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## FORUM: Elderly drivers could be forced to take vision test; critics say that's not enough

By: [PAUL S. MARTINEZ](#) , The Enterprise

Proposed regulations making it more difficult for elderly drivers to renew their licenses are on a fast track to becoming state law.

The Texas House and Senate both passed bills dealing with the topic on Wednesday.

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Senate Bill 180, called "Kate's Law" for a Dallas teen killed by a 90-year-old driver last year, would require 79-year-olds to renew their drivers' licenses and to take a vision test. The bill also would give state employees discretion to determine whether an 85-year-old driver would have to take a driving test to get a new license.

The less-stringent House Bill 84 would not require an eye exam until age 90 and says nothing about a driving test.

A local driving instructor and an elderly driver say neither bill is enough.

But a representative who voted against the house bill and a lobbying group for retired people say any new law restricting elderly drivers would be discriminatory.

"We do need a law for elderly drivers," Beaumont defensive driving instructor Emily Simon said. "In fact, we need a new test that measures reaction time, depth perception and vision."

The number one cause of accidents is driving slowly, Simon said, referring to literature she teaches in her classes.

"When you have drivers between 25 and 45, they are always in a rush - got to be here, got to be there," she said. "Elderly drivers are generally in less of a rush."

She thinks driving tests for the elderly should start at around 75.

Charles Buffington, a 78-year-old Lumberton native, agrees.

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- [Senate Bill 180](#)
- [House Bill 84](#)

"There are many seniors who don't need to be on the road," he said. "You see some seniors who, when they get out of their cars, they can barely walk."

He would have no problem taking another vision test next year, the retired military and corrections officer said.

Buffington, who drove from Lumberton to the Hotel Beaumont to visit his brother-in-law, Milton Ray, said he would not have a problem taking a driving test either.

Steve Pulaski, the chairman of the committee that reviewed "Kate's Law," said there was sentiment in the Senate to make the bill even more stringent, but in the end "this was the course the Senate agreed to without objection."

Branch said the bill is a "first step" into territory where no previous law existed.

"We have laws dealing with young drivers. We have laws dealing with drunk drivers. But there has never, in the history of Texas, been laws on the other end of that spectrum," Branch said. "Now, we need to be sure we approach this whole process with a great deal of respect for our seniors and the fiercely independent spirit of our state."

In the end, Branch said the new law regarding elderly drivers likely will be somewhere in the middle of the House and Senate bills.

"We need to find a balance that ensures safety on our highways and respects our seniors," the representative said.

AARP echoes the sentiment, AARP Texas spokesman Rafael Ayuso said.

"Our top concern is safety on Texas highways," he said. "This legislation is about finding a balance between seniors remaining independent and mobile and safety on our roads."

AARP is not behind the Senate bill.

"The arbitrary DPS provision is one we do not support," Ayuso said, referring to the portion that allows Department of Public Safety examiners to determine whether a driving test needs to be taken by those 85 or older. Ayuso said he believes the provision will be done away with in committee.

While the Senate bill passed unanimously, the house bill passed by a 115-10 vote.

Rep. Charles "Doc" Anderson, R-Waco, voted against the bill because he believes it discriminates based on age.

"I don't think elderly drivers are a problem," he said "These folks are very discreet drivers. They drive during low traffic hours to church and to visit the doctor or what have you."

A traffic officer with the Beaumont Police Department agrees that elderly drivers are not much of an issue.

"It's the younger drivers who are screwing up," Officer Doug DeVagh said. "Accidents with elderly people are few and far between."

DeVagh, an officer in the division which investigates accidents, said there are about four or five cases a year where seniors have to re-qualify for a license after an incident. For the most part, seniors behind the wheel are not a problem, he said.

He also disagrees that driving too slow is the number one cause of accidents - at least "not around here."

"In this city, it's either too fast or too drunk," DeVagh said.

Requiring eye exams for the elderly may be a logical fallacy.

"Age is not the benchmark for vision; it's eye diseases," said Lisi Coleman, founder and owner of Homesight, a business that deals primarily with vision issues of the elderly.

"Eye diseases can affect any person at any age," Coleman said, adding the age factors that may affect driving are cognitive skills, response time and depth perception - abilities that aren't measured with eye exams.

But there may be a bigger issue at work with elderly drivers.

"Driving, a lot of times, is that last hallmark of independence that identifies them as a functioning human," Coleman said. "Sometimes, seniors will just hold on to it longer than they should."

[paulsmartinez@beaumontenterprise.com](mailto:paulsmartinez@beaumontenterprise.com)

(409) 880-0737



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