

# Driver and rider licensing provisions for clients who are d/Deaf

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## Abstract

A significant potential population of d/Deaf\*\* drivers and riders exists both in Australia and internationally. As yet, no systematic investigation of the services available to aid this group in becoming licensed to drive or ride has been completed. The current investigation reviewed the level of services made available through Australian licensing authorities to aid d/Deaf drivers and riders. A search of publicly available licensing information together with direct surveying of customer service representatives in each jurisdiction was used to gain the information. Results indicate that the level of services available varies considerably within Australian licensing authorities. The results are discussed in relation to relevant international licensing practices and possibilities for enhancing available services for d/Deaf clients.

## Introduction

Licensing provisions for drivers and riders who are d/Deaf have not yet been the subject of published research. There are a number of difficulties for the d/Deaf in obtaining a licence that have implications not only for the d/Deaf but also the wider road user community. The aim of the current paper is to review the provisions that are currently in place in Queensland and other Australian States to assist drivers and riders who are d/Deaf to be licensed. Although colloquial evidence has pointed to the existence of problems with the completion of the theory test for clients who are d/Deaf, a systematic investigation of the services provided by each licensing organisation has yet to be undertaken. An analysis of existing best practice internationally for presenting the driving theory test to drivers and riders who are d/Deaf is also included within this paper as an indication of steps that have been taken elsewhere to address the issue of providing an equitable system.

Despite commonly expressed concerns, hearing impaired individuals and those who are profoundly deaf are permitted to hold a full driving licence in Australia and many other overseas jurisdictions [1, 2]. The limited research completed into the driving ability of hearing impaired or deaf drivers has in fact indicated that deaf drivers have fewer reported driving violations than hearing drivers [3]. Several underlying reasons have been suggested as to why this is the case. Although the driving task has been identified by Songer et al [4] as relying on a combination of the auditory, visual, tactile and olfactory systems, vision is suggested to be the dominant factor, accounting for over 90% of driving actions [5]. Anecdotally, suggestions have been made which indicate deaf drivers accommodate for any shortcomings in their driving by being more careful or vigilant on the road [4]. Research has also noted consistently greater visuospatial skills among people who use sign language as opposed to people that rely on spoken language only [6].

A significant proportion of the Australian public can be classified as either deaf or hearing impaired to a degree that would otherwise require they use alternative methods of communication. The Australian Bureau of Statistics (ABS) estimates that approximately 1 in 10 Australians directly experience some degree of hearing impairment [7]. Estimates of the Australian Deaf signing population vary between figures as low as 6,500 [8] and as high as 15,000 [9] residents who use Australian Sign Language (Auslan) as their primary language.

Difficulties associated with d/Deaf driving and licensing are not unique to Australia, with a significant population of d/Deaf who are eligible to drive existing worldwide. There are currently over 100,000 deaf UK citizens between the ages of 16 and 60, with an estimated 40,000 British Sign Language users. In the US, it is estimated that there are between 100 thousand and half a million American Sign Language users. There is also a significant population on the European mainland, with 8,000 Swedish signers, between 50 and 100 thousand French signers, 50 thousand deaf Germans and 20 thousand users of Dutch Sign Language [10]. As indicated by Internet sites such as <http://www.deafmotorcyclelinks.com>, there is a significant and growing community of deaf motorcyclists. The site lists 15 countries where specifically deaf motorcycle clubs exist, with a number of countries having several constituent groups for each state or region.

\*\* The term 'Deaf' with a capital D refers to those people that regard themselves as a "linguistic and cultural minority group" [18, p141] while 'deaf' individuals are defined as those with a hearing impairment who identify with the culture of the hearing majority, communicating using lip-reading or verbal English, often through the use of hearing aids.

Keywords: driving, licensing, deaf, Deaf, d/Deaf, language services

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## Language Differences

Hearing impairment or deafness can often require certain services designed for hearing individuals be adapted, to ensure that information from the surrounding environment, both in terms of social and general interaction, is received at a comparable level. Auslan, like similar sign languages used in Britain and America, does not attempt to imitate English, and is recognised by both Deaf organisations and government bodies as being a separate and unique language with its own grammar and syntax [11-15]. It is important that Deaf signers are considered as equals and as intelligent as hearing individuals, regardless of any written or spoken language difficulties.

