

# HOUSE BILL REPORT

## HB 2714

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to driver fitness and certification.

**Brief Description:** Increasing safety for senior drivers.

**Sponsors:** Representatives Edwards, Mielke, Clibborn, Lovick, Flannigan, Chase, Jarrett, Cody, Haigh, Wood, Skinner, McIntire, Rockefeller and Kagi.

**Brief History:**

**Committee Activity:**

Transportation: 2/2/04, 2/9/04 [DPS].

### Brief Summary of Substitute Bill

- Requires the Department of Licensing (Department) to study driver fitness and older drivers and provide recommendations to the Legislature by October 2005.
- Creates an advisory committee to assist the Department in carrying out the study.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Murray, Chair; Rockefeller, Vice Chair; G. Simpson, Vice Chair; Jarrett, Assistant Ranking Minority Member; Clibborn, Cooper, Dickerson, Flannigan, Hankins, Hudgins, Lovick, Mielke, Morris, Romero, Sullivan, Wallace, Wood and Woods.

**Minority Report:** Without recommendation. Signed by 9 members: Representatives Ericksen, Ranking Minority Member; Armstrong, Bailey, Campbell, Hatfield, Kristiansen, Nixon, Rodne and Shabro.

**Staff:** Jill Satran (786-7315).

#### **Background:**

There are currently approximately 4,440,000 licensed drivers in Washington. Of those licensed drivers, approximately 242,000 (or 5.5 percent) are 75 years of age or older.

Currently, all licensed drivers are required to renew their license every five years. At the time of renewal, the driver is required to pay the \$25 renewal fee and pass a qualifying (or rather a

requalifying) exam, to include a test of the applicant's eyesight and ability to see and understand highway signs and a knowledge and skills test. The Department has the discretion to waive all or part of the renewal examination unless the Department determines the applicant may not be qualified to hold an unrestricted driver's license. In these latter cases, additional testing may be required.

Current statutes do not include any special provisions pertaining specifically to older drivers. If the Department has reason to believe that any person – regardless of age – has a physical or mental disability that may affect their ability to drive, the Department may require that individual to obtain a statement by his or her physician certifying the person's condition. And, the Department may evaluate the driver's ability to drive safely. Depending on the outcome of that evaluation the Department may place restrictions on the driver's license or may suspend or revoke the license entirely.

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**Summary of Substitute Bill:**

Requires the Department to conduct a study of driver fitness and older drivers. An advisory committee is created and the Department is required to report back to the Legislature with findings and recommendations by October 2005.

**Substitute Bill Compared to Original Bill:**

The substitute eliminates the mandatory reporting and senior driver certification requirements. The substitute also requires the Department of Licensing to create an advisory committee and to work with that committee to study driver fitness and older drivers and to report findings and recommendations to the Legislature.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Older drivers may have conditions that impair their ability to drive. Family members are uncomfortable reporting these individuals and the results can be devastating when an accident occurs, to the driver and to the other individuals involved in the crash.

**Testimony Against:** Senior drivers have a higher incident of death if involved in an accident, but the actual numbers are relatively small compared with other cohorts, such as young drivers. We should focus our efforts where the greatest impacts can be felt.

The term "other proper authority" is very broad and should be clarified. The medical certification requirement for senior drivers would be an unnecessary expense and may present an issue for some religions that do not sanction seeing medical doctors. Completing

additional forms may place an administrative burden on doctors and may constitute uncompensated care. The mandatory reporting requirement may also interfere with the physician/patient relationship as it puts the physician in a police rather than advisor role, potentially discouraging patients from seeing their doctor.

Physician reporting should be permissive rather than mandatory and, if reporting were anonymous people would feel more comfortable reporting drivers with conditions that may impair their abilities. Although this bill provides limits physician liability for the mandatory reporting section, that limitation should be extended to the senior driver certification portion.

**Persons Testifying:** (In support) Representative Edwards, prime sponsor; Pamela Vest, citizen; and Derek Goudriaan, Department of Licensing.

(In support with concerns) Dave Overstreet, American Automobile Association.

(Information only) Steve Lind, Washington Traffic Safety Commission.

(Opposed) Susie Tracy, Washington State Medical Association; Paul Locke, citizen; and Merton Cooper, citizen.

**Persons Signed In To Testify But Not Testifying:** None.