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MEMBER



Special needs require special lawyers.

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SENIORS AND DRIVING

As individuals age, often the most important sign of independence is the ability to drive. There are increasing conflicts between public safety concerns and the rights of older Americans to retain their privilege to drive.

There are over 20 million drivers age 70 and older, with that number expected to increase to 30 million by 2030. Unfortunately, drivers age 85 years and older now exceed 16-year-old drivers in the number of fatalities per mile driven, and they almost match teenage drivers in rates of insurance claims for property damage. With no national standards for driver licensing, states have been developing their own policies with respect to the licensing of senior drivers. Seniors who have lost their licenses are hiring lawyers, getting therapy to prepare for road tests, and being coached to pass written tests. Some older drivers are using false licenses in order to stay on the road, according to Harold Kocken, senior director of driver licensing for the American Association of Motor Vehicle Administrators.

Some incidents have prompted legislatures to enact tougher laws with respect to older drivers. In St. Petersburg, Florida, a 93-year-old man drove up to a toll booth, apparently oblivious to the fact that the dead body of a pedestrian that he had hit down the road was embedded in his windshield. As a result of this incident, two Florida lawmakers proposed legislation that would require physicians to report to the state licensing authorities those people age 75 years and older who may be unfit to drive. Advocacy groups for seniors (including AARP in Florida) were successful in removing the age requirement in the proposed bill, and the bill did not pass. Currently Florida is one of many states that have a confidential voluntary, but not mandatory, reporting program for physicians with knowledge of those may be unable to drive due to physical or mental disabilities. The Florida Department of Highway Safety and Motor Vehicles has now instituted the Florida GrandDriver® program (www.floridagrandidriver.com) to promote senior driver safety, and to enhance the ability of seniors to get around when and where they want. Many advocacy groups oppose testing requirements based on age, and questions exist regarding the best way to identify dangerous drivers. Virginia currently requires drivers age 80 and older to submit to a vision test.

Businesses serving seniors are finding ways to address the issue of providing adequate transportation for seniors who cannot, or should not, drive. Seniorcorp – one of the Hampton Roads region’s leading providers of in-home care for seniors – recently added a new selection, *TransportShare*, to its extensive menu of services. “Our goal is to help seniors remain independent by providing affordable transportation and personal assistance for doctors’ appointments and other errands,” says Tom Knox, Seniorcorp’s founder and president. *TransportShare* drivers will escort seniors to and from their appointments. The drivers can either drop off the seniors, or wait while the seniors complete their appointments. Typical stops include grocery stores, pharmacies, hair appointments, and family events. *TransportShare* can make unlimited stops, and the senior can have up to two additional passengers ride free, with affordable hourly and mileage rates.

For more information about *TransportShare* or Seniorcorp’s other services in Hampton Roads, please phone 757-399-7506.

There will continue to be conflicts between public safety and the privilege of seniors to drive, especially until there are better methods to assess which drivers pose the most risks. This issue will continue to grow in importance as the numbers of senior drivers on the road increases. Oast & Hook will continue to monitor this issue and will report developments in Virginia law as they occur.

The attorneys at Oast & Hook can assist clients with their financial, insurance, estate, long-term care, veterans’ benefits and special needs planning issues.

Ask Allie

O&H: Allie, we’re now in the middle of hurricane season. Do you have any tips on emergency preparedness for pets?

Allie: Sure! Families need to plan for all family members, including their pets, in the event of an evacuation. You should be prepared to take your pets with you, have a safe haven arranged, and a pet evacuation kit ready before a storm arrives. If you are unable to stay with family or friends, then you can find a pet-friendly hotel or motel. You should also check with your local Red Cross to see which shelters allow pets. You should have adequate identification for your pet, including collars, tags and microchips, and you may need to have anti-anxiety medication available in case it is needed (perhaps for you rather than for your pet!). The American Veterinary Medical Association has a section of their website devoted to disaster preparedness for pets and other animals. You can find it at www.avma.org/disaster/saving_family.asp. The time to prepare is now, not when an evacuation order is issued. Hmmm ... need to see if my mom has put together a plan for me and make sure she packs a laser toy in the evacuation kit

Announcements

Oast & Hook attorney Andrew Hook will participate in a panel discussion entitled "Senior Services 101" at Georgian Manor Assisted Living, 651 River Walk Parkway, Chesapeake, Virginia, at 10:00 a.m., Saturday, August 22nd. The panel will consist of speakers from Oast & Hook, ElderLife Financial Services, Senior Services of Southeastern Virginia, Solutions Home Care, Tidewater Mortgage Services, and the Alzheimer's Association. This presentation is free and open to the public. For more information or to register, please phone 757-436-9618.

Save the date for some breakfast. From 9:30 a.m. to 11:00 p.m., Thursday, November 19th, a Social Worker Breakfast will be held at the Russell Memorial Library, 2808 Taylor Road Chesapeake, Virginia. Registration begins at 9:15 a.m. For more information please phone 757-399-7506.

Distribution of This Newsletter

Oast & Hook encourages you to share this newsletter with anyone who is interested in issues pertaining to the elderly, the disabled and their advocates. The information in this newsletter may be copied and distributed, without charge and without permission, but with appropriate citation to Oast & Hook, P.C. If you are interested in a free subscription to the *Oast & Hook News*, then please e-mail us at mail@oasthook.com, telephone us at 757-399-7506, or fax us at 757-397-1267.

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