

## **BILL ANALYSIS**

H.B. 84  
By: Branch  
Law Enforcement  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current Texas law requires that a person's driver's license be renewed on the sixth anniversary of the expiration date before renewal, but does not have any additional requirements for elderly drivers. However, drivers aged 75 and older have higher rates of fatal accidents than any other group except teenagers, and drivers over 80 are more than twice as likely to be at fault in a fatal collision than the average driver. Elderly drivers also represent the fastest growing segment of the driving population. In the next 10 years, the number of elderly drivers is estimated to double. Numerous states currently require accelerated license renewal for elderly drivers, some of which include vision and motor skills tests.

This bill would add a provision to the transportation code requiring drivers over the age of 90 to have their licenses renewed every 2 years, and prohibits the department from renewing a driver's license unless a person passes an examination for renewal. The examination must include a test of the person's vision as well as a demonstration of the person's ability to exercise ordinary control of a motor vehicle.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

H.B. 84 amends Texas Transportation Code Chapter 521 by adding a provision that drivers' licenses expire on a license holders 90th birthday, whether or not that date falls on the sixth anniversary of the expiration date before renewal.

The bill further provides that the original license of a person older than 90 years of age expires on the second anniversary of the issuance date, and a driver license of a person older than 90 years of age that is renewed expires on the second anniversary of the expiration date before the renewal.

The Department of Public Safety is required 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 individual's 90th birthday. 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 the renewal is \$8 per license every two years.

The Department of Public Safety is prohibited from renewing the driver's license of an individual, who on the license's expiration date before renewal is at least 90 years of age, unless the individual passes an examination for renewal. H.B. 84 provides that the examination is required to include a test of the individual's vision and a demonstration of the individual's ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type that the license authorizes the person to operate.

A person who is at least 90 years of age on the license's expiration date is prohibited from renewing their driver license by mail or electronic means. The change in law made by this Act applies only to a driver's license issued or renewed on or after the effective date of this Act.

**EFFECTIVE DATE**

The Act takes effect September 1, 2007.