

Who is Fit to Drive? Amended Legislation Expands and Clarifies Medical Reporting Requirements

September 28, 2018

In Ontario, all drivers are required to meet basic medical and vision standards in order to operate a motor vehicle. Physicians and optometrists have long been required by law to report certain persons who suffer from conditions that may make it dangerous for that person to operate a motor vehicle.

On July 1, 2018, amendments to the medical reporting requirements under the Highway Traffic Act and associated regulations came into effect. The amendments bring a number of significant changes to the reporting regime, including the addition of nurse practitioners and occupational therapists and the clarification of medical conditions that require reporting.

Notable Changes

Firstly, nurse practitioners are now included alongside physicians and optometrists in the list of "prescribed persons" with mandatory reporting requirements.

Secondly, the amendments include a fairly broad list of prescribed medical conditions, functional impairments, and visual impairment that nurse practitioners and physicians must report. These prescribed conditions include certain cognitive impairments, sudden incapacitations, motor or sensory impairments, visual impairments, substance abuse disorders, and psychiatric illnesses. Optometrists are only required to report with respect to visual impairments. Previously, mandatory reporting obligations were merely based on the subjective opinions of practitioners that a person was suffering from a condition "that may make it dangerous for the person to operate a motor vehicle."

The amendments also create a completely new category for discretionary reporting, whereby prescribed persons which include physicians, nurse practitioners, optometrists, and occupational therapists (OTs), may report a person who "in the opinion of the prescribed person, has or appears to have a medical condition, functional impairment or visual impairment that may make it dangerous for the person to operate a motor vehicle." The amendments therefore make it mandatory for nurse practitioners, physicians, and optometrists to report impairments on the prescribed list of conditions,

but discretionary for the above listed practitioners and OTs to report illnesses arising from any other type of condition.

New, standardized reporting forms have also been introduced. Physicians, nurse practitioners, and OTs must use the two-page

By

[Anna Garrison, Elizabeth Creelman](#)

Expertise

[Health Care & Life Sciences](#)

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3
T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9
T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2
T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4
T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3
T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.