

ASSEMBLY THIRD READING

AB 1606 (Gipson)

As Amended April 26, 2023

Majority vote

SUMMARY

This bill authorizes, but does not require, 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 by virtual or other remote processes. The bill specifies that such a program would need to require every individual 80 years of age or older to come into a field office to renew their driver's license.

Major Provisions

The bill requires the DMV, on or before January 1, 2034, to submit a report to the Legislature on the program. The bill is to remain in effect until January 1, 2035.

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.

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.

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."

Arguments in Support

According to one individual writing in support, "With DMVs fully reopened without physical distancing, the DMVs might be the most crowded place a senior is likely to enter. Weather or concern about missing appointment announcements may also discourage elderly customers from waiting outside the building. As shown in the table below, which was prepared for earlier COVID-19 variants *that were even less transmissible*, the combined time waiting alongside unmasked DMV customers and obtaining service at a window is likely to expose elderly drivers to high levels of COVID-19 virus. This is true even with opportunities for filling out some paperwork ahead of time and scheduling appointments.

Today, it is possible for drivers to take written tests remotely. A licensed professional, such as an optometrist or physician, can provide confirmation of adequate eyesight, similar to the occupational safety medical clearance currently required for commercial and ambulance license endorsements. Specific screening procedures, such as physician clearance or self-certification, can be used for certain classes of higher risk, or particularly elderly drivers. Consequently, it is unnecessary to expose all drivers over 70 years of age to heightened COVID-19 risk as the price of retaining driving independence."

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

According to Assembly Appropriations Committee:

Cost pressure of a significant amount, likely in excess of \$150,000, for DMV to develop, consider and adopt regulations to implement this bill (Motor Vehicle Account (MVA)). Because the bill does not require DMV to undertake this work, DMV could schedule this regulatory effort for 2026 or beyond so that it does not coincide with DMV's IT modernization efforts, thereby avoiding costs DMV has attributed to so many other bills.

DMV notes this bill may eliminate approximately one million visits to DMV offices each year, thereby resulting in substantial administrative savings, should DMV act on the authority provided to it by this bill.

VOTES**ASM TRANSPORTATION: 15-0-0**

YES: Friedman, Vince Fong, Berman, Juan Carrillo, Davies, Gipson, Hart, Jackson, Kalra, Lowenthal, Stephanie Nguyen, Sanchez, Wallis, Ward, Wicks

ASM APPROPRIATIONS: 15-0-1

YES: Holden, Megan Dahle, Bryan, Calderon, Wendy Carrillo, Dixon, Mike Fong, Hart, Lowenthal, Mathis, Papan, Pellerin, Sanchez, Weber, Ortega

ABS, ABST OR NV: Robert Rivas

UPDATED

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FN: 0000592