



Occupational Therapy  
Board of New Zealand

TE POARI WHAKAORA NGANGAHAU O AOTEAROA

FOSTERING FAITH AND CONFIDENCE IN THE PROFESSION

# Standards for driving assessments and vehicle modifications

This standard applies to occupational therapists holding a practising certificate in New Zealand, and who provide driving and vehicle modification assessments.

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## **1. Introduction**

Driving is considered an instrumental activity of daily living (IADL). It involves a complex collaboration of motor perceptual, sensory and cognitive skills. For the driving task, individuals must simultaneously interact with the motor vehicle and the external environment (Fields & Unsworth, 2017; Patomella & Bundy 2015).

Determining the safety of drivers requires a comprehensive understanding of driving as an occupation and knowledge of the range of legal implications including the Land Transport Act (1998) Section 18 and the Land Transport (Driver Licensing) Rule 1999, Part 7, Part 9, and Part 13. Waka Kotahi, the New Zealand Transport Agency, enacts the driver licence process and acknowledges the role of occupational therapists as specialists who undertake medical fitness to drive assessments.

## **2. Scope**

This standard applies to occupational therapists who have a practising certificate in New Zealand and who provide driving, passenger and vehicle modification assessments.

The objective of occupational therapy engagement for the driving role is to determine whether a person has the necessary skills required to commence, continue, or return to safe and independent driving.

The aim of driver rehabilitation is to facilitate or enhance safe and independent driving, including the provision of adaptive driving equipment and teaching of compensatory

strategies. Concurrently, specialist occupational therapy driving assessors may also engage in passenger transport mobility for children and adults with cognitive or locomotor injury or disability (Di Stefano, Stuckey, Kinsman & Lavender, 2019). Occupational therapists provide overview and support in design and project management for travelling safely as a passenger in a vehicle. Advice may involve basic assistive devices or complex vehicle modifications and adaptations. An awareness and knowledge of the *Ministry of Transport: Land Transport Vehicle Compliance Rule: Low Volume Vehicle Standard 45-60* and *Low Volume Vehicle Standard 45-30* supports and guides this process.

Occupational therapists are aware of the high priority individuals give to their driving independence and of the associated complexity in determining fitness to drive (Yuen & Burik, 2011). The severity of a serious adverse event occurring during the task of driving or when travelling as a passenger in a vehicle is potentially high and holds inherent risks to the safety of the individual and the general public.

The Occupational Therapy Board of New Zealand (OTBNZ) has developed these standards as an adjunct to the *Competencies for Registration and Continuing Practice* as part of its role to assure the public will receive a safe, competent occupational therapy service.

Standards can be legally enforceable and used as a benchmark for reviews of competence and conduct by the OTBNZ or the Health and Disability Commissioner if necessary. Other standards which are also applied are the

OTBNZ *Code of Ethics* and the Health and Disability Commissioner (*Code of Health and Disability Services Consumers' Rights*) Regulations 1996.

OTBNZ also seeks to honour Te Tiriti o Waitangi in its regulatory activity and expects all occupational therapists to understand and work with Te Tiriti as an overarching guide for practice. It is anticipated that these standards will be reflected and supported by the organisation's policies and procedures.

### *3. New Zealand law*

The references below are provided as an indication that other legislation may relate to the work of practitioners in this area.

- Consumer Guarantees Act, 1993, Part 4 Supply of Services
- Land Transport (Driver Licensing) Rule 1999, Part 7, Part 9 and Part 13
- Medical Aspects of Fitness to Drive: A Guide for Health Practitioners
- Fair Trading Act, 1986, Part 2 Consumer Information Standards
- Health Practitioners Competence Assurance Act 2003
- Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996
- Health and Safety at Work Act 2015
- Land Transport Act 1998 – Section 18, Section 19, Section 106; Land Transport Amendment Act 2017
- Ministry of Transport: Land Transport Vehicle Compliance Rule: Low Volume Vehicle Standard 45-60 and Low Volume Vehicle Standard 45-30
- Vulnerable Children Act 2014
- Privacy Act 2020.

### *4. Overview*

**4.1** Occupational therapists involved in driving, passenger and vehicle assessment must

provide clear written information to the client. This should be provided prior to providing service wherever practicable. Information provided must:

- a. State the purpose of assessment, the process, type and duration of assessments undertaken, and how the results will be communicated. This must include information about off and on road assessments.
- b. Provide client specific information regarding the service's assessment components and processes.
- c. Provide information about the cost of the assessment with responsibility for payment clearly explained. Provision of a written quote, cost invoice and receipt must be provided. Fees and fee structures must be responsive to clause 2.2 in the OTBNZ *Code of Ethics*.
- d. Practitioners must be clear about their role in respect to advice where clients are purchasing a vehicle and/or adaptive equipment from a third party.
- e. Where appropriate, provide information for clients to make them aware of their options for a second opinion, reassessment, and complaint processes.

