

**FISCAL NOTE**  
**Requested by Legislative Council**  
**03/27/2017**

Amendment to: Engrossed HB 1299

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill as amended (amendment number 17.0735.03001) provides that a noncommercial driver's license applicant may apply by mail or electronically for renewal of a license during every other renewal cycle.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill should have no significant fiscal impact.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*
- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*
- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

**Name:** Shannon L. Sauer CPA

**Agency:** ND Dept of Transportation

**Telephone:** 328-4375

**Date Prepared:** 03/28/2017

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/27/2017**

Amendment to: HB 1299

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill as amended extends the term of the driver's license from six years to eight.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

There will be no significant fiscal impact for the next two bienniums, as we are in a new renewal cycle beginning in July 2017 where we will renew most licenses in the next four years. However, in the biennium beginning July 1, 2021 and beyond, revenue will decline.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Beginning in 2021, renewals will be every eight years, dropping average license revenue from \$4.06 million per biennium to \$3.0 million per biennium.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

**Name:** Glenn Jackson

**Agency:** ND Dept of Transportation

**Telephone:** 328-4792

**Date Prepared:** 01/27/2017

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/12/2017**

Bill/Resolution No.: HB 1299

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>		\$50,000				
<b>Appropriations</b>		\$50,000				

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill extends the driver license from six years to twelve.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

No significant fiscal impact for the next two biennium, as we are in a new renewal cycle beginning in July 2017, where we will renew most licenses in the next four years. However, in the 2021 biennium and beyond, revenue will decline.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Beginning in 2021, renewals will be every twelve years, dropping average license revenue from 2.03M per year to 1.02M per year.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The cost to modify license valid periods during the transition to a twelve year license is roughly \$50k.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The process to modify the systems should be accomplished before July 2017, which would require an emergency clause and related appropriation.

**Name:** Glenn Jackson

**Agency:** ND Dept of Transportation

**Telephone:** 328-4792

**Date Prepared:** 01/13/2017

**2017 HOUSE TRANSPORTATION**

**HB 1299**

# 2017 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Fort Totten Room, State Capitol

HB 1299  
1/26/2017  
#27466

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Janette Cook*

## Explanation or reason for introduction of bill/resolution:

A bill relating to the expiration of an operator's license; to provide for and application.

## Minutes:

Attachments #1-3

**Chairman Ruby** opened the hearing on HB 1299.

**Representative Jones** introduced HB 1299. There is a similar Senate Bill that is going to go through today, and I thought that since it is doing well, I could withdraw this bill. I will go through the intent of the bill anyway. It tries to save the Department of Transportation some expense by changing the length of a driver's license renewal from six years to twelve years. If they don't have to renew licenses so often, they won't have as much expense doing it. We won't have the hassle of having to do it every six years.

In the Senate the bill leaves the time period six years, but allows the license to be renewed online every other time.

In my discussion with the Department of Transportation there is a problem with having this done because when we go to the Real ID, they have a limit of eight years to renew a driver's license. So, there may need to be some amendments on the bill.

**Vice Chairman Rick C. Becker:** Can you explain further the eight-year thing with the Department of Transportation?

**Representative Jones:** It is a federal requirement with the Real ID. We are working with the federal government with Real ID, and the Real ID licenses have to be renewed every eight years. That would mean we would have regular drivers' licenses renewing every 12 years, but if you had a Real ID, it would be renewed every 8 years.

**Chairman Ruby:** If you opt out of the Real ID, would this bill for 12 years apply?

**Representative Jones:** Yes.

**Chairman Ruby:** Your intention was to save the Department of Transportation money and the fiscal note has an expenditure of \$50,000 and an appropriation of \$50,000. I am wondering where the savings is

**Representative Jones:** I think we have to ask him (assume the Department of Transportation) where the savings is.

I will see what happens on the Senate side, and then decide what we should do with this bill.

**Chairman Ruby:** We can hold it, but we will have to act on it next week because it has a fiscal effect.

There was no further support for HB 1299.

4:40

**Courtney Koebele, North Dakota Medical Association and the North Dakota Society of Eye Physicians and Surgeons,** spoke to oppose HB 1299. See attachment #1.

**Chairman Ruby:** My eyes haven't changed much since I was 15 years old except for the need of bifocals. Am I unusual?

**Courtney Koebele:** I am not a physician, so I can't really speak to that. I think everyone is different, so not being checked at all is a concern.

**Representative Jones:** I know that as people get older they start to change faster. So, on page one of the bill it says that at age 65 people must renew every six years. At age 76 they must renew every 4 years. Does this satisfy your organization?

**Courtney Koebele:** When we were talking about this in the context of the online renewal, age 50 was mentioned.

**Nancy Kopp, North Dakota Optometric Association,** spoke to oppose HB 1299 and provided written testimony from Doctor Taya Patzman, an optometrist from Bismarck and Jamestown. See attachment #2, pages 1-2..

**Nancy Kopp:** The Medical Association as well as the Optometric Association has been working with the Department of Transportation on the bill in the Senate. A decision, I hope, will be made this afternoon.

I would also like to advise you that Courtney Koebele, myself, as well as two optometrists, an ophthalmologist, and the medical advisory committee through the Department of Transportation do our best to communicate on vision and medical requirements of drivers' licenses.

We oppose the 12-year renewal interval. It is a period of great length to hold the licensees accountable in meeting the vision requirements.

**Chairman Ruby:** Are the vision changes quite a bit different between men and women?

**Nancy Kopp:** I don't practice optometry, so I can't answer that.

**Representative Jones:** Would an eye exam every six years be satisfactory from your point of view?

**Nancy Kopp:** We have been working with SB 2123 on the six years, and yes, we would agree with that.

There was no further testimony in opposition to HB 1299.

16:18

**Glenn Jackson, Director, Driver's License Division, North Dakota Department of Transportation,** spoke in a neutral capacity on HB 1299 and provided written testimony. See attachment #3.

In reference to the fiscal note that is on this bill, the \$50,000 in costs actually wouldn't be a cost because our vendors are required to make legislative changes without cost. But, we did discover, after looking at it deeper, that spreading the revenue out is going to be a significant revenue loss.

**Chairman Ruby:** Are you covering the cost of each license that is issued?

**Glen Jackson:** No, we take a loss of about \$6.05 for every document that we produce.

**Chairman Ruby:** So, spreading out the process should actually save money.

**Glen Jackson:** Our costs remain the same. Depending on the savings that we could generate through improved efficiencies by pushing it out a longer period of time, then possibly not increasing staff as volume continues to increase. I can't guarantee a savings in that manner, but it would prevent additional cost in the future.

