Fast Facts 27

DMV's Reexamination Process

STATE OF CALIFORNIA
DMV
Department of Motor Vehicles

What Is a Reexamination?

A reexamination allows the Department of Motor Vehicles (DMV) the opportunity to obtain and evaluate information to determine if a driver may be a potential risk to traffic safety. DMV conducts 2 types of reexaminations: Regular and Priority. DMV is providing this information as a general guide for drivers required to appear for a reexamination to demonstrate their continued fitness to operate a vehicle safely. Not all cases are the same and this information only provides the basics necessary to prepare for a reexamination.

Why Do I Need a Reexamination?

DMV is required by law to investigate and reexamine your ability to operate a vehicle safely when informed that a physical or mental condition exists, or your driver's record indicates 3 accidents within 12 months, traffic law convictions, reckless, negligent or incompetent driving habits, fraudulent use of a driver's license, or other grounds which would cause DMV to refuse a driver's license.

How Was DMV Notified?

DMV receives information from a variety of sources, such as:

- Your doctor or surgeon who is required by law to report to DMV medical conditions or disorders characterized by loss of consciousness or control, including Alzheimer's disease and other conditions that in their opinion, may affect your ability to operate a vehicle safely.
- Emergency medical personnel who may treat you in an emergency facility due to a sudden loss of consciousness, awareness, or control.
- A DMV employee observes a physical or mental condition that could affect your ability to safely operate a vehicle and refers their observation to Driver Safety for review.
- Unsolicited letters from family members, friends, or neighbors who report that you may no longer be able to drive safely.
- A law enforcement officer who observes you driving, stops you for a traffic law violation, or is at a collision scene in which you were involved, and determines you need to be reexamined to ensure you can operate a vehicle safely.
- You indicate you have a medical condition that affects your ability to drive within the last 3 years on your driver's license application, renewal notice, or renewal application.
- Your driver's record which indicates 3 accidents within 12 months, traffic law convictions, reckless, negligent, or incompetent driving habits, fraudulent use of a driver's license, or other grounds which would cause DMV to refuse a driver's license.

When Do I Need to Contact DMV About My Reexamination?

If you were referred by a priority reexamination (law enforcement referral), you must contact DMV within 5 working days of receiving the notice (citation) from the traffic enforcement officer. Once DMV receives the referral information, DMV will notify you to submit medical information and/or a reexamination appointment will be scheduled.

What Should I Expect?

Once DMV is notified that you have a medical condition that may cause a potential driving risk to yourself or others, or your driver's record indicates negligent driving activity, DMV will evaluate your driving abilities to ensure you can drive safely. DMV may do one or more of the following:

- Request medical information from you. If the medical information shows that you do not present a driving risk, DMV's investigation may end an action or take no action against your driving privilege.
- Conduct a "**regular**" reexamination. The reexamination may be conducted in person or over the telephone depending on the reason for the reexamination. You may be required to present medical information and submit to law, vision, and drive tests, if appropriate.
- Conduct a "**priority**" reexamination. If you were served with a notice of priority reexamination, you must contact Driver Safety within 5 days. If you do not contact Driver Safety, your driving privilege will be suspended. You may be required to submit to knowledge, vision, and/or drive tests and present medical information.
- Take an immediate suspension or revocation action of your driving privilege if your physical or mental condition presents an immediate threat to public safety.

What Decision Can DMV Make After a Reexamination?

After a reexamination, the DMV Driver Safety Hearing Officer has the authority based on *Vehicle Code* (VC) §14250 to place an individual's driving privilege on probation in lieu of suspension or revocation or will decide to take one or more of the following administrative action(s):

No Action: Your condition or driver's record does not warrant an action against your driving privilege.

Medical Probation: You or your physician **must** submit a Driver Medical Evaluation (DS 326) form completed by your physician to DMV on specified dates.

Calendar Reexamination: You must appear for a follow up reexamination.

Restriction: You may only drive under specific conditions and circumstances, such as during daylight hours only, driving within certain geographical areas, or with specialized equipment in your vehicle.

Suspension: Your driving privilege is suspended for an indefinite period of time. Your driving privilege can be reinstated if you demonstrate that you are compensating for a physical or mental condition, or your driving behavior no longer presents a safety risk and there is no other action in effect.

Revocation: Your driving privilege is terminated. Generally, this action is taken when your physical or mental condition is so severe that improvement seems unlikely, or a driving incident is so severe that you present a safety risk.

What if DMV Takes an Action Against My Driving Privilege?

DMV will notify you in writing of:

- Any action taken.
- Your legal rights, including the right to an administrative hearing.

Note: For additional information on DMV hearings, please refer to the *Driver Safety Administrative Hearing Process* (FFDL 26) *Fast Facts* brochure available at **dmv.ca.gov**.

What Happens if I Do Not Appear for the Reexamination?

If you do not personally appear for and complete the reexamination as scheduled (either by telephone or in person), your driving privilege will be suspended. The suspension will remain in effect until you complete the reexamination process. This includes appearing, providing the requested medical information, and satisfactorily completing any required tests. Another person cannot appear on your behalf but may accompany you.

Can DMV Reexamine Me if I Do Not Have a Medical Problem, but My Driving Skills Are Deteriorating?

Yes. DMV can reexamine you when information suggests that you no longer have the knowledge and/or skill necessary to safely operate a vehicle.

Does DMV Automatically Reexamine Drivers After a Certain Age?

No. DMV will not reexamine a driver solely based on age.

How Long Will My Driving Privilege Be Suspended or Revoked After a Reexamination?

Generally, the length of a suspension or revocation is indefinite. However, DMV will consider reinstating your driving privilege when:

- Additional information becomes available that indicates any physical or mental condition is now under control and no longer a potential threat to safe driving.
- Your driver's record no longer indicates negligent driving activity.
- You complete all requirements of the reexamination process and DMV is satisfied you can safely operate a vehicle.

What if I Need an Interpreter?

If you need a sign or language interpreter, DMV will provide one. Contact DMV immediately so an interpreter is available on the date of your reexamination. Interpreters **cannot** be used during the drive test.

The *California Code of Regulations* §100.01 and VC §§12818, 13800, and 13801 govern Driver Safety investigations and reexaminations conducted by DMV and can be found in public libraries, DMV Driver Safety Office, and **leginfo.legislature.ca.gov**.

Driver Safety Office

For location and office hours, visit the Driver Safety Office page at **dmv.ca.gov/dsoffices**.

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