

STORAGE NAME: h1751a.tr

DATE: March 22, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
TRANSPORTATION
ANALYSIS**

BILL #: HB 1751

RELATING TO: Driver Licenses/Elderly

SPONSOR(S): Representatives Healey and Betancourt

COMPANION BILL(S): SB 2518 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) TRANSPORTATION YEAS 10 NAYS 0
 - (2) FINANCE & TAXATION
 - (3) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS
 - (4)
 - (5)
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I. SUMMARY:

The bill modifies driver license laws relating to: examination requirements, issuance periods, and fees.

The bill requires an applicant for an original or renewal driver's license who is at least 75 years old to be examined by DHS&MV every 3 years, instead of every 14 or 18 years as authorized by current law. A person 75 and over would no longer have the option of renewing their driver's license without being examined by DHS&MV. The driver's license examination for this age group would include vision, hearing, and any other tests that DHS&MV determines necessary to ensure the safety of the driver and the motoring public.

The bill also repeals the 4-year license and provides for a 6-year license for all drivers under the age of 75.

Finally, the cost of the newly created 3-year license is \$10 for an original license and \$7.50 for a renewal license. Currently, an original license, which is valid for 6-years, is \$20. A renewal license, which is valid for either 4 or 6-years, is \$15.

Creating a 3-year renewal license and repealing the 4-year renewal license will result in a recurring \$.7 million reduction to the General Revenue Fund.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

A 1995 House of Representatives, Committee on Transportation, interim project on high risk drivers concluded that for the most part, the risk of crash involvement is dramatically higher at both the beginning and end of a typical driving career. High crash rates for young drivers are due primarily to an individual's behavioral choices rather than a lack of knowledge or skills, and high crash rates of elder drivers are due primarily to declining abilities.

The Legislature has continuously worked to make Florida's highways safer. In 1996 several provisions intended to encourage and develop more responsible driving behaviors among young drivers became law. Two notable requirements were the creation of a learner's license (s. 322.1615, F.S.) and nighttime driving restrictions (s. 322.16, F.S.). In 1994 and 1997, bills were filed in the House to ensure that drivers who are 75 years and older maintain the necessary skills to operate a motor vehicle. Both bills have failed to become law.

Driver's License Examination Requirements

DHS&MV is currently required to examine every first time applicant, regardless of age, prior to the issuance of an original Florida driver license. The examination includes a test of eyesight and hearing, ability to read and understand highway signs, knowledge of traffic laws, and a demonstration of motor vehicle operation skills. However, a new Florida resident with a valid out-of-state license may reciprocate their license and is only required to pass the eye exam.

Once a license is issued, DHS&MV continuously monitors driver performance to ensure that Florida's roads are safe. One way DHS&MV monitors driver performance is through reexaminations of drivers that it believes are incompetent or otherwise not qualified to drive (s. 322.221, F.S.). On written notice of at least 5 days, DHS&MV, having good cause, may require a licensed driver to submit to an examination or reexamination. "Good cause" includes, but is not limited to, the recommendation from a court, a law enforcement agency, or a physician.

At the time of renewal, a licensee may be subject to reexamination by the Department. The reexamination consists of tests of the licensee's eyesight and hearing and their ability to read and understand highway signs and pavement markings (s. 322.121, F.S.).

Driver's License Issuance Periods

An initial driver license issuance is valid for 6 years, concurrent with the applicant's birthday.

A renewal driver's license is valid for 4 years. However, if the applicant's driving record includes *no* convictions for the preceding 3 years or no revocations, disqualifications, or suspensions over the preceding 7 years, the renewal driver's license is valid for 6 years.

Currently, DHS&MV may issue 4-year and 6-year license extensions by mail, electronic, or telephonic means without reexamination, unless renewal applicants are directed by DHS&MV to appear for an in-person examination. Licensed drivers are eligible for two consecutive license extensions without a required examination by DHS&MV. Therefore, the maximum time from the original driver license issuance to the end of the second license renewal could be 18 years (6 year original license and 2 mail-in renewal periods of 6 years each = 18 years).

Driver's License Fees

The fee for an original operator's (class D) driver's license is \$20 and the fee for renewal or extension is \$15. The renewal fee is applicable for both a 4 and a 6-year license. Driver license fees are deposited into the General Revenue Fund.

B. EFFECT OF PROPOSED CHANGES:

The bill modifies driver license laws relating to: examination requirements, issuance periods, and fees.

Driver's License Examination Requirements

The bill requires applicants for an original or renewal license who are at least 75 years old to be examined by DHS&MV every 3 years. Persons 75 and over would no longer have the option of renewing their driver's license without being examined by DHS&MV. The examination for this age group would include vision, hearing, and any other tests that DHS&MV determines necessary to ensure the safety of the driver and the motoring public.