Learning to read is not a parallel process to signing that is easily picked up without a first-hand knowledge of the spoken form of the language [16]. For an individual who uses Auslan as their primary language, learning to read and write English or another written language is akin to someone from the dominant hearing population learning an entirely new second language. Opportunities for effective communication experiences for deaf children can also be limited if they are born to hearing parents or are not able to access sufficient assistance during their schooling [16]. As a consequence of such difficulties, signing Deaf students typically leave school with very low literacy skills [17]. This should not be taken as a reflection of the person's intelligence, but rather of the inherent language difficulties imposed by societies that are largely not tailored to these populations [18].

Providing a dedicated signing service is not only a matter of including Deaf individuals in communication. It can also serve a higher purpose as an indication of a greater respect within the organisation for deaf individuals [19]. It can come down to a matter of making sure that deaf people are seen as equal citizens and given the same opportunities that are presented to hearing people.

## Existing Legislation and Responsibilities

The current investigation is supported by existing policies and acts, which are aimed to encourage the provision of equal levels of service regardless of language or communication method used by an individual. In the words of the Queensland Government's Language Services Policy, organisations should ensure that their policies are "...designed to enable clients to access services fairly and equitably and to ensure that service delivery is responsive and of high quality" [12, p5].

*"Queensland Government agencies are committed to implementing this Policy by: acknowledging clients' entitlement to the services of a professional interpreter or to linguistically appropriate information in situations of communication difficulty" [12, p5].*

Australian legislation such as the Disability Discrimination Act [20] and the Federal Discrimination Law [21] also stipulate

that it is illegal to discriminate against someone on the basis of a disability or requirement of a translator or interpreter. Over and above this legal requirement, there is also a moral obligation on behalf of licensing departments to provide an equal level of service to all groups within the community. The benefits of providing this level of service have been outlined by a number of researchers. Having an environment that acknowledges and uses sign language and appropriate communication methods is not only beneficial in terms of a purely functional or linguistic sense, but also as a sign of respect, value and inclusion [19]. Clients who are deaf commonly cite access to information and resources as a key concern. Participation without additional prior planning on behalf of these clients is seen as a goal [22]. These are key issues that need to be addressed before people become disillusioned or opt not to be involved in the formal system [23]. It is therefore not only a goal clearly stated through State and Commonwealth laws to provide efficient language services but also in the interest of serving the community of drivers or riders who are d/Deaf.

## Method

To assess the level of services that are made publicly available to allow drivers or riders who are d/Deaf to undertake the theory test, several processes were used. A thorough search was undertaken of the official transport and licensing departments' websites and handbooks for information relating to services provided specifically for clients who are d/Deaf or for those that require assistance with language. Where made publicly available, this information was recorded.

Further to published information, a brief email survey of the licensing agencies was initially conducted in mid-2004 for each State and Territory, apart from the Australian Capital Territory (ACT). Emails were sent to the standard customer service contact email address provided on each organisation's website. The text of the original email is presented below.

*I have recently been undertaking some research into the services that are provided for deaf drivers/riders during the initial theory licence testing process (learner's test) as part of a literature review, and am in the pursuit of some more detailed information. I was hoping you could clarify for me what interpreter services are currently provided, and in what capacity. I would ultimately like to know if in practice...*

- an interpreter for sign language / Auslan is available on request?
- if the sign-interpreter costs are at the expense of the test-taker, or covered by the licensing department?
- if the sign-interpreter is available for pre-test instructions only, or can be used during the actual theory test?; and
- if any other services (eg - a video of the test featuring sign-language) are made available to assist deaf test-takers?

A representative of each organisation provided a written response directly back to the researcher outlining what services

were available. A follow-up email was sent to each organisation over a year later in 2005 including the text of the response received in answer to the initial email. Each contact was asked to make any adjustments to the information provided previously to ensure accuracy and currency of the data. As the ACT had not been previously consulted in 2004, phone discussions with the respective client services and licensing departments were used to collect similar information at this later date.

