

Changes to New York State Driving Law

On June 20, 2020, important changes to New York State driving laws went into effect, which will affect most individuals living with epilepsy. These changes are summarized below:

TO WHOM DOES THE LAW APPLY?

New Applicants	Renewing Applicants	Drivers Reported by a Third Party
Individuals applying for a New York State driver's license for the first time with any history of loss of consciousness	Individuals completing an application to renew their New York State driver's license who have experienced a loss of consciousness since their license was last issued	Individuals who experience a loss of consciousness that is reported to the State by a medical practitioner, law enforcement or other source, for instance, after a motor vehicle crash occurs

WHAT TO EXPECT

Process	New Applicants	Renewing Applicants	Drivers Reported By Third Party**
Application will include a question about your history of medical conditions that cause loss of consciousness	X	X	NA
Applicant's license will be suspended immediately, before a hearing	*See note.	*See note.	X
Applicant will receive notice of proposed suspension or denial of license from the DMV	X	X	
Applicant will be invited to request hearing within 30 days of receiving notice of suspension or proposed suspension	X	X	X
Applicant may be asked to present evidence from a medical practitioner at hearing that has examined them within 120 days of hearing	X	X	X
If applicant's license is approved and retained, a medical practitioner may be required to submit regular reports, including about medication adherence	X	X	X
Applicants who fail to request a hearing within 30 days will have their license suspended or denied	X	X	X

Note. *New or renewal applicants will have a chance to request a hearing before their license is suspended or denied. If the state deems a new or renewing applicant to be an "immediate threat," including evidence that a loss of consciousness has caused a motor vehicle crash, the applicant's license may be suspended or denied *before* a hearing. **This law does NOT make medical practitioners mandated reporters.

If you face any challenges applying for or renewing a driver's license, especially if you believe your license was denied or suspended in error, please contact the Epilepsy Foundation of Northeastern New York at 518-456-7501.