

Safety Advisory SA06/23

Bus driver fitness to drive

Safety message

The driver of a bus has a safety critical role and any medical episode which leaves them incapacitated can have serious consequences for their passengers and other road users.

Bus operators are reminded about the importance of assessing risks related to driver fitness to drive and implementing driver health and safety management processes and procedures. Operators should promote a working environment which provides support for employees and encourages self-reporting of ill health without fear of discrimination.

Bus drivers need to be aware of their general health and act accordingly if they are experiencing symptoms of medical conditions that affect their fitness to drive. For example, if driving bus drivers should stop the bus and report to their supervisor if their fitness to drive is affected.

Recent incident

Driver incapacitation, Drummoyne

On 22 June 2023, the driver of bus 2998 ST was travelling on Victoria Road at Drummoyne in Sydney's Inner West when the bus started to veer across the road. The bus struck and mounted the concrete divider and collided with an oncoming utility. The utility driver attempted to swerve away but their vehicle was struck on the rear right panel. Several cars were on the road at the time but were able to evade the out-of-control bus.

A review of CCTV footage revealed that the driver had suffered a medical episode which left them incapacitated for approximately 45 seconds. The 14 passengers on board were shaken but not seriously injured.

OTSI review

While the Drummoyne incident did not result in a fatality or serious injuries, it serves as a reminder about the potential consequences of any medical episode that incapacitates a bus driver while driving. It also provides an opportunity to highlight lessons learned from selected past events which did have a fatal outcome.

Operators should undertake a review of this incident and also review the completeness and effectiveness of their current controls to manage bus driver incapacitation.

Bus and pedestrian fatal accident, Adamstown

On 5 November 2019, a bystander waiting at a level crossing on Bruncker Road at Adamstown in Newcastle, was struck and fatally injured after a bus driver had a medical episode. The bus veered across the road onto the side of oncoming traffic, struck the bystander, then continued to swerve and hit several parked cars before the driver regained consciousness and brought the bus to a stop. The bus was full of school children with some suffering minor physical injuries.

The driver had been cleared to drive in accordance with TfNSW (the licensing authority) requirements at the time. The driver was aware he was not feeling well but did not anticipate becoming incapacitated and unable to stop the bus.

Full details of the findings and recommendations are available in the full investigation report on the OTSI website.¹

Inquest into the death of Blake Corney, ACT

On 23 May 2014, four-year-old Blake Corney, died as a result of catastrophic head injuries sustained in a collision that occurred at the intersection of the Monaro Highway and Mugga Way at Hume in the Australian Capital Territory (ACT).

Blake was properly restrained in the back seat of the family's stationary Ford Territory, when the driver of a 16-tonne medium rigid tipper truck collided with the right rear side of the car.

The driver of the truck was found criminally culpable for driving with a medical condition which may have affected his fitness to drive. Justice Mossop noted in his sentencing remarks:

This is not a case involving an immediate and obvious risk of which the offender was conscious at the time of the offending. Rather, it was conduct which involved a systematic failure to take steps which a professional truck driver ought reasonably to have taken. The objective gravity of the offending would have been increased had the offender had a clear diagnosis of sleep apnoea or had he been told expressly that he should not drive until his condition had been further investigated.

Drivers of heavy vehicles in the ACT are required to self-report to Access Canberra² if they have a medical condition affecting their ability to drive.

From Justice Mossop's remarks, the truck driver was not given a clear diagnosis of sleep apnoea and had not been told by a medical professional that he should not drive. While the truck driver was aware he had a medical condition, it was not clear to him that it could affect his ability to drive.

Full details of the inquest are available on the ACT Magistrates Court website.³

Requirements to report in NSW

The requirements⁴ for heavy vehicle drivers (specifically bus drivers) in NSW are currently as follows:

New medical conditions

If you have been newly diagnosed with a medical condition that may impact your fitness to drive (e.g. diabetes, cardiovascular disease, or a neurological condition), you must:

¹ <https://www.otsi.nsw.gov.au/documents/bus-safety-investigation-bus-and-pedestrian-fatal-accident-bruncker-road-adamstown-05-november-2019>

² Access Canberra is the agency for ACT government transactions and services, including licences, permits and bill payments

³ <https://courts.act.gov.au/magistrates/decisions/inquest-into-the-death-of-blake-andrew-corney>

⁴ [NSW Fitness to Drive medical assessment for bus drivers September 2022](#)

- notify Transport (Transport for NSW) as soon as possible
- send Transport your medical assessment results to da.medicals@transport.nsw.gov.au or visit a Service NSW service centre with your medical paperwork.

In most cases, you'll need to provide a medical report, usually from a specialist, to keep driving public passenger vehicles.

Tell Transport if you're medically unfit to drive

If your doctor advises that you are medically unfit to hold a Bus Driver Authority, you need to tell Transport immediately. You can do this by emailing da.medicals@transport.nsw.gov.au or by visiting a Service NSW service centre with your medical paperwork.

There may be financial, insurance and legal consequences if you don't tell Transport about a medical condition and keep driving.

Your doctor may send Transport details of your medical condition online.

As required in the ACT, bus drivers in NSW must report when they are aware of medical conditions that may impact their fitness to drive. However, as highlighted in the Adamstown investigation and by the inquest into Blake Corney's death, a driver may be aware they have a medical condition and/or are not feeling well but not make the association that it could affect their fitness to drive.

In this regard, the more informed the driver is of medical conditions that could affect their fitness to drive and the more comfortable they are to report without fear of discrimination, the more likely the driver will be able to inform their employer and the licensing authority.

Key points

Bus operators

Review your risk assessments that inform Element 5: Employee Monitoring of Safety Management System using supporting information in the TfNSW Safety Management System (SMS) Handbook.⁵

Promote a working environment which provides support for employees and encourages the self-reporting of ill health without fear of discrimination.

Bus drivers

Familiarise yourself with medical conditions that can affect your fitness to drive.

Be vigilant to identify adverse changes in your health. Stop your bus and report to your supervisor if your fitness to drive is affected.

For further information contact: engagement@otsi.nsw.gov.au

⁵ [A Guide for Bus and Coach Operators May 2017 \(nsw.gov.au\)](#)