**Vice Chairman Rick C. Becker:** You lose money for each license that you process, by about \$6.00?

**Glenn Jackson:** Yes. If you look at the cost for the division to function, then look at the revenue we gain through fees for all of the things that we do and throw the revenue up against the cost, it is a loss of about \$6.05 for every document. That has to come out of special funds.

**Vice Chairman Rick C. Becker:** A lot of these costs are what are known as sump costs. To exist you need a certain amount of money. That should be set aside when we are looking at the cost per driver's license. The only way you can determine whether you are coming out ahead or behind is to know what the marginal cost is to produce a driver's license. That cost needs to be assessed based on what the fee is. So, if what you are talking about is that the cost to process the driver's license is \$6.00 more than what you are getting in revenue, then it is impossible to produce half as many money losing items and have it cost you more money. That would be unless you are pulling in the sump costs, the plant costs and the cost that have nothing to do with the marginal costs of producing this widget, a license. It doesn't

make sense to me. I get so frustrated with these fiscal notes. There should be consistency, and this feels like there is not consistency.

**Chairman Ruby:** What would be the process for someone has a 12-year license, and every six years they have to provide proof of getting an eye exam, and they don't? Do you have to suspend the license or send out letters to notify them that they need the exam? How would the department enforce that portion?

**Glenn Jackson:** If we went with the 12-year license, and you have to have your eyes checked every six years. Once you reach the older age, you would need to renew your license every six years.

Discussion on the cost of drivers' licenses and raising the fees.

**Representative Paur:** You stated that when we went from 4 years to 6 years, was there a money savings?

**Glenn Jackson:** There was a savings in the fact that we had to process people less. That meant that we could do more people because the volume shifted with the time. So, we didn't have to have more staff, because as the volume increased, we had to process them less often. We went from a 4-year license at \$10, to a 6-year license at \$15, which basically kept it at \$2.50 a year.

There was no further testimony on HB 1299.  
The hearing was closed on HB 1299.

# 2017 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Fort Totten Room, State Capitol

HB 1299  
1/26/2017  
#27506

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Janette Cook*

## Explanation or reason for introduction of bill/resolution:

A bill relating to the expiration of an operator's license; to provide for and application.

## Minutes:

Attachment #1

**Chairman Ruby** brought HB 1299 back before the committee.

Discussion about when to work on the bill.

**Representative Westlind:** Is it appropriate to add an amendment that would increase the fee for a license?

**Chairman Ruby:** You could propose that. Representative Jones could let us know if he would support it.

**Representative Jones:** I talked to the Department about that. They said that if we moved the timeline on this, that they would request that we increase the fees proportionately. If we double the amount of time that a license is good, then we would double the fee from \$15 – \$30. My point with this bill was to save money. If you increase the fees, you won't save the people money, but you will save the number of times they have to come in. It will save the department money, but not the people.

**Representative Jones:** Proposed an amendment to HB 1299. See attachment #1.

**Chairman Ruby:** To summarize the amendment: This would change the bill to say eight years instead of twelve, and the eye exams would go to eight years until you turn 65. They then go to six years at age 65 and at 79 you get them every four years.

**Representative Paur** moved the amendment, 17.0735.02001.

**Representative Grueneich** seconded the motion.

A voice vote was taken on the amendment. All Aye. The motion carried.

**Representative Westlind moved an amendment to HB 1299 to raise the license fee from \$15 for six years and to \$24 for 8 years.**

**Chairman Ruby:** Is that in this part of the language, or in another area?

**Representative Jones:** I don't think that it is in this part.

**Chairman Ruby:** I don't know that I will support that bump. I think we are saving the department and the people money by not having to renew every six years.

**Chairman Ruby: We have a motion; do we have a second?  
There was no second. The motion died for lack of a second.**

**Representative Grueneich moved a DO PASS as amended on HG 1299 and rereferred to Appropriations.**

**Representative Jones seconded the motion.**

**Representative Paur:** This is attempting to match Real ID, isn't it? We haven't determined what Real ID is going to be, have we?

**Chairman Ruby:** No, that remains to be seen. It is extending the length of time for renewals. If Real ID is the law of the land within this or next year, then this would be in compliant with it.

**Representative Paur:** Is Real ID going to be for eight years?

**Chairman Ruby:** I think that it allows for eight years, but I don't think it is going to be for eight years. I think that it is mainly six years, but it is up to the state.

Discussion on Real ID.

**Chairman Ruby:** I think that Representative Jones' idea was that if the Real ID did take place in the next few years, that this would be consistent with it.

**Representative Jones:** I don't understand the fiscal note. It looks like they decided that they would receive half of the revenues, with half of the renewals, so they would lose \$50,000.

**Chairman Ruby:** We would ask Representative Jones to ask for an updated fiscal note on the amendment.

**Representative O'Brien:** Can we get an updated fiscal note on this? Since we slashed it, the decrease in revenue in 20-21 could be pretty significant.

**Representative Jones:** I don't think the fiscal note is at all accurate.

**Chairman Ruby:** Maybe when we request a new fiscal note, it will reflect the discussion that we have had.

House Transportation Committee

HB 1299

1-26-17

Page 3

**A roll call vote was taken on HB 1299. Aye 8 Nay 4 Absent 2.  
The motion carried.**

**Representative Jones will carry HB 1299.**

# 2017 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee  
Fort Totten Room, State Capitol

HB 1299  
2/2/2017  
#27852

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Seanette Cook*

## Explanation or reason for introduction of bill/resolution:

A bill relating to the expiration of an operator's license; to provide for an application.

## Minutes:

**Chairman Ruby** brought HB 1299 back before the committee for reconsideration. We would need to remove the "rereferred to Appropriations" because we received an updated fiscal note that makes it unnecessary to go to Appropriations.

**Representative Owens made a motion to reconsider HB 1299.**  
**Representative Jones seconded the motion.**

**A voice vote was taken. All aye. The motion carried.**

**Representative Owens moved a DO PASS on HB 1299 as amended.**  
**Representative Sukut seconded the motion.**

**Representative Weisz** asked for clarification of what the bill does with the amendment, since he was absent.

**Chairman Ruby** reviewed the bill.

**Representative Westlind** asked if it was too late to add an amendment to raise the cost of the fee?

**Chairman Ruby:** Those that made the motion would have to pull them back. We did do a motion last time, and it failed.

**A roll call vote was taken: Aye 7 Nay 4 Absent 3**  
**The motion carried.**

**Representative Jones will carry HB 1299.**

1/26/17 DA

17.0735.02001  
Title.03000

Adopted by the Transportation Committee

January 26, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1299

Page 1, line 13, replace "sixth" with "fourth"

Page 2, line 4, replace "sixth" with "fourth"

