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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony of Delegate Ken Kerr

HB 425 – Motor Vehicle Administration – Sleep Apnea- Reporting Requirement - Prohibition

At present, the Motor Vehicle Administration, under its Driver Wellness and Safety Division states on its website that Marland requires drivers to notify the MVA if they are diagnosed with any of a number of medical conditions, including:

- Diabetes that has caused a low blood sugar episode requiring assistance from another person in the last 6 months;
- Epilepsy;
- Seizure;
- A heart condition that has caused a loss of consciousness in the past 6 months;
- Stroke;
- A condition that causes you to have dizzy spells, fainting, or blackouts;
- Sleep apnea or narcolepsy;
- A history of traumatic brain injury (TBI);
- A condition that causes weakness, shaking, or numbness in the arms, hands, legs, or feet that may affect your ability to drive;
- A hand, arm, foot, or leg that is absent, amputated, or has a loss of function that may affect your ability to drive;
- An eye problem which prevents a corrected minimum visual acuity of 20/70 in at least one eye or binocular field of vision of at least 110 degrees;
- Alcohol use problem; or Drug use problem;
- A mental health condition that may affect your ability to drive;
- Schizophrenia; or
- Dementia.

A driver must report the problem when it is diagnosed, or when he or she is applying for a driver's license or renewing an existing driver's license.

When you have reported a condition, the Driver Wellness and Safety Division (DW&S) may send you several forms to complete. They also may send you a form for your physician to complete. After you return the forms, the DW&S Division then will make a decision about whether your situation should be referred for an opinion from the Medical Advisory Board (MAB). The MAB is a group of doctors who works with the MVA in analyzing customers' driving abilities. If the MAB is involved, they (the MAB) may ask you for more information, or to attend a meeting.

All medical data obtained will be kept CONFIDENTIAL and will only be used for those purposes permitted by law.

After the doctor assigned by the MAB analyzes your situation, he or she will provide an opinion to the DW&S Division. The DW&S Division will make the final decision about whether your driving privileges should be restricted in any way.

Our goal is not to take drivers off the road. Our goal is to keep drivers on the road for as long as they remain a low risk for crash involvement. If necessary, to achieve that goal, we will work with drivers on a case-by-case basis.

HB 425 exempts individual who have been diagnosed with Sleep Apnea from having to report their diagnosis and risk losing their drivers' licenses.