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Are applicants for a driver's license asked questions about diabetes? Yes. The driver's license application (first-time and renewal) asks an applicant whether he or she has ever suffered from diabetes (along with certain other medical conditions). All applicants who indicate that they have diabetes must have medical evaluation forms completed by their physicians. N.C. Gen. Stat. § 20-9(g)(1)-(2) (2013) (providing for physical examination for applicants with physical condition affecting driving control); 19A N.C. Admin. Code 3B.0301(a)-(b) (2013) (providing that individuals with uncontrolled epilepsy or diabetes may be evaluated by a Division of Health Services physician and may be reviewed by a panel of practicing physicians). What other ways does the state have to find out about people who may not be able to drive safely because of a medical condition? The state accepts reports of potentially unsafe drivers from police officers, the courts, physicians, driver education specialists, family members, and other citizens. 19A N.C. Admin. Code 3B.0301(a)(1)-(7) (2013). The licensing agency does not accept anonymous reports. License agency officials and examiners may refer drivers observed during the licensing process. 19A N.C. Admin. Code 3B.0301(a)(1)-(3) (2013) (license agency examiners may report unsafe drivers). Drivers also may be required to have medical evaluations if they are involved in crashes where a medical condition may have played a role. N.C. Gen. Stat. § 20-29.1 (2013) (licensing agency may require examination if good and sufficient cause to believe driver not competent or qualified). Conditions the licensing agency is concerned about include seizures, diabetes or blood sugar problems with loss of consciousness spells, and blackouts. For more information, see N.C. DMV, "Medical Evaluation Brochure," (Accessed Aug. 2013). What is the process for medical evaluations of drivers? When the licensing agency has reason to believe that a driver may be medically unsafe to operate a motor vehicle, either because the driver gave positive answers to medical questions on the license application or because of a report from one of the other sources listed above, it may require him or her to undergo a medical evaluation. N.C. Gen. Stat. § 20-29.1 (2013); 19A N.C. Admin. Code 3B.0301(a)(1)-(7) (2013). When this happens, a medical evaluation form is sent to the individual, which must be completed by his or her physician. N.C. Gen. Stat. § 20-9(g)(1)-(2) (2013). The medical evaluation form asks a physician about the individual's diagnosis and treatment. There is specific section on diabetes. It asks for the date of the onset of diabetes, and whether the individual has experienced severe hypoglycemia within the past year. N.C. DMV, "Medical Report," Form DL-78. Hypoglycemic unawareness must be reported. The physician reports the level of compliance with treatment, and whether the individual has any complications from diabetes that would interfere with driving. The physician also is asked to provide an opinion as to 1) whether the individual should drive, 2) whether follow-up medical examinations should be required, and 3) any appropriate licensing restrictions. N.C. DMV, "Medical Report," Form DL-78. These medical evaluation forms are returned to the licensing agency for review and a licensing decision. N.C. Gen. Stat. § 20-9(g)(3) (2013). Periodic follow-up medical evaluations may be required on the recommendation of the licensing agency. N.C. Gen. Stat. § 20-9(g)(1) (2013). Are physicians required by law to report drivers who have medical conditions that could affect their ability to drive safely? No. There is no statutory authority requiring physicians to report drivers with medical conditions that could affect their ability to drive safely to a central state agency. However, physicians may voluntarily report drivers with medical conditions that could affect their ability to drive safely to the licensing agency. N.C. Gen. Stat. § 20-9.(a) (2013). The information reported must be limited to a driver's name, address, date of birth, and diagnosis. N.C. Gen. Stat. § 20-9.1(a) (2013). All information provided to the licensing agency will remain confidential and will be used only for the purpose of determining the qualifications of an individual to operate a motor vehicle. N.C. Gen. Stat. § 20-9.1(b) (2013). Are physicians who report drivers with medical conditions immune from legal action by the patient? Yes. Physicians reporting, or failing to report, are immune from any civil or criminal resulting from the patient's unsafe driving. N.C. Gen. Stat. § 20-9.1(c) (2011). The physician must act in good faith and without malice, but this is presumed unless proved otherwise in any proceeding involving liability. N.C. Gen. Stat. § 20-9.1(c) (2013). Who makes decisions about whether drivers are medically qualified? All cases involving medical conditions are referred to Division of Health Services physicians who work as medical advisors to the licensing agency. 