## Results

The results of the consultations with each of the licensing agencies are presented below in Table 1. There were no reported changes in the services provided as in the second round of emails sent in 2005, and as such the details of these responses has not been tabled here. Additional comparative information on services available in international jurisdictions is provided as Table 2.

Table 1: Information provided by consultation with Australian licensing agencies concerning licensing for clients who are d/Deaf, 2004<sup>a</sup>

Jurisdiction	Provided Services
New South Wales	TTY service provided for calls. An audio induction loop is present in offices for those with minimal hearing and a hearing aid. Interpreters are available on request. [24] Interpreter services are not made available for the computer knowledge test as it is a visual test as opposed to aural (RTA, personal communication, June 28, 2004).
Queensland	An interpreter is requested through the Queensland Deaf Society at the cost of Queensland Transport. The interpreter is able to assist the applicant with pre-test instructions as well as during the test (M Bailey, personal communication, June 30, 2004)
Victoria	A VicRoads officer who signs in Auslan can help applicants both prior to and during the test, though she is not a qualified interpreter. An Auslan interpreter can otherwise be arranged on request through "Victorian Interpreter and Translating Services" [22, A Murnane, personal communication, June 25, 2004]
Tasmania	Interpreter services from the Tasmanian Deaf Society are made available on request at the cost of the Registration and Licensing Branch [25] (M Ferguson, personal communication, June 25, 2004).
Western Australia	TTY available for calls [26]. Interpreters are accessible in general, but are not permitted to assist during the computerised theory test as it can be read and must be completed alone. An interpreter can be arranged for orally presented theory tests such as the truck licence. (Department for Planning and Infrastructure, personal communication, July 16, 2004)
South Australia	No interpreting services are made available through Transport SA for deaf people undertaking the theory test. Private providers could be utilised if an interpreter was needed (H McDonald, personal communication, June 24, 2004). A language interpreter is provided free of charge for the first attempt at the test, with subsequent tests charged to the applicant [27].
Northern Territory	The theory test can be conducted verbally with the assistance of an interpreter if the need be [28]. An interpreter can be made available on request, with the cost covered by the signing organisation. The interpreter could assist for the whole test if supervised by a licence testing officer (B Fussell, personal communication, June 25, 2004).
Australian Capital Territory	An interpreter can be organised at the time of the license test at no cost to the examinee (ACT Road User Services, personal communication, 20th September, 2005). The prerequisite "Road Ready" education course in the ACT can be completed through the Canberra Institute of Technology Solutions with a course specifically tailored to deliver to deaf clients.

a – The data from the ACT is sourced from phone conversations in 2005 as stated in the method section

Table 2: Review of theory test licensing provisions for clients who are d/Deaf in international jurisdictions<sup>b</sup>

Jurisdiction	Provided Services
Northern Ireland	Driver Vehicle and Testing Agency provides interpreters as well as an accompanying British Sign Language version of the theory test presented on the screen [29]
Ireland	An Irish Sign Language video version of "Driving Test Theory" is provided [30].
United Kingdom	Minicom (similar to TTY) and interpreters provided, along with an accompanying British Sign Language version of the theory test presented on the screen [31, 32].
Ontario	Provides an interpreter for sign language on request [33, 34].
United States	
- New Jersey	An interpreter who is approved by the National Registry of Interpreters for the Deaf (NRID), or otherwise recognised as a professional interpreter, will be provided at the cost of the Motor Vehicle Commission [35].
- Pennsylvania	A TDD (Telecommunications Device for the Deaf) is made available for phone bookings. If suitable testing dates are provided when booking, the agency will be able to provide an interpreter from the four choices of: American Sign Language, Pidgin Sign Language, Signed Exact English or an oral interpreter (lip reader) [36].
- Louisiana	"Hearing impaired applicants are allowed to write notes of inquiry with regard to testing instructions or rules and the administering officer may respond in writing. The Office of Motor Vehicles may pay for interpretive services, provided such service is rendered by one of the Deaf Action Centers under contract with the department" [37].
New Zealand	For those applicants who have trouble reading English, you are permitted to bring an "interpreter who is competent in English" [38] to assist with the theory test.

