

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

Senate Bill 822

(Senator Munson)

Judicial Proceedings

Environmental Matters

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**Vehicle Laws - Drivers' Licenses - Vision Requirements**

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This bill repeals the September 30, 2004 termination date for a Maryland Vehicle Law provision that establishes lower vision standards for applicants for Class C noncommercial driver's license applicants under certain circumstances.

The bill is effective July 1, 2004.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be met with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** For an unrestricted license, each applicant must have a minimum visual acuity of 20/40 in each eye, a continuous field of vision of at least 140 degrees and binocular vision. If the applicant's vision can be corrected to these standards by glasses or contact lenses, the Motor Vehicle Administration (MVA) may issue a restricted license, endorsed "corrective lenses."

The MVA may only issue a restricted Class C noncommercial driver's license to an applicant who does not otherwise meet the vision standards for an unrestricted license established in the Maryland Vehicle Law if the person simultaneously:

- has a visual acuity worse than 20/70, but no worse than 20/100 in one or both eyes;
- has a continuous field of vision of at least 110 degrees with at least 35 degrees lateral to the midline of each side; and
- is recommended for consideration for licensure by the applicant's licensed ophthalmologist or optometrist as specified in law and regulation.

The MVA must refer any application for a noncommercial Class C driver's license with lower vision standards to the Medical Advisory Board (MAB). Unless MAB determines that it can make a favorable recommendation to the MVA based on the written record, MAB must offer an applicant the chance to appear before it to present pertinent medical information.

An applicant seeking a license with lower vision standards must complete a driver's training course of at least 20 hours. The course content may vary depending on the applicant's previous driving experience or the trainer's recommendation. If an ophthalmologist or optometrist recommends that the applicant use a bioptic telescopic lens while driving, the MVA may require additional driver training using the bioptic telescopic lens.

A license granted with lower vision standards must be endorsed "outside mirrors on each side" and "daylight driving only," except as otherwise provided, and may be subject to other restrictions, as specified in statute.

An individual who receives a driver's license with lower vision standards may apply to eliminate the "daytime driving only" restriction if the individual has been licensed with the lower vision standards for at least one year, and has not committed a traffic infraction or been involved in a traffic accident where the licensee was at fault. The licensee must also receive a driver's training certificate based on nighttime driving skills from a qualified entity and pass a nighttime driving test administered by at least two MVA examiners.

The provisions became effective October 1, 1997 and terminate on September 30, 2004.

**Background:** The changes made by the General Assembly in 1997 to authorize restricted licenses reflected the recommendations offered by the Workgroup for Modified Vision Standards, which consisted of medical professionals, MVA staff, and citizens. The workgroup was appointed by the MVA after it concluded that there was a significant population with vision problems that could drive safely under specified restrictions, but could not do so under the then current standards.

Since 1997, the MVA has conducted research based on the driving records of individuals with poor eyesight. Testimony indicated that between 1997 and 2001, the MVA has examined the driver records of 3,205 individuals with visual acuity in the 20/40 to 20/70 range. The administration compared this group with a control population of 38,225 with normal vision and found no difference in crash and traffic incident statistics between the two groups. As a result, the Maryland Department of Transportation recommended, and the Maryland Vehicle Law was amended, to permanently authorize restricted noncommercial licenses for this population.

However, the population of individuals reviewed with visual acuity between 20/70 and 20/100 was too small for the MVA to make recommendations for a permanent policy. As of 2002, 150 such individuals were examined and participated in the licensing process, with 75 receiving their licenses under the “low vision” requirements. The MVA has not noted any increase in crash risk with low vision drivers who are appropriately assessed and restricted. During hearings on SB 353 of 2002, which addressed vision standards for driver’s licenses, the MVA indicated that the limited number of individuals in this category was not sufficient to recommend permanent legislation at that time. Accordingly, the MVA requested that the provisions allowing restricted Class C noncommercial licenses for this population be extended for an additional two years until September 30, 2004. This recommendation was implemented by Chapter 463 of 2002.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 22, 2004  
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