

BILL ANALYSIS

Senate Research Center

H.B. 84
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Transportation & Homeland Security
4/2/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 521.271, Transportation Code, requires a driver's license to be renewed every six years, but there is no requirement for elderly drivers to retake vision and field tests in order to obtain a renewal. There has been increasing concern over public safety in regard to elderly drivers. Insurance companies have reported that drivers 80 years of age and above are high-risk drivers as their sight and responsiveness deteriorates. Statistics that show older drivers are involved in accidents at lower rates than teen drivers may be misleading since miles traveled and senior citizens' preference to drive only during daylight are not taken into account. If one looks at accidents per miles driven, elderly drivers have more accidents, including fatal accidents, than any other group. By 2004, half of the states had passed some sort of elderly driver restrictions, usually requiring older motorists to renew their licenses more often and to have their vision checked.

H.B. 84 requires a driver's license to expire on the license holder's 90th birthday and be renewed every two years thereafter. This bill requires drivers 90 years of age and older to pass an examination that includes a vision screening in order to have their licenses renewed. This bill also requires persons 90 years of age or older to renew their license in person, but provides that they will have priority in line at the Department of Public Safety (DPS). Finally, this bill sets fees for such renewals and requires DPS to conduct a study to determine the most efficient manner of implementing the requirements of this Act.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes this Act to be cited as "Katie's Law."

SECTION 2. Amends Section 521.271, Transportation Code, as follows:

Sec. 521.271. LICENSE EXPIRATION. Makes conforming and nonsubstantive changes.

SECTION 3. Amends Subchapter M, Chapter 521, Transportation Code, by adding Section 521.2711, as follows:

Sec. 521.2711. LICENSE EXPIRATION: PERSON AT LEAST 90 YEARS OF AGE.
(a) Provides that a driver's license expires on the license holder's 90th birthday.

(b) Provides that an original driver's license of a person older than 90 years of age expires on the second anniversary of the date of issuance.

(c) Provides that a driver's license of a person older than 90 years of age that is renewed expires on the second anniversary of the expiration date before renewal.

SECTION 4. Amends Subchapter M, Chapter 521, Transportation Code, by adding Section 521.2712, as follows:

Sec. 521.2712. OFFICES. Requires a person required to renew a driver's license under Section 521.2711 to be given priority in line at a Department of Public Safety (DPS) office when renewing the license.

SECTION 5. Amends Section 521.273, Transportation Code, by adding Subsection (c), to prohibit DPS from renewing a driver's license of a person who on the license's expiration date before renewal is at least 90 years of age unless the person passes an examination for the renewal. Requires the examination to include a screening of the person's vision.

SECTION 6. Amends Section 521.274(b), Transportation Code, to prohibit a rule adopted under this section from permitting renewal by mail or electronic means of a person who on the license's expiration date before renewal is at least 90 years of age. Makes nonsubstantive changes.

SECTION 7. Amends Section 521.421, Transportation Code, by adding Subsection (i), as follows:

(i) Requires DPS to prorate the fee for the issuance or renewal of a driver's license of a person who on the license's expiration date before renewal is at least 85 years of age to account for the expiration of the license on the person's 90th birthday. Establishes that the fee for issuance or renewal of a driver's license of a person who is at least 90 years of age on the date of the issuance or the expiration date before renewal, as applicable, is \$8 for a license with an expiration date established under Section 521.2711(b) or (c).

SECTION 8. Amends Section 522.029, Transportation Code, by amending Subsection (a) and adding Subsection (j), as follows:

(a) Makes a conforming change.

(b) Establishes that the fee for issuance or renewal of a commercial driver's license or commercial driver learner's permit is \$25 for a license with an expiration date established under Section 522.054.

SECTION 9. Amends Sections 522.051(a), (b), (c), and (d), Transportation Code, to make conforming changes.

SECTION 10. Amends Sections 522.052(b), (c), and (g), Transportation Code, to make conforming changes.

SECTION 11. Amends Subchapter E, Chapter 522, Transportation Code, by adding Section 522.054, as follows:

Sec. 522.054. LICENSE EXPIRATION: PERSON AT LEAST 90 YEARS OF AGE. Provides that each original commercial driver's license and commercial driver learner's permit of a person 90 years of age or older expires on the license holder's second birthday after the date of the license application. Provides that a commercial driver's license of a person 90 years of age or older that is renewed expires on the second anniversary of the expiration date before renewal.

SECTION 12. Makes application of this Act prospective.

SECTION 13. (a) Requires DPS to conduct a study as soon as possible after the effective date of this section to determine the most efficient method of implementing the requirements of this Act.

(b) Effective date of this section: upon passage or September 1, 2007.

SECTION 14. Effective date: January 1, 2008, except as otherwise provided by this Act.