Renumber accordingly

Date: 1-26-17  
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1299

House Transportation Committee

Subcommittee

Amendment LC# or Description: 17,0735.02001

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Paur Seconded By Grueneich

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby			Rep. Gretchen Dobervich		
Vice Chair. Rick C. Becker			Rep. Marvin Nelson		
Rep. Bert Anderson					
Rep. Jim Grueneich					
Rep. Terry Jones					
Rep. Emily O'Brien					
Rep. Mark Owens					
Rep. Gary Paur					
Rep. Randy Schobinger					
Rep. Gary Sukut					
Rep. Robin Weisz					
Rep. Greg Westlind					

*Vote  
Vote  
All day*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

1, L13 - Replace sixth with fourth  
D2, L4 - Replace sixth with fourth

Date: 1-26-17  
Roll Call Vote #: 21

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1299

House Transportation Committee

Subcommittee

Amendment LC# or Description: 17.0735.02001

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Gruenich Seconded By Jones

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	✓		Rep. Gretchen Dobervich		✓
Vice Chair. Rick C. Becker	A	✓	Rep. Marvin Nelson	✓	
Rep. Bert Anderson		✓			
Rep. Jim Grueneich	✓				
Rep. Terry Jones	✓				
Rep. Emily O'Brien	✓				
Rep. Mark Owens	✓				
Rep. Gary Paur		✓			
Rep. Randy Schobinger	✓				
Rep. Gary Sukut	✓				
Rep. Robin Weisz	A				
Rep. Greg Westlind		✓			

Total (Yes) 8 No 4

Absent 2

Floor Assignment Jones

If the vote is on an amendment, briefly indicate intent:

Date: 2-2-17  
 Roll Call Vote #: 1

**2017 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1299**

House Transportation Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Owens    Seconded By Jones

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby			Rep. Gretchen Dobervich		
Vice Chair. Rick C. Becker			Rep. Marvin Nelson		
Rep. Bert Anderson					
Rep. Jim Grueneich					
Rep. Terry Jones					
Rep. Emily O'Brien					
Rep. Mark Owens					
Rep. Gary Paur					
Rep. Randy Schobinger					
Rep. Gary Sukut					
Rep. Robin Weisz					
Rep. Greg Westlind					

*Voice Vote  
 All Aye Carried  
 Motion*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-2-17  
 Roll Call Vote #: 2

**2017 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1299**

House Transportation Committee

Subcommittee

Amendment LC# or Description: 17.0735.02001

- Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Owens Seconded By Sukut

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	✓		Rep. Gretchen Dobervich	A	
Vice Chair. Rick C. Becker	A		Rep. Marvin Nelson		✓
Rep. Bert Anderson	A				
Rep. Jim Grueneich	✓				
Rep. Terry Jones	✓				
Rep. Emily O'Brien	✓				
Rep. Mark Owens	✓				
Rep. Gary Paur		✓			
Rep. Randy Schobinger	✓				
Rep. Gary Sukut	✓				
Rep. Robin Weisz		✓			
Rep. Greg Westlind		✓			

Total (Yes) 7 No 4

Absent 3

Floor Assignment Jones

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1299: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1299 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "sixth" with "fourth"

Page 2, line 4, replace "sixth" with "fourth"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1299: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1299 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "sixth" with "fourth"

Page 2, line 4, replace "sixth" with "fourth"

Renumber accordingly

**2017 SENATE TRANSPORTATION**

**HB 1299**

# 2017 SENATE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Lewis and Clark Room, State Capitol

HB 1299  
3/17/2017  
29377

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Mary Munder*

## Explanation or reason for introduction of bill/resolution:

Relating to the expiration of an operator's license; and to provide for an application.

## Minutes:

Attachments #1-3

**Chairman Laffen:** Opened the hearing on HB 1299.

**Representative Terry Jones:** See attachment #1.

**Chairman Laffen:** In current law, how often does a 65 year-old need to renew their license?

**Rep. Jones:** In current law it is not called out. This is new language for the 65 age. The 78 is in existing law. We added in the 65 year. If we get this passed it will be every 8 eight years renewing and if the other bill passes then we will have 16 years of people physically going in to the DOT office to have it renewed, so we put the 65 in to get a lead on it to cover that.

**Chairman Laffen:** Under current law between 65 and 78 they get their license renewed just like everyone else and the only reason this new section is being put in there is to leave them as they are.

The new piece is, over 78 it is every 4 years.

**Rep. Jones:** Correct. We did leave the 78 at 4 years as it is currently that now. On the 3<sup>rd</sup> page of the information I handed out, it will give you an idea what the surrounding states are doing.

**Chairman Laffen:** If this bill and the one you have were to pass for up to 65 you would be able to go up to 8 years and then do an online renewal and then go another 8 and then you would have to come in again.

**Rep. Jones:** Correct.

**Senator Clemens:** If we go to 8 and then renew online, is there no photo then for 16 years? That seems like an awful long time as people do change over that length of time.

**Rep. Jones:** No there would be no photo unless someone would want to change their old one to a newer one. That we can do for them to get it on file. It was brought to our attention the length of time, but the federal allows up to 16 years on those photos leaving it open-ended so if someone wants to put in a new one they can.

**Senator Clemens:** I wasn't thinking about the individual so much as the law enforcement looking at these photos.

**Rep. Jones:** They seem to be comfortable with the 16 years.

**Senator Rust:** I do notice on the fiscal note they say we are at the beginning of a cycle but after 2021 there is about a million dollars per Biennium decrease. Did you guys talk about that at all?

**Rep. Jones:** Yes, we did talk about that quite a bit because we will have a reduced income from the less amount of licenses being renewed. That's the raw numbers but they didn't calculate back in the other things the people would be doing to create a savings to offset that loss. The DOT will be phasing this in so it doesn't all happen at once.

**Chairman Laffen:** Questions? None. Thank you. Further testimony in favor of HB 1299. Welcome Glenn.

**Glenn Jackson, NDDOT: (12:42) Thank you for the opportunity to present to you today. See attachment #2.**

**Chairman Laffen:** (16:22) On that online renewal we can send in a photo and are you going to update the license then or is this for your information?

**Glenn:** We will update your license and our information.

**Chairman Laffen:** I have a different question on real ID, different bill. Do either of these online or the extra years have any relationship to that at all?

