
SENATE COMMITTEE ON TRANSPORTATION

Senator Lena Gonzalez, Chair

2023 - 2024 Regular

Bill No:	AB 1606	Hearing Date:	07/11/2023
Author:	Gipson		
Version:	4/26/2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Jacob O'Connor		

SUBJECT: Driver's license renewal alternatives

DIGEST: This bill authorizes the Director of Motor Vehicles to establish a program to evaluate the traffic safety and other effects of renewing driver's licenses by virtual or other remote processes. This program must include specified restrictions on remote renewal based on age. Requires the Department of Motor Vehicles to provide a report on the program to the Legislature by January 1, 2034.

ANALYSIS:

Existing law:

- 1) Requires driver's licenses (DLs) to be renewed every five years. (Vehicle code (VEH) §12816)
- 2) Permits the Department of Motor Vehicles (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.
- 4) Authorizes DMV to require applicants who are renewing their driver's license to take an examination deemed appropriate by the DMV considering the licensee's record of convictions and accidents or evidence of a condition affecting the ability of the applicant to safely operate a motor vehicle. Prohibits DMV from making this determination solely on the basis of an individual's age. (VEH §12814)
- 5) Requires physicians and surgeons to report immediately to the local health officer, who will then report to the Department of Motor Vehicles (DMV), the name, date of birth, and address of any patient at least 14 years or older

diagnosed with a disorder characterized by lapses of consciousness. (Health and Safety Code (HSC) §103900)

- 6) Authorizes a physician or surgeon, if they believe that the reporting of a patient will serve the public interest, to similarly report a patient even if their condition is not characterized by lapses of consciousness.
- 7) Authorizes the DMV, upon reexamination of a person's qualifications to operate a motor vehicle, to restrict, make subject to terms and conditions of probation, suspend, or revoke the driving privilege of that person. (VEH §12818)

This bill:

- 1) Authorizes the Director of the DMV to establish a program to evaluate the traffic safety and other effects of renewing driver's license by virtual or other remote processes, in lieu of submitting an application at an office.
- 2) Requires a person who is 70 years or older to conduct a visual test in order to renew their license through this program.
- 3) Requires a person who is 80 years or older to come into a field office under this program.
- 4) Requires the DMV to provide a report to the Legislature and relevant policy committees on this program by January 1, 2034. This report shall include:
 - a) The steps the DMV took to prevent individuals other than the applicant from taking the knowledge test;
 - b) The number of individuals on an annual basis that opted to take the knowledge examination virtually or by other remote processes;
 - c) The number of individuals that opted to take the visual test virtually; and
 - d) The process the DMV used to verify the authenticity of the tests.

COMMENTS:

- 1) *Purpose of bill.* 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.”

- 2) *Remote driver’s license renewals.* In response to a budget crisis, the California Legislature passed AB 777 (Calvo), Chapter 625, statutes of 1979 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. Allowing for mail, or remote, renewal decreases the administrative burden on the DMV, reducing costs and wait times for other services at field offices.

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 174 (Budget), Chapter 254, Statutes of 2021 temporarily suspended the requirement for individuals 70 and older to renew their license in person every 5 years. This was in recognition of the disproportionately high risk COVID exposure posed to the senior population. Both of these measures expired as of January 1, 2023.

On March 17th, 2022 DMV began offering online options for customers who need to take a driver’s license knowledge test by allowing them to 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.

- 3) *Aging and driving safety.* The number of older drivers is rapidly raising due to the aging population. 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.

Senior drivers tend to practice safer driving behavior. Research has shown seniors are more likely to follow the rules and wear seat belts, observe the speed

limit, and are less likely to drink and drive. Crash rates among seniors have dropped over the years and older drivers have a much lower crash rate than teen drivers. Unfortunately this safer behavior cannot outweigh the deteriorating effects of aging on vision, hearing, and reflexes. Older drivers are at higher risk of crashing than middle-aged people because of declining vision, hearing and cognitive ability and medical conditions that may affect their driving.

Furthermore, when an older driver is involved in a crash they are more likely to be injured or killed than drivers in other age groups.

- 5) *License renewal for older drivers.* Various states have implemented policies aimed at providing additional oversight when renewing DLs for older drivers. 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.

In California the DMV cannot take action to refuse renewal of driver's licenses based on age alone, but they may act if health conditions caused by aging are limiting a person's ability to safely operate a motor vehicle. This might be identified through vision and hearing tests performed at a field office as part of renewal, through confidential reports to the Department from their physician, or through incident reports from violations or crashes. In these cases the DMV can require additional knowledge or skills testing prior to renewal.

According to "Driver license renewal policies and fatal crash involvement rates of older drivers, United States, 1986–2011", a report published in *Injury Epidemiology*, most of the policies providing additional review of drivers solely based on age have little to no effect on reducing crash rates among seniors. However, 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.

In recognition of this research this bill requires that if the DMV authorizes remote DL renewal for those over 70 the renewal must still include a vision test.

- 4) *What about other risky drivers?* California's current renewal by mail program, in addition to excluding drivers older than 70, prohibits renewal by mail for individuals with more than three unsafe vehicle operator violation points or who have had their licenses suspended or have refused to submit to chemical testing.

This bill currently contains no such provision, the only restrictions on remote renewal are based on age. However this program does not remove the DMV's authority to require additional testing based on factors such as these. Additional knowledge testing may be compatible with remote renewal, but additional skill testing may require in-person components. The committee and author may wish to consider including in its report the number of people in these groups who participated in remote renewal and the steps the DMV took to ensure appropriate additional testing.

RELATED 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 174 (Budget, Chapter 254, Statutes of 2021) among other provisions, temporarily suspended the requirement for individuals 70 and older to renew their license in person every 5 years.

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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee, this bill will create 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.

POSITIONS: (Communicated to the committee before noon on Wednesday, July 5th.)

SUPPORT:

None received

OPPOSITION:

None received

-- END --