

SESSION OF 2018

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2606**

As Amended by Senate Committee on  
Transportation

**Brief\***

HB 2606, as amended, would specify vision test requirements for qualifying applicants for electronic online driver's license renewal. A requirement in continuing law that a driver's license examiner administer an eyesight exam prior to renewal of a driver's license would be waived under the conditions listed below:

- The electronic online renewal applicant must be at least 21 years old but less than 50 years old;
- The applicant must certify under penalty of law the applicant's vision meets requirements in continuing law (20/40 or better in at least one eye as tested by the driver's license examiner, 20/60 or better in at least one eye if the applicant submits a vision report from an ophthalmologist or optometrist);
- The applicant must certify under penalty of law the applicant has undergone an examination by a licensed ophthalmologist or a licensed optometrist within the previous year;
- The applicant must authorize the exchange of vision and medical information between the Division of Vehicles (Division) and the applicant's ophthalmologist or optometrist; and

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- The ophthalmologist or optometrist would have four business days to confirm or deny the vision and medical information of the applicant. The Division would be required to accept the vision and medical information provided for processing the renewal application if the Division does not receive a response from the applicant's ophthalmologist or optometrist within the specified time frame.

The bill would state the provisions allowing waiver of vision examination would expire July 1, 2022, and the bill would require the Division to report to the House and Senate Committees on Transportation by February 1, 2022, regarding the online renewal process and its effects to safety on the state's roads and highways.

The bill would require, rather than authorize as in current law, the Secretary of Revenue to adopt and administer rules and regulations regarding electronic online renewal of a driver's license and specify those rules and regulations could include, but not be limited to, requirements that an electronic online renewal applicant has previously provided documentation of identity, lawful presence, and residence to the Division for electronic scanning.

## **Background**

The bill was introduced by the House Committee on Transportation at the request of a representative of the Division of Vehicles, Department of Revenue (Department). In the House Committee hearing, a Division representative testified states currently using online driver's license renewal indicated a need to expand vision testing options to increase online renewal and the Department had worked with the Kansas Optometric Association (Association) on the bill. The Executive Director of the Association provided neutral testimony. No opponent testimony was presented.

The House Committee adopted a technical amendment requested by the revisor.

In the Senate Committee on Transportation hearing, a representative of the Division and the Executive Director of the Association provided proponent testimony. The Executive Director of the Association noted the Association was neutral on the bill during the House Committee hearing, but became a proponent after working with the Division to ensure the bill upholds vision safety standards. No other testimony was provided.

The Senate Committee amended the bill to require the Division to report to the Senate Committee, as well as to the House Committee; clarify the time frame for a response by the applicant's ophthalmologist or optometrist; require the Secretary to adopt rules and regulations; and raise the minimum online applicant age from 18 to 21.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department indicates enactment of the bill could reduce the need for state driver's license examiners. The Department indicated a survey of 32 other states that implemented online renewal found all but one did so within existing resources; however, the Department cannot accurately estimate the bill's fiscal effect on agency operations. The Board of Examiners in Optometry indicates enactment of the bill would have no fiscal effect on the agency. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.