Driver's License Issuance Periods

The bill repeals the 4-year license and provides for a 6-year license for all drivers under the age of 75.

Although the 4-year license is repealed, the bill creates a 3-year license. All applicants who are 75 years of age or older will be issued a 3-year license. Applicants between the age of 73 years and 6 months and 75 years of age would be issued a driver's license that is only valid through midnight of the applicant's 78th birthday.

Driver's License Fees

The cost of the newly created 3-year license is \$10 for an original license and \$7.50 for a renewal license.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Persons 75 years and older will be required to have a driver's license examination every 3 years by DHS&MV.

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

- b. Does the bill require or authorize an increase in any fees?

N/A

- c. Does the bill reduce total taxes, both rates and revenues?

N/A

- d. Does the bill reduce total fees, both rates and revenues?

The new fee structure would reduce the annualized rate paid for a renewal license by drivers with a 4-year renewal license.

- e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

Persons 75 years and older will have to be examined every 3 years by DHS&MV.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

ss. 322.12, 322.18, 322.21, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1: Creates s. 322.12(6), F.S., to provide that DHS&MV shall examine every applicant for an original driver license, or renewal thereof, who is 75 years of age or older, every three years.

Section 2: Amends s. 322.18, F.S. to provide that all licenses shall be renewable every 3 or 6 years, pursuant to the terms of issuance. Also, an applicant for an original driver license, who is 75 years of age or older, must be issued a 3-year license.

Section 3: Amends s. 322. 21, F.S., to establish fees for the 3-year driver's license.

Section 4: Provides an effective date of July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

<u>REVENUES</u>	<u>1999-00</u>	<u>2000-01</u>
General Revenue Fund		
Original 3 Year License	<u>(\$.69) m</u>	<u>(\$.70) m</u>

Total Revenue	<u>(\$.69) m</u>	<u>(\$.70) m</u>
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This reflects the issuance of original 3-year licenses to persons 75 years of age and older. Presently, drivers 75 years and older comprise 8 percent of the total driving population.

<u>EXPENDITURES</u>	<u>1999-00</u>	<u>2000-01</u>
General Revenue Fund	\$0.13 m	\$ 0.0

This provides for programming modifications to the driver license software systems.

2. Recurring Effects:

<u>EXPENDITURES</u>	<u>1999-00</u>	<u>2000-01</u>
General Revenue Fund	<u>\$.01 m</u>	<u>\$.01 m</u>

This is the cost to purchase additional driver licenses to process the additional renewals for drivers 75 years of age and older.

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

<u>REVENUES</u>	<u>1999-00</u>	<u>2000-01</u>
General Revenue Fund	<u>(\$.69) m</u>	<u>(\$.70) m</u>

<u>EXPENDITURES</u>	<u>1999-00</u>	<u>2000-01</u>
General Revenue Fund	<u>\$.14 m</u>	<u>\$.01 m</u>

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Indeterminate.

2. Direct Private Sector Benefits:

Indeterminate.

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

DHS&MV estimates that there are approximately 1 million drivers 75 years of age or older. The fiscal analysis assumes that processing drivers every 3 years, rather than 4 or 6 years, will result in an increased number of applicants annually paying the new rate for the 3 year license.

The fiscal analysis assumes no additional funding to the Department for any increased workload. According to DHS&MV, any workload increase will be handled within existing resources and the continued use of third party examiners and tax collectors.

The new fee structure would reduce the annualized rate paid for a renewal license by drivers with a 4-year renewal license.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

DHS&MV recommends that the effective date of the bill be changed to October 1, 1999, to provide sufficient time for computer programming changes and to inform the public of the new driver's license requirements.

According to the bill's sponsor, the added language in Section 2 relating to points on the applicant's driving record was not intended to be included in the bill. The sponsor intends to offer an amendment in the Committee on Transportation to remove the provision.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 22, 1999, the Committee on Transportation adopted 3 amendments to HB 1751. The amendments are corrective in nature and have the following effects:

Amendment 1: Corrects a cross reference.

Amendment 2: Changes the bill's effective date from July to October to give the Department of Highway Safety and Motor Vehicles sufficient time for computer programming changes and to inform the public of the new driver's license requirements.

Amendment 3: Provides a specific reference for the renewal of a driver's license for an applicant who is 75 years of age or older. In addition, the amendment corrects a scrivener's error. The current language in Section 2 relating to points on the applicant's driving record was inadvertently left in from a previous draft.

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VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Staff Director:

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