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TO: House Transportation Committee
FROM: Todd Fleischer, CAE
Executive Director
RE: Testimony Regarding House Bill 2606

My name is Todd Fleischer. I am the Executive Director of the Kansas Optometric Association, which represents optometrists across Kansas. Thank you for the opportunity to submit testimony regarding House Bill 2606, which deals with online renewal of driver's licenses and vision requirements.

Doctors of optometry are independent primary health care providers who examine, diagnose, treat and manage diseases and disorders of the visual system, the eye and associated structures as well as diagnose related systemic conditions. They examine the internal and external structure of the eyes to diagnose eye diseases like glaucoma, cataracts and retinal disorders; systemic diseases like hypertension and diabetes; and vision conditions like nearsightedness, farsightedness, astigmatism and presbyopia. Optometrists also do testing to determine the patient's ability to focus and coordinate the eyes, and to judge depth and see colors accurately. They prescribe eyeglasses and contact lenses, low vision aids, vision therapy and medicines to treat eye diseases as well as perform minor emergency procedures.

As primary eye care providers in all corners of the state, optometrists are an integral part of the health care team and an entry point into the health care system. They are skilled in the co-management of surgical eye care, such as cataract, glaucoma or retinal procedures, that affects the eye health and vision of their patients and an excellent source of referrals to other health care professionals.

With respect to the vision requirements necessary to obtain a driver's license in Kansas, current law requires individuals to have at least 20/40 vision in one eye to pass the screening done during license renewal at the DMV. If the individual does not pass the screening, they are provided a vision form and instructed to go to an optometrist or ophthalmologist for an exam, and they are required to have at least 20/60 vision in one eye and the vision report from the optometrist or ophthalmologist indicating that their vision should not affect the individual's ability to operate a vehicle safely.

In laymen's terms, when an optometrist talks about 20/20 vision, it merely means that a patient can see clearly at 20 feet what the "normal" individual can see at 20 feet. So, in that context, 20/40 vision means that what an individual with 20/40 can see clearly at 20 feet, the "normal" individual can see at 40 feet. This is why the requirements are set for 20/40 or better, as at speed the extra time it takes to see a sign, vehicle, pedestrian or animal clearly can make a significant difference.

It's also important to note that this doesn't take into consideration any chronic health issues, such as diabetes, which could cause an individual's vision to fluctuate throughout the day or other eye diseases that gradually reduce an individual's field of vision over time. This affects a driver's peripheral vision, potentially affecting their ability to see a car or pedestrian approaching from the side.

The current law requires the screening at the time of the renewal. Over the years, we have heard from numerous individuals that a simple failed screening and subsequent referral to an optometrist or ophthalmologist literally saved their life, due to the discovery of a significant health issue.

Because of these reasons, we support the minimum vision standards currently in place for driver's license renewal.

We understand the desire of the Department of Motor Vehicles to increase convenience for Kansans and we appreciate their willingness to visit with us to explore options to make sure safety concerns around the vision requirements for driving were considered up front during the discussion around online driver's license renewal.

Based on numerous discussions, we believe the solution outlined in House Bill 2606 upholds the current minimum vision standards, assuming that appropriate protections and guidelines are able to be implemented either as amendments to the proposed language or through the rules and regulation process. Based on our understanding, this bill provides an opportunity for individuals within a specific age range to renew online every other time, as long as they attest to meeting the vision standards and receive an exam from their optometrist or ophthalmologist within a year prior to their driver's license renewal. In our discussions with the department, we discussed the importance of the department enforcing this attestation by verifying the exam and outcome with the optometrist or ophthalmologist and by levying fines or other penalties for those who attest fraudulently. We also encouraged the department to develop protocols so that those with chronic health conditions, such as diabetes or glaucoma, not be allowed to renew online.

For those individuals who cannot meet these requirements or who have a condition which could potentially affect their vision, the department has provided assurances that the existing in-person renewal will continue to be available.

We are willing to work with our members to provide necessary education about these changes and the additional responsibilities that providers and their staff members will undertake. If department is able to develop an appropriate reporting system, we would suggest that optometrists and ophthalmologists proactively report exams to the department with permission from patients to help facilitate the online renewal for those who qualify.

Language in the bill sunsets this change after four years, unless it is renewed by the Legislature. We would also like an annual report to the appropriate legislative committee, including numbers and ages of online renewals, denials, numbers of attestations regarding the exam and the number of exams that are verifies, as well as any violations.

Our primary goal remains to ensure the visual welfare of Kansans. We are happy to work with the department to achieve modernization and look forward to the opportunity to develop appropriate fail safes to make sure that convenience is balanced with public safety protections.

Thank you for your consideration of House Bill 2606.