

House Bill 616

By: Representative Parham of the 94th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to
2 examination of applicants, so as to provide that no on-the-road driving test is required of
3 applicants moving from another state with a valid privilege in the other state; to provide an
4 effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of
8 applicants, is amended by striking it in its entirety and inserting in lieu thereof the following:
9 "40-5-27.

10 (a) The department shall examine every applicant for a driver's license. Such examination
11 shall include a test of the applicant's eyesight, his or her ability to understand official
12 traffic-control devices, and his or her knowledge of safe driving practices and the traffic
13 laws of this state and shall also include a comprehensive on-the-road driving test during
14 which the applicant shall be required to fully demonstrate his or her ability to exercise
15 ordinary and reasonable control in the operation of a motor vehicle of the type or general
16 class of vehicles he or she desires a license to drive; provided, however, that the
17 on-the-road driving test requirement shall not apply to any applicant for a Class C driver's
18 license who holds a Class D driver's license issued on or after January 1, 2002. Applicants
19 18 years of age and older with valid ~~and current~~ licenses issued by another state of the
20 United States or the District of Columbia who surrender their previous licenses to obtain
21 a Georgia license ~~shall~~ or submit a certified copy of the driver operating record from the
22 prior state of licensure may be exempt from taking such tests other than tests of eyesight.
23 The examination may also include such further physical and mental examination as the
24 department finds necessary to determine the applicant's fitness to operate a motor vehicle
25 safely upon the highways. The commissioner may establish by rules and regulations the
26 type of tests or demonstrations to be made by applicants for any class of license.

1 (b) The department shall make provision for giving an examination either in the county
2 where the applicant resides or at another place reasonably convenient to the applicant. The
3 examination, with the exception of those required for a commercial driver's license,
4 commercial driver's license permit, or noncommercial Class A, B, or M license, shall be
5 given at least once each month in each county of the state.

6 (c)(1) Except as provided in paragraphs (2), (3), and (4) of this subsection, no driver's
7 license shall be issued to any person who does not have a visual acuity of 20/60,
8 corrected or uncorrected, in at least one eye or better and a horizontal field of vision with
9 both eyes open of at least 140 degrees or, in the event that one eye only has usable vision,
10 horizontal field of vision must be at least 70 degrees temporally and 50 degrees nasally.

11 (2) A person whose visual acuity is less than 20/60 but better than 20/200 using
12 spectacles, contact lenses, or the carrier portion of bioptic spectacles shall be considered
13 eligible for a driver's license if the person is not otherwise disqualified from having a
14 driver's license under the provisions of this article and if:

15 (A) The person can attain a visual acuity of at least 20/60 through utilizing bioptic
16 telescopes;

17 (B) The telescopes are prescribed by a licensed optometrist or ophthalmologist;

18 (C) The person presents documentation of having satisfactorily completed training in
19 the use of the bioptic telescope as certified by the prescribing doctor;

20 (D) The person presents documentation of an on-the-road evaluation and having
21 satisfactorily completed any recommended training in driving while using bioptic
22 telescopes from a certified driver's license examiner;

23 (E) The person completes a standard driver's education course while using the bioptic
24 telescopes subsequent to completing evaluation or training with a driver's license
25 examiner; and

26 (F) The person presents said documentation to a department operated test site and
27 passes a driver's test examination administered by the department.

28 (3) A person who is licensed to drive using bioptic telescopes shall be subject to possible
29 restrictions placed on his or her license as determined and recommended by the
30 prescribing optometrist or ophthalmologist or the driver's license examiner. Any
31 recommended restrictions shall be reported to the department in writing at the time the
32 person presents himself or herself for a driver's test examination. Restrictions may
33 include daylight driving only, outside rear-view mirrors, certain area and time
34 restrictions, no interstate driving, yearly reevaluations by an optometrist or
35 ophthalmologist, and other such restrictions. Any restrictions shall be eligible for review
36 and reconsideration after one year by completing all of the steps described in
37 subparagraphs (A) through (F) of paragraph (2) of this subsection, including completing

1 any additional possible testing under special conditions, as determined by the optometrist
2 or ophthalmologist.

3 (4) The user of a bioptic telescope shall require renewal of his or her license biennially.
4 The person must be reevaluated at least biennially by an optometrist or ophthalmologist
5 and must biennially pass the driver's road test examination administered by the
6 department. A certification by the optometrist or ophthalmologist that the user's visual
7 acuity, visual field, and eye health remain stable shall be presented to the department at
8 the time of the biennial road test examination. In the event that changes in vision are
9 determined, the person's license shall expire and the person must successfully repeat all
10 of the steps described in subparagraphs (A) through (F) of paragraph (2) of this
11 subsection in order to have his or her license reinstated."

12 **SECTION 2.**

13 This Act shall become effective on July 1, 2003.

14 **SECTION 3.**

15 All laws and parts of laws in conflict with this Act are repealed.