b - this is not an exhaustive list, but is rather representative of the information that is made freely available concerning deaf licensing services

## Australia

This brief report set out to identify the level of services that are openly made available to d/Deaf clients within the official driver and rider licensing departments in each Australian state. As can be seen from the above tables, the services specifically provided in Australia to aid drivers or riders who are deaf in undertaking the theory test are limited. No dedicated interpreting services are provided within licensing departments, apart from a VicRoads officer who is unofficially able to provide signing assistance. This may well reflect the low volume of deaf clients that present for testing to each licensing centre. A response from the Northern Territory licensing authority noted that a d/Deaf applicant who is unable to read sufficiently to take the theory test has never presented themselves in their knowledge (B Fussell, personal communication, June 25, 2004). Having said this, each of the five States of Queensland, Victoria, Tasmania, South Australia and the Northern Territory are willing to arrange a professional interpreter at no cost to the applicant.

Encouragingly, responses from the Northern Territory, Victorian and Queensland licensing agencies indicated they would permit an interpreter to assist a Deaf driver both prior to and during the theory test. An opposing response was true of New South Wales' Roads and Traffic Authority (RTA) and Western Australia's Department of Planning and Infrastructure (DPI). Representatives of both licensing regulators responded that interpreters are not made available as the theory test is presented visually in text and not in an auditory form.

## International Licensing Practices

The current best practice in providing a varied solution to meet the needs of deaf drivers and riders are the systems in place in the UK and Northern Ireland. These agencies not only provide interpreters when requested for both the theory and practical test, but also provide the theory test in a multimedia British Sign Language format [31, 32]. This system works by having

an “on-screen signer” [39, p1] who appears next to the touch screen on which the written questions are shown. Applicants can choose to repeat the sign-language video of the question as many times as required. Each written answer may also be displayed on the screen in British Sign Language (BSL), if the client chooses.

Also worth particular mention are the services provided in the US State of Pennsylvania. Not only are interpreters provided, but also they are made available in a choice of three dialects as well as lip reading. This is worth noting given that sub-groups within the deaf or hard of hearing population prefer to use either verbal or sign-based communication methods [40].

## Discussion

The current study aimed to provide a succinct review of those services that are made openly available to clients who are d/Deaf wishing to become licensed as a driver or rider in Australia. Although this review should not to be considered as an in-depth examination of all services that are or can be made available, it does provide a representation of the services that are reported as available if a potential client were to contact the centres. As such, the current review not only takes into account the official organisational policies displayed on department websites or brochures, but also the information provided directly through customer service representatives.

Those responses from the New South Wales Roads and Traffic Authority and Western Australia’s Department for Planning and Infrastructure that stated they do not allow assistance with test taking are not in line with existing evidence, which has indicated that Deaf signers can experience significant difficulties with the comprehension of written language. It should be noted however that the RTA theory test uses a simple level of language in both its questions and answers that would minimise issues related to written language comprehension [41].

The potential implications of a licensing system that does not cater for clients who are d/Deaf can be serious. Schiffman [42] reports on a legal case in which a Spanish speaking U.S. citizen was denied an opportunity to take the learner driver test in Spanish. Rather than take a test she knew she would fail, she continued to drive unlicensed. Although there is no direct evidence that similar situations have occurred in the deaf community, it is a possible outcome of using tests that are not easily understood. Increased rates of unlicensed driving have been linked with literacy problems impacting on an individual’s ability to successfully take the learner’s test [43, 44]. It is therefore important to ensure that the theory test is perceived as fair and not variably difficult to the degree that any one group will be unable to pass the test [45].

The development of new visually presented sign language versions of theory tests, or adaptations of existing computer-based theory tests to include such features, would be of

significant advantage in encouraging and assisting drivers and riders who are d/Deaf to be licensed. Such a process would seemingly reduce the need to rely on an interpreter to be present for the whole session. Whether it can be considered a replacement for the detailed information available through an interpreter would need to be considered. A feasibility study assessing the benefits of whether such a system could be offset against the costs of its development and implementation would also be of benefit.

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