**4.2** Assessments are collaborative and proactive. Communication occurs with referrers and / or may include the Waka Kotahi Medical Review Section, ACC, other health professionals, and/or insurers. Driving instructors, vehicle modification engineers, technicians and/or sales representatives may also be involved.

**4.3** Informed consent<sup>1</sup> must be obtained in conjunction with information contained within clauses 4.1 and 4.2 will include:

**a.** The collection of personal information.

<sup>1</sup> *Informed consent is defined in Right 7 of the code of health and disability service user's rights: Right to make an informed choice and give informed consent.*

Privacy statements with clear information and details for the sharing and disclosure of findings and advisory recommendations of assessment.

**b.** Outcome and recommendations that must be communicated to the clients' general practitioner. It should be made clear to the client which, and why, agencies will receive the results of the assessment.

**c.** Any statutory requirements to inform Waka Kotahi NZTA or other parties about the outcome of the assessment.

Particular attention should be made to ensure appropriate informed consent for clients with any cognitive impairment.

**4.4** It is essential that practitioners maintain records of the complete process and interactions with the client. Information that is not completed at the time or a short time after the service should be recorded as such.

**a.** Driver's licence recommendations will be specific, reasonable and enforceable. Consideration will be given to reassessment of driving over a set period based on the clinical judgement of the assessor.

**b.** It is essential that practitioners maintain records of the complete process and interactions with the client. Information that is not completed at the time or a short time after the service should not be recorded as such.

## **5. Assessment Framework**

There is a wide range of potential deficits subsequent to illness, injury or disability which may compromise driving safety. Occupational therapists use a client-centred approach and are required to evaluate and render an opinion on driving safety or potential, including prescription of vehicle modification. The following factors determine appropriate assessment protocols:

### **5.1 Off-road assessment**

The off-road clinical assessment involves the following:

#### **5.1.1. Medical fitness**

Referral to assessment services should include medical history in order for the assessor to identify signs and symptoms of pathology, contraindications and precautions for driving. Any condition/s likely to impact safe driving capacity or travelling as a passenger is comprehensively and appropriately evaluated during the screening, interview and assessment process.

Occupational therapists will review referrals received and determine suitability of a client including ethical responsibilities and considerations before accepting or providing a service. When medical information is not provided at the time of referral, the occupational therapist will make reasonable efforts to obtain this information.

**5.1.2** Occupational therapists will consider any condition/s likely to impact safe driving capacity or travelling as a passenger is comprehensively and appropriately evaluated during the screening, interview and assessment process.

**5.1.3** Occupational therapists will complete assessments with regard to the medical policies and standards contained in the Waka Kotahi NZ Transport Agency document: *Medical aspects of fitness to drive: A guide for health practitioners.*

### **5.2 On-road practical drive**

A valid driver's licence is essential for legally driving on New Zealand roads. Findings from the off-road assessment should support progression to on-road driving. If the practical drive is contraindicated by findings from the off-road in-clinic assessment, then the client can reserve the right to proceed to an on-

road assessment, provided that this may be done in a safe and controlled environment.

**5.2.1.** A suitably qualified driving instructor is included in on-road assessments when appropriate. The driving instructor is briefed by the occupational therapist prior to commencement and an appropriate route is chosen based on findings from off-road assessment and the client's usual driving practice. The practitioner and the driving instructor share responsibility for safety during the assessment and should ensure that they have overlapping policies and procedures for managing any identified risk prior to the on-road assessment commencing. Both the driving instructor and the occupational therapist have responsibility to end the assessment where an immediate risk of harm to the occupants or public is identified.

**5.2.2.** The occupational therapy service must have written protocols regarding the use of an assessment vehicle for the purposes of an on-road practical drive or whether the client's own vehicle can be used. A dual control vehicle should be used where indicated by the off-road and risk assessment. Vehicles must have a current warrant of fitness and registration, have operating seat belts for the driver and passengers and display appropriate licence plates. This information needs to be provided to the client prior to any assessment taking place.

### **5.3 Passenger assessment**

Passenger assessments need to include the following:

**5.3.1** The occupational therapist has responsibility for ensuring wheelchair securing and access equipment meets present clinical requirements and all legal and safety regulations. Consideration should be given to the future needs of the client to ensure the equipment provided meets long term needs wherever possible. This may require liaison with the clients wheelchair and seating therapist and the engineer responsible for fit-

ting adaptive equipment.

**5.3.2** The occupational therapist is responsible for ensuring whānau/carers can safely use all equipment provided, ensuring ongoing safety of the passenger.

**5.4** Where modifications to the vehicle are required the occupational therapist will complete an on-road assessment in a modified vehicle enabling the driver to trial the prescribed equipment. Where this is not practically possible the occupational therapist will provide sound clinical reasoning to justify recommending vehicle modifications without prior on road assessment. The occupational therapist will provide recommendations regarding driver rehabilitation. Reassessment to confirm the client has demonstrated a safe level of driving will be conducted when appropriate.

