



Chronicle

The family of 17-year-old Katie Bolka — her father, Rick, sister Nina and her mother, Johna — pushed Texas lawmakers to pass new restrictions for senior drivers after the Dallas teen's car was hit by a 90-year-old driver at an intersection.

TONY GUTIERREZ; ASSOCIATED PRESS



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'Katie's Law' another hurdle for senior Texas drivers

Measure requiring in-person license renewals and a vision test is one of many new laws taking effect today

By JIM VERTUNO
Associated Press

AUSTIN — Katie Bolka was just a final exam away from the start of her 2006 summer vacation. Stopped at a red light on her way to school, the 17-year-old Dallas junior and budding artist continued through the intersection when it turned green.

Her car was the third through the light when another driven by a 90-year-old slammed into Bolka's door at about 45 mph. Badly injured, Bolka died a few days later.

Convinced that the woman who struck their daughter should not have been behind the wheel, Bolka's parents pushed Texas lawmakers to pass "Katie's Law," which places new restrictions on Texas' elderly drivers. It is one of hundreds of new state laws that take effect today.

Texas residents 79 and older will no longer be allowed to renew their licenses by mail or Internet. They also must submit to a mandatory vision test. And drivers 85 and older will need to renew every two years, rather than six.

"This is something that is greatly needed," said Rick Bolka, Katie's father. "Driving an automobile is an awesome responsibility. A lot of people think you have a right to drive and in reality you don't. The way Katie's life was taken, we recognized there was a true need for legislative change with respect to elderly drivers."

Texas joins other states that have elderly-driver restrictions, many of which require vision tests and to renew licenses more often.

Texas has more than 480,000 drivers age 79 and older, some of whom will likely complain about the change, said 82-year-old Frank Burke of Austin, although he thinks it's probably a good idea.

"I sort of resent it but I can see the reason for it. As we get older, our reflexes can get slower," Burke said. "We are the last people who will accept it for themselves."

Burke's license won't be up for renewal until 2010, when he'll be 85. He said he and his 80-year-old wife both have accident-free records and he considers himself a better driver "than the folks who keep cutting me

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NEW TEXAS LAWS

Some of the hundreds of new laws that go into effect in Texas today:

- **Elderly drivers:** "Katie's Law" requires drivers 79 and older to renew licenses in person. At age 85, renewal period drops from every six years to two years.
- **Speeding tickets:** Drivers ticketed at more than 95 mph cannot take a driving safety class to dismiss the citation.
- **Marijuana:** Police will have discretion to issue citations instead of arresting those in possession of 4 ounces or less of marijuana. The offender must live in the county where they are stopped and must not be considered a threat to public safety.
- **Child predators:** "Jessica's Law" — named after 9-year-old Jessica Lunsford, a Florida girl who was sexually abused and murdered — allows

off."

Katie's Law is a sensitive issue for members of the AARP in Texas. The organization supported the bill but also tried to strike a balance between helping seniors maintain their independence and to recognize when it's time to get off the road.

"The bottom line for us is we want safer roads for all Texans," Texas AARP spokesman Rafael Ayuso said.

"People are living longer, more productive, more mobile lives," Ayuso said. "It's controversial because it incites passions on both sides. Our roads should be safe and mobility should be preserved without compromising public safety."

If the state is going to restrict senior drivers, it should help them stay mobile by boosting public transit, he said.

AARP has a safety program to help seniors recognize when their driving skills are deteriorating. Warning signs include difficulty concentrating or judging distances and trouble seeing the sides of the road when driving straight ahead.

Based on a review of crashes in Connecticut, the Insurance Institute of Highway Safety reported in March that 58 percent of intersection crashes involving drivers 80 or older were the result of a failure to yield, many times because they didn't see an oncoming car or stop sign.

The new Texas law for older drivers requires only a vision test on renewals, not a new driving test. Current law already allows the state to require a new driving test if a family member or officer thinks a driver may have physical or mental health problems that make driving dangerous.

Forcing elderly drivers to renew in person may help officials recognize a problem, Bolka said.

"That's important. The more frequent renewals are, the better chance to identify drivers who are unfit for the road," Bolka said.

The loss of a license may be as much a psychological struggle as a practical one for some seniors.

"They may not even drive much but that license makes them feel more independent," Department of Public Safety spokeswoman Tela Mange said.

Burke said his mother became depressed when she was forced to give up her license in her early 80s about three years before she died. But he also sees drivers who he believes could be hazardous on the road.

"Some will resent it," Burke said. "I think the logical ones will accept it."

prosecutors to seek the death penalty for some repeat child sex offenders.

- **Missing seniors:** The state will develop an alert system for missing senior citizens similar to the Amber Alert program used for abducted children.

- **Castle doctrine:** Removes the requirement that someone must try to retreat before using deadly force to defend themselves.

- **Search warrants:** Allows courts to seal from the public and media search warrant affidavits for up to 60 days.

- **Dog owners:** Owners of pets attacking and seriously injuring someone could face up to 10 years in prison. If the attack is fatal, it could be up to 20 years.

- **Children's health:** As part of the state budget, more than 100,000 additional children could be added to the state's Children's Health Insurance Program.

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ViciousKatanaGuy wrote:

I agree with Katie's Law. Bolka did NOT have to die.

Texfou: Vision, hearing, and other aspects deteriorate when people are old. There is a difference between reckless driving and "good faith" driving with impaired senses. A reckless driver could become a better driver, while a disabled elderly person has no chance of becoming a good driver.

9/1/2007 6:47:56 PM

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texfou80 wrote:

This June I was stopped at a red light right behind another car at a busy intersection in Austin. The light turned green, the car in front moved forward and I followed. Then, Bang!! A car driven by a young man had deliberately ran the red light, hit the car in front of me broadside at the driver's door. He was speeding, made no attempt to stop and did not stop until stopped by the car he hit. He had passed cars who were stopped for the red light. Fortunely, the driver of the hit car was not seriously injured. Before I got back home, I saw three more cars run red lights. All drivers were young or in their forties or fifties. In Austin, the young and middle age run red lights, pass on the right shoulder and use turn lanes for passing. Where are the laws for such drivers? Do we have to wait until they are in their eighties? Why such resentment against the elderly? Why not the same law for all plus a mental test on why you would run a red light when you can plainly see it is red?
Texfou80

9/1/2007 5:11:19 PM

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larry690 wrote:

Too bad it took Katies life to inact this law, but better later than never!

9/1/2007 4:36:18 PM

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