19A N.C. Admin. Code 3B.0301(b) (2013) (chronic illness reports will be evaluated by Division of Health services physician). Some cases may be evaluated by a panel of practicing physicians. 19A N.C. Admin. Code 3B.0301(b) (2013). If an individual's physician recommends that he or she should not be licensed, the licensing agency generally will follow this recommendation. In any case, the licensing agency itself retains ultimate authority over licensing decisions. See, e.g., N.C. Gen. Stat. § 20-9(g)(3) (2013) (providing that the licensing agency is not bound to follow the licensing recommendation of an individual's examining physician); N.C. Gen. Stat. § 20-15(a)(1)-(3) (2013) (authorizing the licensing agency to cancel an individual's driver's license); N.C. Gen. Stat. § 20-16(a)(1)-(11) (2011) (authorizing the licensing agency to suspend an individual's driver's license without a hearing). What are the circumstances under which a driver may be required to undergo a medical evaluation? A driver may be required to undergo a medical evaluation if he or she indicates to the licensing agency that he or she suffers from diabetes, epilepsy, or certain other medical conditions. N.C. Gen. Stat. § 20-9(g)(1)-(2) (2013); 19A N.C. Admin. Code 3B.0301(a)-(b) (2013). A driver also may be required to undergo a medical evaluation if he or she is reported to the licensing agency as a potentially unsafe driver. 19A N.C. Admin. Code 3B.0301(a)(1)-(7) (2013). Drivers also may be required to have medical evaluations if they are involved in crashes where a medical condition may have played a role or if they have impairments which are observed by licensing agency personnel during the licensing process. N.C. Gen. Stat. § 20-29.1 (2013) (licensing agency may require examination if good and sufficient cause to believe driver not competent or qualified). Has the state adopted specific policies about whether people with diabetes are allowed to drive? Yes. The licensing agency will not issue a license a person with a disability or disease that prevents using reasonable and ordinary control while driving. N.C. Gen. Stat. § 20-9(e) (2013). The North Carolina Administrative Code states that "[c]ertain illnesses such as uncontrolled epilepsy or diabetes...may make driving unadvisable either temporarily or permanently" and may be reported for evaluation. 19A N.C. Admin. Code 3B.0301(a)(1)-(7) (2013). Once reported, an individual with diabetes will be evaluated by a Division of Health Services physician and may be reviewed by a panel of practicing physicians. 19A N.C. Admin. Code 3B.0301(b) (2013). The panel of physicians may recommend approval of the individual's driving privilege, approval with restrictions, or disapproval. 19A N.C. Admin. Code 3B.0301(b) (2013). Unfavorable decisions may be appealed to the Medical Advisory Board. 19A N.C. Admin. Code 3B.0301(b) (2013). What is the state's policy about episodes of altered consciousness or loss of consciousness that may be due to diabetes? North Carolina's statutory and regulatory policies regarding the licensing of drivers subject to episodes of loss of consciousness are identical to its policy regarding the licensing of drivers with diabetes. N.C. Gen. Stat. § 20-9(e) (2013); 19A N.C. Admin. Code 3B.0301(a)-(b) (2013). See the above section on diabetes policies for more information. Although there are no statutes or regulations to enforce it, a 2004 guide published by the Medical Review Branch of the North Carolina Division of Motor Vehicles explains its medical evaluation guidelines. A full section is devoted to diabetes and other endocrine disorders. The guide explains that most people with diabetes are no more dangerous than other drivers. However, insulin use, recent experiences of hypoglycemia (even mild hypoglycemia), and lack of control are all evidence of increased danger. The guidelines create five categories of restrictions based on five categories of diagnosis: 1) for a past impairment, which is fully recovered or compensated, and with no hypoglycemia or for at least 1 year, no driving