**Glenn:** All of them are compatible.

**Chairman Laffen:** Questions? None. Thank you. Further testimony in favor of HB 1299. Opposition?

**Courtney Koebele:** (17:28) **See attachment #3.**

**Chairman Laffen:** Questions? None. Thank you. Further testimony in opposition to HB 1299.

**Nancy Kopp:** (19:38) We would agree 100% with Courtney's comments. We are very concerned with the vision requirements being waived in 2123 and the potential of 16 years between screenings. We ask for a Do Not Pass;

**Chairman Laffen:** Questions? None. Thank you. Further testimony? Neutral testimony

**Bruce B., NDPOA:** (20:55) One of the things we do need is a good quality photo on your driver's license.

**Chairman Laffen:** DOT will be accepting photos and I think it will be a mess for them. Questions? None. **We will close the hearing for now.**

# 2017 SENATE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Lewis and Clark Room, State Capitol

HB 1299  
3/24/2017  
29677

- Subcommittee  
 Conference Committee

Committee Clerk Signature *Mary Munder*

## Explanation or reason for introduction of bill/resolution:

Relating to the expiration of an operator's license; and to provide for an application.

## Minutes:

**Chairman Laffen:** Reopened HB 1299. This is the bill where they changed the length from 6 years to 8 years for renewing driver's licenses. We passed over to the house a bill for online renewal keeping it at every 6 years, but then with the online system it went to every other year for renewal. We had added new language to deal with the vision requirement. The House took the vision requirement back off and went back to the original form of the bill, which had waived the vision requirement. The bill was then defeated and part of the reason I think, was that they had already passed the 6 to 8 bill. They were concerned about the 16 years without going in to the Motor Vehicle Department. I visited with DOT and asked them if they would rather have 6-8 years or go back to keeping it at 6 years by having the in between online renewal. The DOT would prefer to have their online system start to get implemented. So my proposal for this is to hog house this bill, bring our exact bill as we had it for online renewal, and put it on here, repass it out of here, send it back over to them and see if they can pass it. If they can't, we will be right where we are, nothing will change.

**Senator Campbell:** Hog house it back to our original form and add what to it?

**Chairman Laffen:** Nothing. Our vision requirement would be in there as it was before and they would have to try pass it.

**Senator Nelson:** You say it is 6-8 but for me it is discriminatory as it would be 6-4 for ages over 65.

**Chairman Laffen:** You are right. It increases from 6-8 but also goes the other way for 65 and over.

**Senator Casper:** I support the chairman and will vote for the amendment but not the bill. I think it will just be a mess of paperwork and online work and money spent unnecessarily for this. I do appreciate the work from the House and the Senate.

**Senator Campbell:** I agree with most of it but on the online system it wasn't just vision, it was supposed to streamline a lot of other things as well not just vision and now we will be eliminating that right?

**Chairman Laffen:** Right now we all have to renew our driver's license every 6 years, everybody does, which entails getting a new photo taken and an eye vision test. The intent of online renewal was to skip the in between one of having to go in and be able to do it from your computer to save money and save time, and the start of a potential completely online system for all driver's license forever.

**Senator Campbell:** So if we go back to the original bill like you said that's what will happen then, the DOT will be able to skip every other year so it will be every 12 years for eye tests.

**Senator Casper:** My understanding was that we were going to have another way to do a vision test and that would require us to upload that system and I literally know of no one who would do that. They would just go to the Motor Vehicle department. I can see a few people doing that if the technology was easy to do but I just don't see that happening.

**Chairman Laffen:** This gives us two options. We all agree to hog house this bill to the online version, the only question is, do we keep our language of the bill.

**Senator Casper:** I personally would prefer our original language.

**Chairman Laffen:** Here is the language we passed over to the House. "The director may use vision information provided by the applicant to meet vision requirements for applicants under the age of 65, and adopt procedures necessary to implement this subsection." That's what we passed over there.

**Senator Rust:** I like your idea of hog housing the bill back to what we had, we give it back to the House to pass online renewals, and if it doesn't happen then we go home.

**Senator Clemens:** Thinking through this I am beginning to have a problem with this online stuff. First it is 6 years, then 12, and I know they are concerned about the vision test and I also think we are at a time where we need a good form of valid identification and I have some concern about this, every other year with the online things and I might be in line with voting a no on this bill.

**Senator Rust:** I make a motion to hog house HB 1299 to our original amendment 17.8094.02000.

**Senator Casper:** Seconded.

**Chairman Laffen:** Discussion? None.

**Roll Call taken:** Yeas-6, Nays-0, Absent-0.

**Chairman Laffen:** Motion passes to amend the bill. Now we need a motion on the bill.

**Senator Nelson: Motion for a Do Pass as amended on HB 1299.**

**Senator Rust: Seconded.**

**Chairman Laffen: Discussion? None.**

**Roll Call taken: Yeas-4, Nays-2, Absent-0. Motion passes.**

**Senator Laffen will carry the bill.**

March 24, 2017

CJ  
3/24/2017  
1 of 2

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1299

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to operator's license renewal.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 39-06-19 of the North Dakota Century Code is amended and reenacted as follows:

**39-06-19. Expiration of license - Renewal.**

1. Every operator's license issued under this chapter or chapter 39-06.2 expires and is renewed according to this section.
2. The expiration date of a noncommercial operator's license for an individual whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the third subsequent year ending in an odd numeral, except for an individual who, at the time of renewal, is seventy-eight years of age or older is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of a noncommercial operator's license for an individual whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the third subsequent year ending in an even numeral, except for an individual who, at the time of renewal, is seventy-eight years of age or older is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.
3. The expiration date of a commercial operator's license for an individual whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of a commercial operator's license for an individual whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.
4. An individual who has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, a pending application for asylum in the United States, a pending or approved application for temporary protected status in the United States, approved deferred action status, or a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence or conditional permanent residence status in the United States will be issued a temporary operator's license or nondriver photo identification card. The temporary operator's license or identification card is valid only during the period of time of the applicant's authorized stay in the United States or, if there is no

CJ  
3/24/2019  
2 of 2

definite end to the period of authorized stay, a period of one year. The license or card may be renewed only upon presentation of valid documentary evidence that the status has been extended.

5. An applicant for renewal must present the application with the fee for renewal of license to the director not before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. The director may require an applicant for renewal or a substitute to provide a social security card and proof of residence address. The director may not issue a distinguishing number that is, contains, can be converted to, or is an encrypted version of the applicant's social security number.
6. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order.
7. An applicant for renewal of an operator's license must provide a certificate of examination from the driver licensing or examining authorities or a statement as to the corrected and uncorrected vision of the applicant from a licensed physician or an optometrist, except as required under subsection 9. The director shall provide visual examination equipment at each location where a license may be renewed.
8. An individual submitting an application and the fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to the application, must be treated as an initial applicant.
9. A noncommercial applicant may apply by mail or electronically for renewal of a license during every other renewal cycle. The director may use vision information provided by the applicant to meet vision requirements for applicants under sixty-five years of age and adopt procedures necessary to implement this subsection."

