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Legislature approves vision tests for elderly drivers

By AMAN BATHEJA

AUSTIN — Elderly drivers will have to pass regular vision tests to keep their license, according to bills passed in the Legislature Wednesday, but the age they'll have to start is still up for debate.

The House version of the bill sets the bar at age 90. A Senate bill would start at 85.

A compromise version will have to be hammered out in committee, said state Rep. Dan Branch, R-Dallas, who sponsored the House bill.

Both versions received strong support. The House version was passed tentatively 115-10, but will still need a final vote. The Senate version passed unanimously.

The bills was nicknamed "Katie's Law," after 17-year-old Katie Bolka who was hit and killed last year by a 90-year-old who ran a red light in north Dallas.

The House version mandates that Texas drivers' licenses would automatically expire on a driver's 90th birthday. Drivers will have to go to the Department of Public Safety and pass a vision test to have their license renewed, and pass the same vision test every two years to keep their license valid.

The Senate bill from state Sen. John Carona, R-Dallas, sets the cut-off age at 85 and allows officers to decide whether a driving test is also needed. The bill also requires drivers 79 and older to renew their license in-person.

Branch tried to add an amendment to the House version lowering the cut-off age to 85 but was met with resistance from several lawmakers.

State Rep. Joe Driver, R-Garland, chair of the Law Enforcement committee that approved Branch's bill, said changing the cut-off age fundamentally changed the bill.

"I just polled my committee. It would not have reached the house floor at age 85," Driver said.

House lawmakers did agree to an amendment from Rep. Jim Dunnam, D-Waco, mandating that elderly drivers will be moved to the front of the line when at a DPS office to renew their license.

Under current state law, drivers have to renew their license every six years but must do it in person every 12 years. In between, drivers can renew their license by mail or online.

Sixteen states currently require elderly drivers to renew their licenses more often, most starting when drivers are in their 60s or 70s, according to the Insurance Institute for Highway Safety. At age 90, Texas would have the oldest age cut-off in the country for focusing on elderly drivers.

Branch said he intentionally set the age higher in order to ensure it got passed, but expects it to be lowered in the future.

"You've got to start somewhere and people have to build up a comfort level," Branch said.

Driving legislation

Texas lawmakers have filed several bills that could impact drivers:

Cell phones — Legislation from state Rep. Jose Menendez, D-San Antonio, would ban talking on a cellphone while driving, unless the driver uses a hands-free device or speakerphone.

Car seats — This bill, from state Sen. Judith Zaffirini, D-Laredo, and state Rep. Fred Brown, R-College Station, would expand the guidelines for child-safety and booster seats. Children under age 8 — unless they're taller than 57 inches — would be required to use the seats in a moving vehicle, up from the current rule requiring them for children younger than 5 and shorter than 36 inches.

Smoking — State Rep. Leo Berman, R-Tyler wants to increase the penalty for throwing a lit cigarette, match, or other lit material out of a vehicle to a Class A misdemeanor up from Class C under the current law. Violators could pay up to \$4,000 and spend up to a year in jail.