

Fast Facts 27

DMV's Reexamination Process



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 motor 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 motor vehicle safely when informed that a physical or mental condition exists, or your driver's record indicates 3 accidents within a 12 month period, 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 physician 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 which, in their opinion, may affect your ability to operate a motor 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 condition (physical or mental) that may affect your ability to safely operate a motor 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 motor 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 by mail (RBM) notice, or renewal by internet (RBI) application.
- Your driver's record which indicates 3 accidents within a 12 month period, 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 via 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, you will be notified by DMV 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 it is clear from the medical information 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 a law, vision, and drive test, 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 are required to submit to knowledge, vision, and drive test 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 are required to appear for a follow up reexamination.

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

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 it does not appear likely that your condition will ever improve, 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 motor 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 motor 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 Offices, and leginfo.legislature.ca.gov.

Contact DMV Driver Safety Offices for Information, Locations, and Hours.

Bakersfield Phone (661) 833-2103 Fax (661) 833-2102	Covina Resident Hearing Office only Phone (626) 974-7137 Fax (626) 974-7118	Oakland Phone (510) 563-8900 Fax (510) 563-8950 or (510) 563-8951	Sacramento Phone (916) 227-2970 Fax (916) 227-2901	San Jose Phone (408) 229-7100 Fax (408) 229-7128 or (408) 229-7129
City of Commerce Phone (323) 724-4000 Fax (323) 724-9262	El Segundo Phone (310) 615-3500 Fax (310) 615-3581	Oxnard Phone (805) 988-3050 Fax (805) 988-1420	San Diego Phone (619) 220-5300 Fax (619) 220-5418	Santa Rosa Resident Hearing Office only Phone (707) 576-2710 Fax (707) 543-7154
City of Orange Phone (714) 703-2511 Fax (714) 703-2526	Fresno Phone (559) 445-6399 Fax (559) 445-6379 or (559) 445-6396	Redding Phone (530) 224-4755 Fax (530) 224-4737	San Francisco Phone (415) 557-1170 Fax (415) 557-7375	Van Nuys Phone (818) 376-4217 Fax (818) 376-4215