Renumber accordingly

Date: 3-24-17  
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. "Enter Bill/Resolution No." HB1299

Senate Transportation Committee

Subcommittee

Amendment LC# or Description: 17.0735.03001 Title# 04000

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rust Seconded By Casper

Senators	Yes	No	Senators	Yes	No
Chairman Lonnie J. Laffen	✓		Senator Carolyn Nelson	✓	
Senator Tom Campbell	✓				
Senator David Rust	✓				
Senator David Clemens	✓				
Vice Chairman Jonathan Casper	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 3.24.17  
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. "Enter Bill/Resolution No." HB1299

Senate Transportation Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Nelson Seconded By Rust

Senators	Yes	No	Senators	Yes	No
Chairman Lonnie Laffen	✓		Senator Carolyn Nelson	✓	
Senator Tom Campbell	✓				
Senator David Rust	✓				
Senator David Clemens		✓			
Vice Chairman Jonathan Casper		✓			

Total (Yes) 4 No 2

Absent 0

Floor Assignment Laffen

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1299, as engrossed: Transportation Committee (Sen. Laffen, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1299 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to operator's license renewal.

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4. An individual who has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, a pending application for asylum in the United States, a pending or approved application for temporary protected status in the United States, approved deferred action status, or a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence or conditional permanent residence status in the United States will be issued a temporary operator's license or nondriver photo identification card. The temporary operator's license or identification card is valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year. The license or card may be renewed only upon presentation of valid documentary evidence that the status has been extended.
5. An applicant for renewal must present the application with the fee for renewal of license to the director not before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. The director

may require an applicant for renewal or a substitute to provide a social security card and proof of residence address. The director may not issue a distinguishing number that is, contains, can be converted to, or is an encrypted version of the applicant's social security number.

6. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order.
7. An applicant for renewal of an operator's license must provide a certificate of examination from the driver licensing or examining authorities or a statement as to the corrected and uncorrected vision of the applicant from a licensed physician or an optometrist, except as required under subsection 9. The director shall provide visual examination equipment at each location where a license may be renewed.
8. An individual submitting an application and the fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to the application, must be treated as an initial applicant.
9. A noncommercial applicant may apply by mail or electronically for renewal of a license during every other renewal cycle. The director may use vision information provided by the applicant to meet vision requirements for applicants under sixty-five years of age and adopt procedures necessary to implement this subsection."

Renumber accordingly

**2017 TESTIMONY**

**HB 1299**



HB 1299  
1-26-17  
#1

**House Transportation Committee  
HB 1299 - January 26, 2017**

CHAIRMAN RUBY AND COMMITTEE MEMBERS:

My name is Courtney Koebele. I'm appearing here today on behalf of the North Dakota Medical Association (NDMA) and the ND Society of Eye Physicians and Surgeons. The NDMA is the professional membership organization for North Dakota physicians, residents, and medical students. NDSEPS is the professional membership organization for ophthalmologists.

The NDMA opposes HB 1299 because it extends the time for renewal for licenses from 6 to 12 years. North Dakota ophthalmologists have reviewed the bill and they would not recommend reducing the frequency of the vision screening.

From a public safety point of view, people should be able to prove they can see well enough to drive more than just once every 12 years. License renewals were recently lengthened from 4 to 6 years. This bill now extends the renewal from 6 to 12 years. Many serious vision problems develop prior to age 65, such as cataracts, which is the most common, and also macular degeneration and glaucoma, just to mention a few common ailments.

Vision requirements can and do change throughout the lifetime of every individual. Even people under the age of 30 can have drastic changes in vision correction requirements.

Therefore, the North Dakota Medical Association and the ND Society of Eye Physicians and Surgeons respectfully requests that you give a DO NOT PASS to HB 1299.

Thank you for your time and consideration. I would be happy to answer any questions.



NORTH DAKOTA  
Optometric Association

HB 1299  
1-26-17  
#2.

**HB 1299**

**House Transportation Committee**

**January 26, 2017**

Good Morning Mr. Chairman and Members of the Committee.

For the record, my name is Dr. Taya Patzman and I have optometry practices in Bismarck and Jamestown. I am a past president of the North Dakota Optometric Association and am a current member of the State Board of Optometry.

I provide written testimony in opposition of HB 1299.

The current renewal cycle for a non-commercial driver's license is 6 years. The language being considered in HB 1299 would mean drivers would essentially be exempt from a vision screening for 12 years! Waiving the vision requirements for drivers under the age of 65 is irresponsible.

From my experience, patients undergo many vision changes from the age of 16 to 65. In the earlier years, patients are still going through puberty and the prescription typically can change quite drastically in a year's time let alone 6 or 12 years. Many vision changes also happen in the 20's and 30's due to pregnancy, changes in visual demand due to school and work changes, and many new health issues arise. In the 40's, 50's, and 60's patients typically start presbyopia which affects near vision. This causes changes in distance vision also because the entire visual system relaxes causing a shift in prescription. Often, these changes can be subtle, but compounding over 6 or 12 years, they become quite significant. Typically, in this age range, diabetes is most often diagnosed. Many Type 2 diabetics are diabetic for several years before they are formally diagnosed. I have seen many patients over the years who come in for blurry vision and have large prescription changes from undiagnosed diabetes.

Assuming that people will seek out eye care if their vision is blurry is naïve. If that were the case, my colleagues and I wouldn't see as many patients in for eye exams with the chief complaint of "failing the vision test when trying to get their driver's license renewed." I also have many patients who come in for an eye exam when they need to renew their driver's license and tell me they know their vision is so poor they won't pass

at the DMV, so they need to get glasses before they fail at their renewal. Many of these patients are aware of their poor vision for many years, but procrastinate until the last possible moment to take care of the problem. The only reason they take care of it is because of the vision screening at the renewal.

Routine vision care is typically not covered under medical insurance and glasses can be expensive, so to assume that all drivers are going to be responsible in maintaining their vision care is unrealistic. Good vision can be variable depending on a person's perception. Many patients feel that they have very good vision at 20/60, 20/80, or worse; the minimum acuity for driving without correction is 20/40. I have had patients in my chair who have 20/200 vision (20/100 best corrected is legally blind), and know they need glasses for driving, but use the excuse of they only drive during the day. Their typical reason for not coming in sooner is that there is not enough time and the expense. There are complacent people now with strict driving requirements, I can't imagine the problems we will see if this is extended for 12 years.

I feel that this proposed change takes a large step backwards in road safety. The increased traffic that we have seen in Bismarck, the Bakken, and around the state, along with the number of young drivers, and the distraction of cell phones, poor vision is a risk factor that can be greatly reduced.

I realize that new technology is constantly emerging and stream lining the process is necessary. However, I do not feel that this bill offers enough detail to address these issues and concerns for driver's as well as pedestrian safety.

There is discussion that needs to happen before changes are made that jeopardize the safety of the citizens of North Dakota.

This concludes my testimony. I strongly encourage a DO NOT PASS on House Bill 1299. Thank you.

