

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: George L., Monnes Anderson, Starr, Metsger

Nays: 0

Exc.: Deckert

Prepared By: Janet Adkins, Administrator

Meeting Dates: 4/11, 4/16

WHAT THE MEASURE DOES: Repeals the sunset on provisions allowing qualified persons with between 20/80 and 20/200 vision who use a bioptic lens device to drive with additional training and under restricted conditions. Deletes restriction on such low-vision drivers that currently limits them to roads with speed limits of 45 miles per hour or less. Allows nighttime driving for low-vision bioptic lens drivers, but only if a doctor certifies every two years that the person can safely drive at night and if the driver obtains additional training for night driving. Sunsets the night-time driving allowance in four years.

ISSUES DISCUSSED:

- History of the pilot program
- Individual experience under the pilot
- Programs in other states for bioptic lens drivers
- Whether night driving or low-speed road restrictions are necessary

EFFECT OF COMMITTEE AMENDMENT: Allows nighttime driving only for low-vision bioptic lens drivers with additional doctor certification and additional training for night driving. Sunsets provision in four years.

BACKGROUND: A bioptic telescopic lens is a small second lens over a regular eyeglass lens that provides added visual assistance when the eye is directed at it. Bioptic lenses are used by people with eye conditions or diseases that reduce resolution of sight, but which do not substantially alter peripheral vision (conditions including cataracts, macular degeneration, and corneal diseases). A driver using such a device would not be looking through the bioptic lens at all times, but would instead use it intermittently to read signs or to obtain detail about objects.

Senate Bill 289 (2003) instituted a four-year pilot program to allow the Department of Transportation (ODOT) to issue special limited vision learner permits, instructional permits, or drivers licenses to applicants with limited vision (between 20/80 and 20/200) who use a bioptic telescopic lens and who meet other conditions. The pilot legislation required certification by a vision specialist that the person's vision would not deteriorate below the limit, that the person had functional peripheral vision, and that the person would be aided by using the bioptic lens. It also required the person to pass certified training in the use of a bioptic lens for driving and to pass the written test. The program limited driving under the special permit or license to daylight hours on roads limited to 45 miles per hour or less. It also required the licensee to retake vision and driving tests every two years.

According to the Department of Transportation, there are currently 12 drivers with restricted bioptic lens licenses, with four other drivers currently in training. There has been one minor accident report and two convictions for traffic violations, one speeding and one illegal U-turn, among these drivers. The pilot program sunsets July 1, 2008.

Senate Bill 728-A eliminates the sunset on the program and eliminates the restriction to 45-mile-per-hour roads. The measure also begins another pilot that would allow the bioptic lens driver to qualify for night driving privileges.

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This summary has not been adopted or officially endorsed by action of the committee.