

# SENATE BILL REPORT

## SB 5379

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As of February 7, 2013

**Title:** An act relating to nighttime vision acuity testing for driver's license applicants.

**Brief Description:** Concerning nighttime vision acuity testing for driver's license applicants.

**Sponsors:** Senator Benton.

**Brief History:**

**Committee Activity:** Transportation: 2/07/13.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kim Johnson (786-7472)

**Background:** The Department of Licensing (DOL) prescribes the content of the driver's licensing examination, subject to some statutory requirements, and may require further examination as the director deems necessary to determine the applicant's fitness to operate a motor vehicle safely. For example, state law requires DOL to test the applicant's eyesight and ability to see, understand, and follow highway signs regulating, warning, and directing traffic.

DOL has adopted rules specifying the required visual acuity for driver's license or instruction permit applicants. An applicant who fails the vision test administered at the DOL field office, which means a person has visual acuity worse than 20/40 Snellen with both eyes combined either corrected or uncorrected, or with some apparent significant visual limitation, must have an eye examination by a competent vision authority. An applicant whose vision cannot be corrected to at least 20/70 Snellen range will be deemed to have failed to demonstrate that the applicant is qualified to drive at night.

Before 2009, DOL's rules did not specify a minimum visual acuity that an applicant must meet in order to be qualified to drive at night. Instead the pre-2009 rule gave discretion to an applicant's optometrist or ophthalmologist to determine whether the applicant could see adequately to safely drive at night.

**Summary of Bill:** If DOL determines that a driver's license or instructional permit applicant must be examined by a competent vision authority regarding the applicant's night time visual

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acuity, DOL must only require that the optometrist or ophthalmologist verify that in their professional opinion the applicant can see adequately to safely operate a vehicle at night.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.