restrictions are required; 2) for drivers experiencing hypoglycemia within the last 1 year to 6 months, no driving restrictions required, but re-evaluation after 6 months; 3) for drivers with 1 or more episodes of untreated hypoglycemia or loss of consciousness in the last 6 months, no driving allowed, and re-evaluation after 6 months; 4) for uncontrolled endocrine disorder with frequent hypoglycemia or loss of consciousness, driving is not permitted and there is no opportunity for reevaluation; 5) for newly discovered diabetes or endocrinopathy, variable restrictions and evaluations may be required on a case by case basis. The above document emphasizes that these are only guidelines and individual restrictions may vary. Complications such as neuropathy or visual disorders may be evaluated under additional medical guidelines. Does the state allow for waivers of this policy, e.g., a waiver for a one-time episode of severe hypoglycemia that has mitigating factors (e.g., recent change in medication, illness, etc.) or that has been addressed with a physician? Yes. An individual suffering from diabetes or epilepsy may be licensed if he or she provides a satisfactory medical statement upon applying for a driver's license and, subsequently, at regular intervals as determined by the licensing agency. N.C. Gen. Stat. § 20-9(g)(1) (2013). An individual must submit to a physical examination by a physician or surgeon, and the medical statement must indicate that the individual is under medication and treatment, that his or her physical or mental disability is controlled, and that the physician or surgeon recommends licensure. N.C. Gen. Stat. § 20-9(g)(2) (2013). The licensing agency is not bound to follow the recommendation of the examining physician, but it is required to give it, together with other factors, fair consideration. N.C. Gen. Stat. § 20-9(g)(3) (2013). A single episode of hypoglycemia will not result in lost driving privileges, as long as the episode was more than 6 months ago. The driver may need re-evaluation after sixth months. What is the process for appealing a decision of the state regarding a driver's license? When an individual's license has been denied, suspended, or restricted due to medical reasons, he or she is entitled to a hearing before a review board. N.C. Gen. Stat. § 20-9(g)(4) (2013). The individual must submit to the licensing agency a written request for a hearing within 10 days of receiving notification of the adverse licensing action. N.C. Gen. Stat. § 20-9(g)(4) (2013). The licensing agency then will schedule a hearing upon 10 days' written notice to the individual, delivered to him or her in person or sent by certified mail with a return receipt requested. N.C. Gen. Stat. § 20-9(g)(4)(a) (2013). At the hearing, both the individual and the licensing agency may present evidence and testimony. N.C. Gen. Stat. § 20-9(g)(4)(b), (d) (2013). A hearing may be continued upon motion of the individual for good cause and with approval of the review board—or upon order of the review board itself. N.C. Gen. Stat. § 20-9(g)(4)(c) (2013). At the conclusion of a hearing, the licensing agency will notify an individual of its decision in writing, delivered to him or her in person or by registered mail with a return receipt requested. N.C. Gen. Stat. § 20-9(g)(4)(e) (2013). Any evidence or testimony presented during a hearing is not considered to be within the public record and cannot be used in any other civil or criminal proceeding. N.C. Gen. Stat. § 20-9(g)(4)(h) (2013). The decision of the review board is subject to judicial review. N.C. Gen. Stat. § 20-9(g)(4)(f) (2013); N.C. Gen. Stat. §§ 150B-1 to -64 (2013) (providing adjudicatory procedures for state agencies). May an individual whose license is suspended or denied because of diabetes receive a probationary or restricted license? No. However, the licensing agency may impose "any restriction it finds advisable on a driver['s] license." N.C. Gen. Stat. § 20-7(e) (2013). Is an identification card available for non-drivers? Yes, with proper identification, proof of residency, and payment of a \$10.00 fee. N.C. Gen. Stat. § 20-7(b1) (2013). To obtain an identification card, an individual must produce a valid social security number. N.C. Gen. Stat. § 20-7(b1) (203). No fee ID cards will begin to be issued beginning January, 2014. For more information, see the N.C. DMV, "ID Cards," (Accessed Aug. 2013). Resources Driver licensing in North Carolina is administered by the Division of Motor Vehicles

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