

HOUSE BILL 360

By Cooper

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 50, relative to vision examinations for  
driver licenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-338, is amended by adding  
the following as a new subsection:

(d)

(1) Any person seventy-five (75) years of age or older who, on or after January 1, 2020, applies for initial issuance or renewal of an operator's license (Class D or M) must successfully pass a vision examination prior to the department's renewal of the license. The person is required to appear in person at a driver license station to complete the vision examination, which must include, but not be limited to, an examination of the person's night vision performance. The vision examination must be administered according to standards set by the department. In lieu of the person appearing at a driver license station, the person may undergo a vision examination by a licensed ophthalmologist or optometrist within ninety (90) days prior to renewal; provided, that the person must submit to the department a certified statement from the ophthalmologist or optometrist that sets forth the results and the need for any corrective lenses and any diagnosed impaired night vision. The department shall permit that the certified statement be submitted electronically in the same manner as medical certifications submitted by persons renewing commercial driver licenses (Classes A, B, and C).

(2) The department shall restrict any person with diagnosed impaired night vision to daytime driving only; except, that the department shall renew the person's driver license without a driving-during-daylight-hours-only restriction, if the person uses night vision equipment during the time from sunset to sunrise while operating a motor vehicle.

(3) As used in this subsection (d):

(A) "Impaired night vision" means below normal ability to see in reduced light; and

(B) "Night vision equipment" means a device utilizing light amplifying circuits that are electrical or battery powered and includes electronic light amplification devices, thermal imaging devices, and other comparable equipment used to enhance night vision.

SECTION 2. The commissioner of safety is authorized to promulgate rules to effectuate the purposes of this act. All rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect January 1, 2020, the public welfare requiring it, and shall apply to renewal applications made on or after January 1, 2020.