**HOUSE TRANSPORTATION COMMITTEE**  
**January 26, 2017; 10:00 AM, Ft. Totten Room**

HB1299  
1-26-17  
#3

**North Dakota Department of Transportation**  
**Glenn Jackson, Director, Driver's License Division**  
**House Bill 1299**

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Mr. Chairman, members of the committee, I am Glenn Jackson, Director of the Driver's License Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to address you today.

Currently residents are required to renew their non-commercial driver's license every six years, however, under the provisions contained in HB1299 that renewal process would occur every twelve years for a non-commercial driver's license. Under the provisions of the Real ID Act of 2005, the maximum length of time the department can issue a Real-ID compliant credential is eight years.

While a fiscal note was not requested, the bill takes the revenue gained to off-set the cost of providing the service and spreads it over twice as much time, effectively reducing annual revenue by half. This takes the \$2 million annual revenue and drops it to \$1 million, increasing the loss per card issued.

Additionally, SB2123 if passed would allow an on-line renewal to occur every other renewal cycle, enabling citizens to avoid coming into the driver license office for renewal every twelve years rather than every six if they so choose.

Mr Chairman that concludes my testimony, I would be happy to answer any questions.

HB 1299  
1-26-17  
#1

Prepared by Legislative Counsel Intern 7 for  
Rep. Jones  
January 26, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1299

Page 1, Line 13, replace "sixth" with "fourth"

Page 2, Line 4, replace "sixth" with "fourth"

Renumber accordingly

HB 1299  
3-17-17  
Attach. #1 pg 1

**HOUSE TRANSPORTATION COMMITTEE**  
**March 9, 2017; 9:00 AM, Ft. Totten Room**

**North Dakota Department of Transportation**  
**Glenn Jackson, Director, Driver's License Division**  
**Senate Bill ~~1299~~ 1299**

Mr. Chairman, members of the committee, I am Glenn Jackson, Director of the Driver's License Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to address you today.

The business process for renewing an operator's license is the same process as for issuance of an original operator's license. The applicant completes the application, provides any necessary documentation, completes a vision screening, pays a fee, takes a photo, and gets the license. In order to provide this service online, there are two parts of the business process that must change.

The first part of the business process to change is the photo. Current technology does not allow an applicant to update the photo stored in the database. However, there are technology applications close to completion that will allow an applicant to take a 3D photo and send it in as an attachment that can be used for an upgraded photo. Once that technology is operational, it will become a requirement for conducting an online renewal. As a side note, this technology is also used for the MobileDL, which we will introduce as soon as we hear the final implementation results in Iowa.

The second part of the business process to change is the vision screening. The applicant does not complete a vision screening to complete an online renewal. In proposing this change to the business process we use to license individuals, we carefully reviewed driver safety issues from various states to validate we were not proposing a solution that generated problems.

- Several states allow online renewal of driver licenses. These states vary from requiring some form of vision results to no requirement.
- Several states have no vision screening requirements for issuance of a license at all.
- Some states require vision results at certain ages, others do not.
- A study conducted by the Department of Ophthalmology at the University of Alabama was completed in May 2016 and posted on the US Dept. of Health & Human Services webpage that stated there was "little to no evidence that a visual acuity screening test, no matter which pass-fail cut-point is selected, enhances driver safety and performance."

In short, there is no specific evidence that the requirement for the vision screening conducted by the driver licensing authority provides a higher level of driver safety, nor does the lack of a vision screening increase a safety concern. Drivers with vision concerns are expected to take the necessary steps to correct their vision. Also, it is important to remember that the expected number of people who will utilize this service is relatively low. It is also important to remember that everyone still must complete a vision screening at initial permitting, and at all renewals completed in the driver license office. This is NOT eliminating the screening in all renewal cases. Additional information on both the vision screening and photo are attached.

The process proposed in SB2123 is for every other renewal to be available for those who desire to use the service online. In this case, these individuals would go online and complete an application, provide vision information, pay a fee, and receive their license. The process is unavailable if any information differs from that currently in the record.

The major goal of this process change is to provide necessary flexibility in the process, gain efficiencies within the process, and provide an improved flexible service to our citizens.

It was proposed that we provide this service but still require individuals to complete a vision test and have those results sent in to our office prior to the renewal process. This step could be completed, but with the following impact.

- An individual that has a choice of paying for an eye examination or getting a free screening will most likely take the free screening, in which case they will not use the online process, but will require staff time to complete the process in the office.
- Receiving and processing vision examinations and attaching them to records is a manual task and would require additional staff to process these documents, return those that were unreadable, provide follow-up for applicants whose records were not updated, etc.

Either of these actions cancel out the expected gains in efficiency and staff utilization, and prevent the department from providing improved service flexibility through implementation of technological and process change solutions available today.

At this time, I would like to review the changes to the bill and the attached information.

Mr. Chairman that concludes my testimony, I would be happy to answer any questions.

## Attachment 1, SB2123 Online Renewal Information

In 2014 we conducted 169,812 vision screenings. Of these, 988 failed the screening. This represents a .005% failure rate, which is insignificant.

In 2015 we conducted 121,465 vision screenings. Of these, 836 failed the screening. This represents a .006 failure rate, which is insignificant.

- Some of these were first time permit seekers
- Some of these were renewals
- Some of these were individuals who just couldn't figure out how to read the numbers
- Only 33 states still require vision screening
- All of these individuals walked in the door, filled out an application, and were then asked to take the vision screening. All of these individuals had demonstrated the ability to function visually. None of these individuals were blind or hazardous to others.

There is no empirical evidence or data that associates any safety concern with the use or disuse of the vision screening process. If there were, all states would conduct screening and there would be established guidelines for this process. It is not a safety issue.

In a recent review of 50 states and D.C., the following information was provided:

- 13 states have a 4 year license
- 11 states have a 5 year license
- 8 states have a 6 year license
- 16 states have a 8 year license
- 2 states have a 10 year license
- 1 state has no time limit up to age 65
- A significant number of driver photos currently exceed 6 years

In review of on-line renewals of the above states and D.C.:

- 14 states have online renewal
- 12 states only allow renewal every other cycle online
- 4 of those states with online renewal are 8 year licensed states, equating to 16 years between required visits
- 1 of those is Florida
  - Approximately 11% of renewals are online
- 1 of those states is Georgia
  - A number was not available, but the state reports disappointment with the low numbers of drivers who take advantage of the process

In North Dakota, if we get 10% of drivers to renew online every other cycle, it should equate to roughly 10,000 online renewals a year.

