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## FISCAL IMPACT REPORT

SPONSOR SJC DATE TYPED 3/09/05 HB \_\_\_\_\_

SHORT TITLE Temporary License Night Driving Requirements SB CS/400/aSF1#1

ANALYST Ford

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			Minimal		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Senate Floor Amendment #1

Senate Floor Amendment #1 allows an applicant for a restricted provisional license to submit a report from a licensed ophthalmologist or optometrist, rather than just an optometrist.

#### Synopsis of Original Bill

The Senate Judiciary Committee substitute for Senate Bill 400 allows an applicant for a provisional driver's license who cannot drive at night due to low nighttime vision to be exempted from the night driving requirements. The applicant must submit an ophthalmologic or optometric report from a licensed optometrist who attests to the applicant's condition. Such provisional license will limit the driver to daylight hours.

#### Significant Issues

Current law does not give the Motor Vehicle Division (MVD) the authority to issue restricted provisional licenses, which presents a problem for an individual learning to drive who may have low night vision. This bill provides a process, consistent with MVD's existing procedures for assessing health conditions, to issue provisional licenses to drivers with low night vision.

On page 2, the bill requires the applicant to submit "an ophthalmologic or optometric report from a licensed optometrist who attests to the applicant's visual condition and its effect on the appli-

cant's driving ability.” Should this read “...a licensed ophthalmologist or licensed optometrist”?

### **FISCAL IMPLICATIONS**

The bill may result in minor cost increases to the MVD of the Taxation and Revenue Department (TRD) to update its processes for issuing provisional licenses.

### **TECHNICAL ISSUES**

The bill implies that either an ophthalmologist or an optometrist may provide the necessary report to attest to an applicant's visual condition by referencing an “ophthalmologic or optometric report.” However, the bill only specifically authorizes the report to come from an optometrist.

Optometrists are professionally trained and licensed by the regulation and licensing department to examine eyes for visual defects, diagnose problems or impairments, and prescribe corrective lenses.

Ophthalmologists are physicians who specialize in the anatomy, functions, pathology and treatment of the eye.

**EF/lg:njw**