**5.4.1.** The occupational therapy service must have written protocols regarding driver rehabilitation. The aims and purposes should be set by the occupational therapist with regular progress updates from the driving Instructor to enable timely reassessment.

## ***6. Education and qualifications to conduct assessments***

OTBNZ recognises there is no formal educational programme in New Zealand which qualifies occupational therapists to conduct medical driving, passenger or vehicle modification assessments. Instead a range of pathways for occupational therapists who conduct driving, passenger and modification assessment currently exist.

**6.1.** Learning through supervision and mentoring from an experienced occupational therapy driving assessor. Driving assessors will have engaged in continuing professional development such

as attendance at driving assessment conferences, designated courses, submissions to professional publications, and engagement in driving assessment forums. Experienced occupational therapists are expected to evidence continued professional development and ongoing learning in their OTBNZ ePortfolio.

**6.2** International study must be applicable for driving, passenger and vehicle modification competency relevant to the New Zealand context, including legislation, funding bodies and government. A period of supervision and mentoring from an experienced driving assessor is required to adapt international training to the New Zealand context appropriately. Adaption of international training and assessment processes needs to incorporate and align with the *Competencies for Registration and Continuing Practice* for occupational therapists.

**6.3** Some organisations and agencies offer credentialing for practitioners. It is the practitioners' responsibility to identify the credentialing required for the scope of their role.

**6.4** It is expected that driving assessors will be familiar with the New Zealand road code and have held a full class 1 licence for at least two years.

## ***7. Professional responsibilities***

**7.1.** To ensure ongoing competence occupational therapists must have appropriate supervision. Best practice will involve regular formal supervision from an occupational therapist who is an experienced driving assessor or has active engagement with ongoing professional development related to driving, passenger and / or vehicle modification assessment.

**7.2** The practitioner's ePortfolio should reflect appropriate levels of professional development related to driving assessment as part of every two year cycle.

**7.3** The requirement to hold professional indemnity insurance must be considered by the practitioner.

**7.4** Occupational therapists must have ongoing professional engagement with the occupational therapy profession and demonstrate current evidence-based best practice relating to driving assessment in New Zealand. Belonging to a professional association may be advantageous.

## ***8. Resources***

**8.1** Additional information about providing specialised services as an occupational therapist can be found in the *OTBNZ Position Statement: Practice Boundaries for Occupational Therapists* and *Practice Boundaries for Occupational Therapists: A Guide for Practitioners*.

### ***Related resources***

Accident Rehabilitation and Compensation Insurance Act 1992; The Accident Compensation Act 2001; Injury Prevention, Rehabilitation and Compensation Amendment Act (No 2) 2008; The Accident Compensation Amendment Act 2010

American Occupational Therapy Association (AOTA) Evidence Based Consensus Statements for Driving and Community Mobility (2016)

Canadian Association of Occupational Therapists (CAOT) Position Statement Occupational Therapy and Driver Rehabilitation (2009)

Health and Disability Commissioner: The Code of Health and Disability Services Consumers Rights

Ministry of Transport: Land Transport Vehicle Compliance Rule: Low Volume Vehicle Standard 45-60 and Low Volume Vehicle Standard 45-30. Low Volume Vehicle Technical Association (LVVTA Certification)

Occupational Therapy Australia (OTA): Position Paper: Occupational therapy in driver assessment and rehabilitation (2015)

Occupational Therapy Australia (OTA): Australian Competency Standards for Occupational Therapy Driver Assessors (2018)

Occupational Therapy Board of New Zealand: Code of Ethics for Occupational Therapists (2015); Competencies for Registration and Continuing Practice (2015).

Vulnerable Children Act, 2014

## *References*

Di Stefano, M., Stuckey, R., Kinsman, N. (2019). **Understanding characteristics and experiences of drivers using vehicle modifications.** American Journal of Occupational Therapy, 3(1):7301205050p1-7301205050p9. doi: 10.5014/ajot.2019.023721

Fields, S., & Unsworth, C (2017). **Revision of the Competency Standards for Occupational Therapy Driver Assessors: An overview of the evidence for the inclusion of cognitive and perceptual assessments within fitness-to-drive evaluations.** Australian Occupational Therapy Journal 64, 328–339 doi: 10.1111/1440-1630.12379

Patomella, A.-H., & Bundy, A. (2015). **P-Drive: Implementing an assessment of on-road driving in clinical settings and investigating its internal and predictive validity.** American Journal of Occupational Therapy, 69, 6904290010. <http://dx.doi.org/10.5014/ajot.2015.015131>

Yuen, H. K., & Burik, J. K. (2011). **Brief Report-Survey of driving evaluation and rehabilitation curricula in occupational therapy programs.** American Journal of Occupational Therapy, 65,217-220. doi: 10.5014/ajot.2011.000810

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