- This equates to 5,000 class D skill tests (20 minutes per test)
- This equates to 1,500 commercial skill tests (90 – 120 minutes per test)
- Gaining this much capacity should enable us to improve current wait times and maintain them for the foreseeable future, without the need for additional staff, thus controlling growth in government and costs

Attachment # 1 pg. 4  
HB 1299 3.17.17

The federal passport photo is valid for ten years; Federal Real ID guidelines allow up to 16 years between photos on identification documents

If law enforcement has a problem immediately associating a photo with an individual they have access, through BCI, to the facial recognition software for identity verification. The points used by the software to track the identity of the face do not change significantly over time.

**Attachment 2, SB2123 Steps in Online Renewal**

Online renewals will not be processed with any changes to the current record. If at any time an individual selects a response that ends the process, the system will not allow an additional attempt, and the individual will be required to go to a Driver's License Division office to process the renewal.

Additionally:

- The photo will be the latest photo in the system.
- The signature will be the latest signature on file.
- The first possible online renewal period, for those initially licensed between 15 – 20 years of age, will not be the first renewal, as some younger individuals may not have updated their license information by this time. The first renewal will be physical presence in an office. Thereafter, every other may be online.

-----  
**FEDERAL PRIVACY ACT OF 1974**

*Disclosure of the individual's social security number in this process is mandatory pursuant to NDCC 39-06-07. The individual's social security number is used by the department for file control purposes and record keeping. If your social security number is not disclosed, we will not issue a license.*

1. Applicant enters name, DOB, SSN, DL# and address into identification section.
  - The system either recognizes all information as belonging to a record, or process ends and the applicant is directed to go to a Driver's License Division office to renew their license.
2. Once identification is complete and record is recognized, applicant is asked the following questions with corresponding results.
3. Under the provisions of the Uniform Anatomical Gift Act, do you wish to be identified as an organ and tissue donor? Yes/No
  - Neither response stops the process.
4. Have you experienced significant vision changes not reported to the Driver's License Division in the past six years? Yes/No
  - If yes, the process ends and the applicant is directed to go to a Driver's License Division office to renew their license.
  - If no, the process continues.
5. Regardless of vision changes, attach vision information completed no more than sixteen months before license expiration.
  - If no attachment selected, process ends.
  - If attachment selected, process continues.
6. Do you have a physical or medical condition not reported to the Driver's License Division in the past six years? Yes/No
  - If yes, the process ends and the applicant is directed to go to a Driver's License Division office to renew their license.

- If no, the process continues.

7. Do you have a history of epilepsy, blackout attacks, or other lapses of consciousness not reported to the Driver's License Division in the past six years? Yes/No

- If yes, the process ends and the applicant is directed to go to a Driver's License Division office to renew their license.
- If no, the process continues.

8. Have you been adjudged incompetent or been disabled due to a mental illness? Yes/No

- If yes, the process ends and the applicant is directed to go to a Driver's License Division office to renew their license.
- If no, the process continues.

9. Do you habitually use alcoholic beverages or narcotic drugs to excess? Yes/No

- If yes, the process ends and the applicant is directed to go to a Driver's License Division office to renew their license.
- If no, the process continues.

10. Protect Yourself: If your application contains any false or fraudulent information, your driving privileges will be revoked or cancelled. You may also be subject to criminal penalties.

I certify, under penalty of perjury, that the information hereon is true and correct, and that I do not possess a license to drive or have an active license record in any other jurisdiction, nor are my driving privileges under suspension, revocation, cancellation or disqualified in any jurisdiction.

Electronic Signature \_\_\_\_\_

11. Once previous steps complete (and once photo validation tools are available) submit current photo. Photo submitted cannot include wearing of any headgear, unless currently authorized due to specific religion requirements. A photo observed with headgear will result in the process ending prior to issuance.

12. Once all is complete, the individual will click on the SUBMIT button.

13. At this time the system will automatically perform several checks to validate information.

- If the system detects an error the process stops and the individual is referred to a Driver's License Division office.
- If all processes without error, continue.

14. Once all checks complete satisfactorily, the individual will be required to submit payment via a credit card.

- If it processes without error, the system will generate a receipt the individual can print.
- If it does not process, the process stops and the individual is referred to a Driver's License Division office.

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5. At this point, the renewal goes into a work queue. The next business day an examiner will review the information, to include the photo submitted, and print the license, conduct a quality check, and mail the license to the individual. Expected delivery is within 5 business days.



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## A Roadmap for Interpreting the Literature on Vision and Driving

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### Abstract

Over the past several decades there has been a sharp increase in the number of studies focused on the relationship between vision and driving. The intensified scientific attention to this topic has most likely been stimulated by the lack of an evidence-basis for determining vision standards for driving licensure and a poor understanding about how vision impairment impacts driver safety and performance. Clinicians depend on the scientific literature on vision and driving as a resource to appropriately advise visually impaired patients about driving fitness. Policy makers also depend on the scientific literature in order to develop guidelines that are evidence-based and are thus fair to persons who are visually impaired. Thus it is important for clinicians and policy makers alike to understand how various study designs and measurement methods should be appropriately interpreted so that the conclusions and recommendations they make based on this literature are not overly broad, too narrowly constrained, or even misguided. In this overview, based on our 25 years of experience in this field, we offer a methodological framework to guide interpretations of studies on vision and driving, which can also serve as a heuristic for researchers in the area. Here we discuss research designs and general measurement methods for the study of vision as they relate to driver safety, driver performance, and driver-centered (self-reported) outcomes.

### Keywords

driving; vision; vision impairment; eye disease; research methods

### I. Introduction

Just as in a literate society the ability to read is important for quality of life, the same can be said for driving in a society dependent on the personal vehicle for mobility and transportation. Visual acuity testing is the most common functional method for determining eligibility for licensure world wide, in addition to on-road and knowledge tests. Yet there is little to no evidence that a visual acuity screening test, no matter which pass-fail cut-point is selected, enhances driver safety and performance.<sup>99</sup> The absence of evidence-based vision

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Review

Vision and driving

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ABSTRACT

Driving is the primary means of personal travel in many countries and relies heavily on vision for its successful execution. Research over the past few decades has addressed the role of vision in driver safety (motor vehicle collision involvement) and in driver performance (both on-road and using interactive simulators in the laboratory). Here we critically review what is currently known about the role of various aspects of visual function in driving. We also discuss translational research issues on vision screening for licensure and re-licensure and rehabilitation of visually impaired persons who want to drive.

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Introduction

Driving is inarguably a highly visual task. Even though visual acuity is the ubiquitous screening test during application for a driver's license, many other aspects of visual function and visual processing are undoubtedly involved in supporting the effective control of a vehicle. During the last two decades there has been a burst of research activity focused on the role of vision in driving, much of which has been centered on what types and degrees of vision impairment hamper driver safety and performance. This body of work is largely motivated by society's need to preserve public safety on the roadways. The larger question emerging from this research is, what should be the visual requirements for obtaining or maintaining a driver's license? There is widespread agreement that vision standards for driver licensure need to be evidence-based so as not to unfairly prohibit individuals from driving who have the visual skills necessary to do so, in spite of being visually impaired. Even though the field does not yet have the evidence accumulated to define those standards, the research over the past two decades has gone far in contributing to this evidence base. This article will critically summarize these findings.

