

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1337 CS Driver Licenses
SPONSOR(S): Ambler & others
TIED BILLS: **IDEN./SIM. BILLS:** SB 2672

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Transportation Committee</u>	<u>15 Y, 0 N, w/CS</u>	<u>Thompson</u>	<u>Miller</u>
2) <u>Health Care General Committee</u>	<u></u>	<u>Brown-Barrios</u>	<u>Brown-Barrios</u>
3) <u>Transportation & Economic Development Appropriations Committee</u>	<u></u>	<u></u>	<u></u>
4) <u>State Infrastructure Council</u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

Currently, the Department of Highway Safety & Motor Vehicles (DHSMV) mails renewal notices that direct eligible licensees to appear at a driver license office for in-person renewal or to transmit the completed renewal notice and the fees to the DHSMV by mail, electronically, or telephonically within the 30 days preceding the licensee's birthday for a license extension. DHSMV may issue 6-year license extensions by mail, electronic, or telephonic means without vision examinations for drivers who have no convictions or suspensions and who are not over 79 years of age. Licensed drivers are eligible for two consecutive license extensions without a required vision examination. Those individuals who are over 79 years of age are required to undergo a mandatory vision test and provide proof of meeting the statutory vision standards to be eligible to renew their driving privilege. The fees for license renewals are the same for all applicants, regardless of the validity period of the license.

HB 1337 w/CS requires all applicants, regardless of age, to submit to a vision test when applying for the renewal of a driver's license, either in person or through the submission of a report by an authorized and appropriate medical professional. The bill allows for the results of a vision exam that was done up to 12 months before the renewal application, to be submitted. The bill includes ophthalmologists in the list of medical professionals authorized to submit these reports. The bill provides that a driver's license expires on a licensee's 80th birthday and provides for a 4-year license renewal period (with examination) for persons over 80 years of age. Each renewal after a person's 80th birthday requires passing an eye and hearing examination. Also, the bill provides that renewal fees would be waived for drivers with a license that was held for less than 4 years prior to their 80th birthday.

The bill's mandatory vision tests and revisions to the duration of renewal licenses issued to people 80 years of age and older would have a significant workload impact on DHSMV. The bill will require funding for additional FTEs, facilities, equipment and programming and may have a significant negative fiscal impact for the first year and on a recurring basis. See the Fiscal Comments section of this analysis for more details.

The bill would take effect July 1, 2006.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide Limited Government—HB 1337 w/CS requires vision exams for all driver license renewals and shortens the time between renewals for drivers over the age of eighty.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

Driver's License Examination Requirements

The Department is currently required by s. 322.18, F.S 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 his or her license and only be required to pass the eye exam.

Once a license is issued, the DHSMV continuously monitors driver performance through reexaminations of drivers appearing to be incompetent. On written notice of at least 5 days, the DHSMV, having good cause, may require a licensed driver to submit to an examination or reexamination¹. "Good cause" includes, but is not limited to, the recommendation from a court, a law enforcement agency, or a physician.

A licensee may also be subject to reexamination by the DHSMV upon renewal. The examination consists of tests of the licensee's eyesight and hearing and his or her ability to read and understand highway signs and pavement markings.

Driver's License Issuance Periods

Pursuant to, s. 322.18, F.S., an initial driver license issuance is generally valid for 6 years, concurrent with the applicant's birthday. If an applicant establishes his or her identity for a driver's license using either an employment authorization card or a proof of nonimmigrant classification (both are issued by the United States Department of Homeland Security), then the driver's license expires 2 years after the date of issuance or upon the expiration date cited on the Department of Homeland Security documents, whichever date first occurs. In addition, commercial driver's licenses with hazardous-materials endorsements are only valid for 4 years.

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, the DHSMV may issue 4-year and 6-year license extensions by mail, electronic, or telephonic means without a vision examination for drivers who are not over 79 years of age, unless renewal applicants are directed by the DHSMV to appear for an in-person examination. Licensed drivers are eligible for two consecutive license extensions without a required examination by the DHSMV. Therefore, the maximum time from the original driver license issuance to the end of the second license renewal could be a maximum of 18 years (6-year original license and 2 mail-in or electronic renewal periods of 6 years each equaling 18 years.)

However, a licensee who is otherwise eligible for a renewal license and who is over 79 years of age must:

¹ Section 322.221, F.S.

- Submit to and pass a vision test administered at any driver's license office; or
- If applying for an extension by mail, submit to a vision test administered by a licensed physician or optometrist.

The physician or optometrist must send the results of the test to the DHSMV on the proper department form signed by the physician or optometrist, or may do so by electronic means. The renewal applicant must meet vision standards equivalent to DHSMV's vision test. Also, a licensee who is over 79 years of age may not submit an application for extension by electronic or telephonic means, unless a physician or optometrist has already electronically submitted the results of a vision test to DHSMV.

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. Driver license fees are set out in s. 322.21, F.S. The renewal fee is applicable for both a 4 and 6-year license. Driver license fees are deposited into the General Revenue Fund.

Effect of Proposed Changes

Driver's License Examination Requirements

HB 1337 w/CS amends s. 322.18, F.S., to require all individuals to submit to a vision test when applying for the renewal of their driver's license, either in person or through the submission of a report by an authorized and appropriate medical professional. The bill specifically includes ophthalmologists in the list of appropriate medical professionals authorized to submit these reports. The vision test must be performed no more than twelve months prior to the application for renewal.

Driver's License Issuance Periods

The bill revises s. 322.18, F.S., to provide that a driver's license expires on a licensee's 80th birthday and provides for a 4-year license renewal period for persons over 80 years of age. Each renewal after a person's 80th birthday requires passing an eye and hearing examination.

