

Date of Hearing: April 24, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 1606 (Gipson) – As Introduced February 17, 2023

SUBJECT: Driver's license renewal alternatives

SUMMARY: Authorizes the director of the Department of Motor Vehicles (DMV) to establish a program to evaluate the traffic safety and other effects of renewing driver's licenses (DLs) by virtual or other remote processes, in lieu of submitting an application at an office at DMV and authorizes DMV to renew a driver's license by virtual or other remote process. Specifically, **this bill:**

- 1) Authorizes the director of DMV to terminate the renewal by virtual or other remote processes authorized by this section at any time.

EXISTING LAW:

- 1) Requires DLs to be renewed every five years. (Vehicle code section (VEH) 12816)
- 2) Permits DMV to establish a program to authorize the renewal of DL by mail twice every 15 years. (VEH 12814.5)
- 3) Prohibits DMV from authorizing renewal by mail for individuals over the age of 70, individuals with certain negative operation points on their licenses, or with certain driving related convictions. (VEH 12814.5)
- 4) Authorizes DMV to require applicants who are renewing their driver's license to take the knowledge test. Prohibits DMV from making this determination solely on the basis of an individual's age. (VEH 12814)

FISCAL EFFECT: Unknown

COMMENTS: In response to a budget crisis, the California Legislature passed AB 777 (Calvo), Chapter 625, statutes of 1978 which authorized DMV to offer the option of renewal of a DL by mail twice every 15 years, with the exception of individuals over the age of 70 or individuals with certain traffic offenses. At the time the average lifespan was 69 years old.

In October of 2020, Governor Gavin Newsom temporarily waived the California law requiring senior drivers 70 and older to renew their licenses at a DMV field office as part of his emergency powers granted as a result of the COVID-19 pandemic. AB 175 (Budget), Chapter 254, Statutes of 2021 temporarily suspended the requirement for individuals 70 and older to renew their license in person every 5 years.

On March 17th, 2022 DMV began offering online options for customers who need to take a driver's license knowledge test can complete the requirement at home before visiting a DMV office. The test is available in 35 languages and requires customers to have an internet-enabled computer or laptop with a webcam that must be turned on during the entire test. The exam cannot be taken on a tablet or mobile device. DMV permits applicants to take the test online twice and after that requires them to come into DMV offices in person. This bill codifies DMV's authority

to offer this examination virtually. This is the second bill in as many years where DMV established a virtual program first and came to the Legislature seeking authorizing legislation afterwards.

While the language provided in this bill does not explicitly authorize DMV to waive the in-person requirement for license renewal for individuals over 70 years old, materials provided to the committee suggest that is the intent of DMV.

According to the author, “This bill is necessary in order to provide our elderly community with other options that do not include having to go in person to the DMV. Having online services available and accessible to seniors over the age of 70, will save them the trouble of driving to the DMV and waiting long periods of time for a process that can be done quickly and easily through the internet or by mail. It will also protect at-risk seniors with weak immune systems, from potentially exacerbating their health conditions through unneeded travel. This bill will overall increase customer convenience and reduce the number of DMV visits.”

Committee comments: There has long been a concern about the deteriorating health of older persons and driving in the United States. As people age, their vision, hearing and reflexes often deteriorate. According to Pew Research, by 2030 more than 60 million older adults could be driving on the nation’s roadways. In the early 1970s, barely half of Americans 65 and older held a driver’s license. Today 84% do. Seniors are more likely to follow the rules and wear seat belts, observe the speed limit, and are less likely to drink and drive. Their crash rates have continued to drop over the years, and they are less likely than previous generations of seniors to be in a crash or to be killed or seriously injured.

However, older drivers are at higher risk of crashing than middle-aged people because of declining vision, hearing and cognitive ability and medical conditions that are affecting their driving. While they are less likely to be involved in a crash, when the crash they are more likely to be injured or killed than drivers in other age groups.

As of 2016, 19 states have shorter renewal periods for drivers over a certain age. 18 states demand more frequent vision screenings, and 15 states allow drivers to renew by mail or online do not offer that option to older drivers. Illinois requires drivers 79 and older to take a yearly driver’s test.

According to *Driver license renewal policies and fatal crash involvement rates of older drivers, United States, 1986–2011*, a report published in *Injury Epidemiology*, these policies generally have no effect, except that mandatory in-person renewal was associated with a 31% reduction in the fatal crash rate for individuals 85 and older. When in-person renewal was not required, requiring drivers to pass a vision test in order to renew their license was associated with similar reductions; however, requiring a vision test at in-person renewal when in-person renewal was already required was not found to yield any additional reduction in rates of fatal crashes beyond that associated with in-person renewal alone.

The authority granted to DMV in this bill is vague and may grant them powers beyond what the Legislature intends. The committee recommends temporarily increasing the requirement to renew in person from 70 to 80 under the new program, but requiring an out-of-DMV field office vision test for those between 70 and 79 if they want to renew by mail or online. As such, the committee recommends the following amendments in bold:

SECTION 1. Section 12814.4 is added to the Vehicle Code, to read:

12814.4. (a) The director may establish a program to evaluate the traffic safety and other effects of renewing driver's licenses by virtual or other remote processes, in lieu of submitting an application at an office of the department pursuant to subdivision (a) of Section 12814. Pursuant to that program, the department may renew driver's licenses by virtual or other remote processes.

(b) The director may terminate the renewal by virtual or other remote processes authorized by this section at any time.

(c) The department shall provide a report to the legislature and relevant policy committees detailing the program established under this section by January 1, 2034. The report shall include the steps the department took to prevent individuals other than the applicant from taking the knowledge test, the number of individuals on an annual basis that opted to take the knowledge examination virtually or other remote processes, and the number of individuals that opted to take the visual test virtually and the process the department took to verify the authenticity of the tests submitted to the department.

(e) A renewal by mail or on the internet website under this program shall not be granted to any person who is 70 years of age or older without a visual test.

(f) This program shall require all individuals 80 years old and above to come into a field office pursuant to 12814.

(d) This section shall remain in effect until January 1, 2035 and as of the date is repealed.

Related legislation: SB 357 (Portantino) removes the requirement for physicians and surgeons to report to the DMV patients who are diagnosed with a disorder characterized by lapses in consciousness. That bill passed out of Senate Transportation Committee and is pending before Senate Judiciary Committee.

Previous legislation:

SB 1193 (Newman), Chapter 838, Statutes of 2022 authorizes the Department of Motor Vehicles (DMV) to notify its customers using electronic mail for various DMV transactions so long as DMV obtains consent from the customer.

AB 777 (Calvo), Chapter 625, Statutes of 1978 authorized DMV to offer the option of renewal of a DL by mail twice every 15 years, with the exception of individuals over the age of 70 or individuals with certain traffic offenses.

REGISTERED SUPPORT / OPPOSITION:

Support

One Individual

Opposition

None on file

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