Before doing so, however, it is important to acknowledge that driving is not simply just a way to "get around", but in fact is the primary and preferred mode of travel for adults in the US and many other countries (Hu & Reuscher, 2004). Being a driver has a profound impact on health and well-being. Driving cessation, regardless of whether it is voluntary or involuntary (i.e., license revocation), can have a number of adverse consequences. Cessation of driving has been associated with decreased health-related qual-

ity of life (DeCarlo, Scilley, Wells, & Owsley, 2003), increased likelihood of depression and social isolation (Fonda, Wallace, & Herzog, 2001; Marottoli et al., 1997; Ragland, Satariano, & MacLeod, 2005), reduced access to healthcare services (Owsley et al., 2006, 2008), and increased likelihood of placement in long-term-care (Freeman, Gange, Munoz, & West, 2006). It also creates a need for alternative transportation options at both the societal and individual level that are potentially expensive (e.g., public transportation and paratransit systems, taxi) (Rosenbloom, 1993; Transportation Research Board, 1988) and are unavailable in many geographic areas, especially rural areas. Just as reading in a literate society is important to quality of life, so is driving in a society that depends on the personal vehicle for transportation.

Because vision impairment is much more prevalent in later adulthood, many studies on vision and driver safety and performance focus on adults  $\geq 50$  years old. Because of this focus on the older adult population, other medical and functional co-morbidities common in late adulthood are potential confounders in understanding the relationship between vision and driving. In particular, cognitive impairment elevates crash risk and impairs driving performance (Ball et al., 2006; Wood, Anstey, Kerr, Lacherez, & Lord, 2008). Thus, study designs that make use of older adult populations to study associations between vision and driving must consider cognitive co-morbidities whenever possible.

In research on driving, there are two major outcomes (dependent variables) – driver safety and driver performance. They are not synonymous in that they assess different constructs and use different types of methodology in doing so. *Safety* is defined by adverse driving events, typically motor vehicle collision involvement (e.g., at-fault crashes, injurious crashes). Information on these adverse events is typically provided by a state's motor vehicle administration in the form of accident reports. The US Department of

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**SENATE TRANSPORTATION COMMITTEE**  
**March 17, 2017; 9:00 AM, Lewis & Clark Room**

**North Dakota Department of Transportation**  
**Glenn Jackson, Director, Driver's License Division**  
**House Bill 1299**

*Attachment #2*  
*pg 1*  
*HB 1299*  
*3-17-17*

Mr. Chairman, members of the committee, I am Glenn Jackson, Director of the Driver's License Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to address you today.

Currently residents are required to renew their non-commercial driver's license every six years; however, under the provisions contained in HB1299 that renewal process would occur every eight years. The department supports the bill.

Regarding the fiscal note, the bill takes the revenue gained to off-set the cost for providing the six year cycle service and spreads it over a quarter more time, effectively reducing annual revenue beyond FY2023. Changing the renewal cycle time will not cost the department funds.

When we go to an eight year cycle under HB1299, we suggest implementing a process to stagger the licenses, so that we do not end up with four years of high intensity renewals and four years of very limited renewal processing.

To accomplish this, we would need to be able to issue licenses for six, seven, or eight years over the next six year cycle, so the end result is a better distribution for the renewal process going forward. A distribution stagger process chart is attached. However, the concern is that with statute providing an eight year license, we could not implement a process to stagger renewals, nor could we charge the designated fee for less time than the eight year license fee. To overcome this concern, a draft amendment is attached.

Mr. Chairman that concludes my testimony, I would be happy to answer any questions.

2017	7 - 12	X						
2018	1 - 6		Y1					
	7 - 12		Y2					
2019	1 - 6			Z1				
	7 - 12			Z2				
2020	1 - 6				A1			
	7 - 12				A2			
2021	1 - 6					B1		
	7 - 12					B2		
2022	1 - 6						C1	
	7 - 12						C2	
2023	1 - 6							D
	7 - 12	X						
2024	1 - 6		Y1					
	7 - 12							
2025	1 - 6			Z1				
	7 - 12		Y2					
2026	1 - 6				A1			
	7 - 12							
2027	1 - 6					B1		
	7 - 12			Z2				
2028	1 - 6							
	7 - 12				A2			
2029	1 - 6						C1	
	7 - 12					B2		
2030	1 - 6							
	7 - 12						C2	
2031	1 - 6							D
	7 - 12	X						
2032			Y1					
2033			Y2	Z1				
2034					A1			
2035				Z2		B1		
2036					A2			
2037						B2	C1	
2038							C2	
2039								D
2040								

Renewal Group		# Years Renewal First Renewal
X		6
Y1		6
Y2		7
Z1		6
Z2		8
A1		6
A2		8
B1		6
B2		8
C1		7
C2		8
D		8

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**PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1299**

Page 1, line 8, after the period insert "The director may, until July 31, 2022, issue pro-rated licenses at different renewal lengths to comply with this section."

Renumber accordingly.



Attachment # 3 pg 1  
HB 1299 3-17-17

**Senate Transportation Committee  
HB 1299 – March 17, 2017**

CHAIRMAN LAFFEN AND COMMITTEE MEMBERS:

My name is Courtney Koebele. I'm appearing here today on behalf of the North Dakota Society of Eye Physicians and Surgeons. NDSEPS is the professional membership organization for state's ophthalmologists.

The NDSEPS opposes HB 1299 because it extends the time for renewal for licenses from 6 to 8 years. North Dakota ophthalmologists have reviewed the bill and they would not recommend reducing the frequency of the vision screening.

SB 2123, which is pending in the house, has been amended to allow for applicants to renew online without a vision screening for every other renewal. Therefore, if HB 1299 passes, someone could come in at age 21 for a license renewal and vision screening, then renew online at age 29, and at age 37 would have to come in and receive a vision screening when they renew their license. From a public safety point of view, people should be able to prove they can see well enough to drive more than just once every 16 years.

Many serious vision problems develop prior to age 65, such as cataracts, which is the most common, and also macular degeneration and glaucoma, just to mention a few common ailments.

Vision requirements can and do change throughout the lifetime of every individual. Even people under the age of 30 can have drastic changes in vision correction requirements.

Therefore, the ND Society of Eye Physicians and Surgeons respectfully requests that you give a DO NOT PASS to HB 1299.

Thank you for your time and consideration. I would be happy to answer any questions.