Driver's License Fees

This bill amends s. 322.18, F.S., to waive the license renewal fees for drivers who have a license that was held for less than 4 years prior to their 80th birthday.

According to DHSMV, approximately 2 million license renewals are issued annually through its field offices and headquarters' central issuance processing system. The vast majority of these would be subject to the mandatory vision-testing requirement of the bill. Because of the bill's vision test requirements, the percentage of individuals using either electronic or telephonic means to renew would likely decrease as individuals may be more likely to renew at a field issuance office where vision tests are free of charge as opposed to visiting a licensed medical professional. This would result in a corresponding increase in the number of individuals who will go to a field issuance office to renew their driver's license. The bill's revisions to the duration of renewal licenses issued to people over 80 years old could also have a significant workload impact on DHSMV.

Additional examiners and office manager positions would be required to process the increased number of individuals expected to renew in a field issuance office rather than utilizing a convenience method, as well as processing the additional renewal activity for those drivers aged 80 and older. For information on the fiscal impacts of the bill, see the Fiscal Comments section of this analysis.

Older Drivers and Health Status

In the United States, 7,544 people age 65 and older died in motor vehicle crashes during 2001. During 2002, an estimated 193,068 adults age 65 and older suffered nonfatal injuries as occupants in motor vehicle crashes. Compared to an overall fatality rate of 2.0 per 1,000 crashes, persons ages 65–74

have a fatality rate of 3.2. For those ages 75-84, the rate is 5.3, and for those ages 85 and above it increases to 8.6.²

Risk Factors

There are several risk factors that can contribute to motor vehicle-related injury.³ Age-related declines in health may affect some older drivers' ability. Health factors in older drivers that may contribute to motor vehicle-related injury include:

- Physical, sensory, and cognitive changes occur during the normative aging process, affecting the performance of everyday tasks, including driving.
- Chronic medical conditions.
- Use of multiple medications that can adversely affect driving abilities.
- Cataracts, the leading cause of vision impairments in older adults, glaucoma, macular degeneration, and decreased visual acuity.

Psychosocial Impact

Driving an automobile is associated with autonomy and, therefore, driving cessation or driving reduction can lead to a loss of independence and depression. Where few alternatives exist to personal vehicles, the loss of a driver's license can affect one's quality of life and decreased access to medical and community services.

Recognition of declining ability

When older drivers recognize diminished capacities, many adjust their driving behaviors and some cease driving altogether.⁴ Those who recognize diminished capacities frequently reduce their risk by reducing their exposure, limiting themselves to driving conditions in which they feel most confident.

- Make fewer trips and travel fewer miles.
- Tend to avoid rush hour.
- Tend to avoid inclement weather.
- Tend to avoid driving after dark.
- Are less likely to drink and drive.
- Wear safety belts more often than do any other age groups except infants and preschool children.

C. SECTION DIRECTORY:

Section 1. Amends s. 322.18, F.S., to limit the duration of driver's licenses issued to not exceed an applicant's 80th birthday; to provide that the license of any person expires at midnight on the licensee's 80th birthday; to provide that a driver's license that expires may renew up to 12 months before the applicant's 80th birthday if the applicant passes an eye and hearing examination; to eliminate the age requirement for vision tests; to require a vision test for all license renewals; to add ophthalmologists to the list of people who may submit vision test results and to waive the license renewal fee for certain drivers.

Section 2. Provides an effective date of July 1, 2006.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

² National Cooperative Highway Research Program 2006 . Available online at http://safety.transportation.org/htmlguides/old_drvr/types_of_probs.htm

³ Relationship of Health Status, Functional Status, and Psychosocial Status to Driving Among Elderly with Disabilities William C. Mann, et al, Physical & Occupational Therapy in Geriatrics, 23(2/3), 1-2. Available online at <http://driving.php.ufl.edu/publications/Relationship%20of%20Health%20Status.pdf>

⁴ CDC's Unintentional Injury Activities Report – 2004 National Center for Injury Prevention and Control. Available online at http://www.cdc.gov/ncipc/pub-res/unintentional_activity/2004/DUIP_Activity_Rpt2004.pdf

1. Revenues:
See FISCAL COMMENTS section, below.
2. Expenditures:
See FISCAL COMMENTS section, below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None.
2. Expenditures:
None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

To the extent that the bill requires all applicants, regardless of age, to submit to a vision test when applying for the renewal of a driver's license, adds ophthalmologists to the list of appropriate medical professionals authorized to submit reports for these tests, and provides for a shorter license renewal period for persons over 80 years of age, some individuals may visit ophthalmologists or other licensed physicians for these mandatory vision tests.

D. FISCAL COMMENTS:

According to the DHSMV, requiring all applicants regardless of age to submit to a vision test when applying for the renewal of a driver's license in person or through the submission of a report by an authorized and appropriate medical professional will have a significant fiscal impact. The bill will also require funding additional positions, facilities and equipment for the first year and on a recurring basis.

The bill may also require contracted programming modifications to the Driver License Information System. DHSMV is preparing a fiscal impact estimate for HB 1337 w/CS, but the estimate was not complete as of the date of this analysis.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require cities or counties to spend funds or take actions requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

No exercise of rulemaking authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On **March 28, 2006** the Transportation Committee adopted a strike-all amendment to HB 1337. The amendment provided the following changes:

- Eliminated the age-based schedule for licensees,
- Provided that a driver's license expires on a licensee's 80th birthday,
- Provided for a 4-year license renewal period (with examination) for persons over 80 years of age,
- Waived renewal fees for drivers that have a license that was held for less than 4 years prior to their 80th birthday, and
- Allowed the results of a vision exam that was done up to 12 months before the renewal application to be submitted.

The committee then voted 15-0 to report the bill favorably with committee substitute.