead to or contribute to failing the driving screening vision tests.

Yet, with today's Low Vision aids, training and legislation, a lot can be done to assist many of these people in regaining the acuity, field of vision and the skills required to legally and safely exercise their driving privileges.

## *The Freedom to Drive*

In Chapter 2, we will help you establish a firm understanding of the complex issues involved in low vision and driving. We shall look at some of the more prevalent myths regarding low vision and driving. We will compare the myths to the actual findings of scientific studies. We will also look at the relations between vision and age, and examine the aspects of vision that effect driving.