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## Driving and Reporting Laws—Missouri

The following frequently asked questions on “Physician Reporting of Impaired Drivers” (<http://dor.mo.gov/faq/drivers/doctor.php>) and “How to Report an Unsafe Driver in Missouri” (<http://dor.mo.gov/faq/drivers/unsafe.php>) and came directly from the Missouri Department of Revenue’s web-site (<http://www.dor.mo.gov/mvdl/drivers/>) on 9/9/2010.

### Frequently Asked Questions - Physician Reporting of Impaired Drivers

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**Do the laws relating to driver licensing mandate that a physician report a patient having a condition that makes driving a motor vehicle unsafe to the director of revenue or Drivers License Bureau?**

The law does not require that physicians report such drivers or suffer a penalty for not doing so. Section [302.291, RSMo](#), does, however, authorize such reporting. Any legal obligations for such reporting remain those that are related to the physician's legal and ethical obligation to patient safety and the safety of the general motoring public.

**If a physician wants to report a patient who has a condition making driving unsafe, is there any legal protection for the physician making the report?**

Yes. After January 1, 1999, section [302.291.5, RSMo](#), provides the physician who reports a patient in good faith with civil immunity from any damages that might otherwise arise from making such a report.

**Will any report by the physician become public record once it is made to the director of revenue or Drivers License Bureau?**

No. These records are confidential and will only be released pursuant to court order or if the license action taken by the director is being reviewed by the court and such records are necessary for the court review.

**What action will the director take if the physician reports a patient has a condition making driving unsafe?**

If the director receives information from the physician indicating that a medical condition has made the driver unsafe, the director will notify the driver that the current license will be revoked after ten days unless the driver presents medical examination information indicating any change in condition.

**If the physician believes the condition may only be temporary, and the driver may be able to drive safely at some future time, should he/she indicate that in the report made to the director?**

Yes. The law provides that if the physician reports a temporary condition, the individual may request total or partial reinstatement of his/her license. The driver may petition the director if the condition improves and the individual submits a medical report from that physician, or a physician with the same or similar license.

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**If the driver is required by the director to submit to a medical examination, how long is the driver given to complete the examination?**

The driver is given an initial period of 30 days, but for good cause, may be granted additional time if needed

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**May the director require both a physical and driving examination?**

Yes. Pursuant to section [302.291, RSMo](#), the director may require whatever examinations are necessary to determine the driver's continued ability to safely operate a motor vehicle.

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**Is there a form that the director furnishes for the physician to use in reporting such patients?**

Yes. The director has developed the Physician's Statement ([Form 1528](#)) for physicians to use in making such reports. The physician is not required to only use this form; however, the form was designed for ease in use and to ensure the director has all the necessary information to take proper action regarding the driver.

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**How may the physician obtain such forms?**

The Physician's Statement ([Form 1528](#)) is available from the Drivers License Bureau at the address shown or on our website.

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**Does the director have any medical personnel to assist in developing guidelines, or if necessary, to help evaluate medical information?**

Yes. Section [302.292, RSMo](#), established a Medical Vision Advisory Board (MVAB). The board advises the director on medical criteria for the reporting and examination of drivers with medical impairments. The MVAB is composed of three licensed physicians who are residents of the state and are appointed by the director of revenue.

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**If physicians have questions regarding the form or the reporting process, who should they contact?**

Physicians may contact:

*Drivers License Bureau*

*301 West High Street - Room 470*

*Jefferson City, MO 65105-0200*

- Email: [dlbmail@dor.mo.gov](mailto:dlbmail@dor.mo.gov)
- Telephone: (573) 751-2730
- Fax: (573) 522-8174

When the Physician's Statement ([Form 1528](#)) is completed, please forward it to the above address.

## Frequently Asked Questions - How to Report an Unsafe Driver in Missouri

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**If I know someone who I believe is no longer able to drive safely, what do I need to do to get the driver retested or evaluated?**

To report a driver who may be unable to operate a motor vehicle safely and responsibly, you should use [Form 4319 \(Driver Condition Report\)](#) . You may print the form from your computer, or you may obtain a copy at any Missouri license office. You can also [submit an online request to have a copy of the form mailed to you](#).

You must have personally observed or know the information about the driver you are reporting.

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**Are there only certain persons who may ask to have a driver retested to see if they are safe to drive?**

The law provides a list of persons who may report unsafe drivers such as: physicians, law enforcement personnel, social workers, therapists and immediate family of the driver. However, if the director has good cause to believe a driver may be unsafe to operate a motor vehicle, **from any source**, the director may further investigate and, if necessary, require appropriate testing or license restrictions.

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**What type of information is needed?**

**Identification:** You must provide information to help the director identify the driver you are reporting such as: name, date of birth, driver license number, current address and license plate number for the vehicle being operated.

**Unsafe Driving Behavior:** You must provide as many details as possible about how the driver is unsafe such as: any traffic violations, accidents and dangerous driving habits.

**Condition of Driver:** You must report any conditions the driver has that may affect safe driving such as:

- problems moving legs, arms or head;
  - losing consciousness;
  - dementia or mental confusion;
  - vision problems; or,
  - any problems with alcohol and drug use.
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**Must I identify myself in order to report an unsafe driver?**

Yes, you must identify yourself. However, this information will be kept confidential and will not be released except if required by a court.

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**Could I have any liability if I report a driver I think may be unsafe?**

There is immunity from liability if the report is made in good faith. If the report is deliberately made with false knowledge, it is a class A misdemeanor.

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**May I report an unsafe driver by telephone rather than filling out the form?**

No. The law requires that the report must be in writing.

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**Where do I send the report when it is completed?**

You should send the report to:

**Missouri Department of Revenue  
ATTN: Driver Review  
PO Box 200  
Jefferson City, MO 65105-0200**

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**How will the director decide what testing or restrictions to require?**

The director will examine all the information provided in the report and, if necessary, investigate further to get additional information needed to determine what testing or restrictions should apply. For example, if the information indicates the driver may have a physical condition that interferes with driving, a physical examination may be required. If there has been a loss of mobility, a driving test to evaluate appropriate restrictions may be required.

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**How is the driver notified?**

The driver is notified by certified mail of the required test(s) and given 30 days to complete the test(s) and return the results to the Department of Revenue.

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**What action may the director take based on the test results?**

The director may allow the driver to keep his/her license, revoke, suspend or deny the license, or may require additional restrictions.

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**Is there any appeal the driver may take if his or her license is revoked, suspended or denied?**

The driver may appeal any revocation, suspension, or denial to the circuit court in the county of residence within 30 days of the date of mailing of the notice.