



An affiliate of the
American Psychological
Association

Original: 2346

PENNSYLVANIA PSYCHOLOGICAL ASSOCIATION

416 Forster Street • Harrisburg, Pennsylvania 17102-1748 • Telephone 717-232-3817 • Fax 717-232-7294

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September 24, 2003

DRIVER SAFETY DIVISION
BUR. OF DRIVER LICENSING

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Web site

www.papsy.org

Rebecca Bickley
Bureau of Driver Licensing
1101 South Front Street
Harrisburg, PA 17104

Dear Ms. Bickley:

On behalf of the Pennsylvania Psychological Association, I am responding to the proposed changes in the regulations dealing with impaired drivers as published in the August 23, 2003 issue of the Pennsylvania Bulletin.

We are in general support of these regulations, but I would recommend two minor changes. These are technical in nature and are only intended to improve the clarity of the regulations.

Section 83.5 (b)(Disqualifications on provider's recommendations) reads that a person will not be qualified to drive if they have a condition "likely to impair the ability to control and safely perform motor functions necessary to drive a motor vehicle." I think this should be modified because some of the criteria below refer to cognitive skills related to driving, not just motor skills. It could be rewritten to read "likely to interfere with the ability to control and safely operate a motor vehicle."

Also, (b) (5) uses the terms "examination by the physician" where it should read "examination by the provider" because psychologists also use the DSM-IV. This would be consistent with other parts of the regulations which use the word physician deliberately (such as the reporting of epilepsy).

Thank you for the opportunity to respond to these draft regulations.

Sincerely,

Samuel Knapp, Ed.D.

Director of Professional Affairs

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PENNSYLVANIA OPTOMETRIC ASSOCIATION

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2003 SEP 22 AM 9:27

INDEPENDENT REGULATORY
REVIEW COMMISSION

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September 18, 2003

Mr. John McGinley, Chairman
Independent Regulatory Review Commission
333 Market Street
14th Floor
Harrisburg, PA 17101

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BUREAU OF DRIVER LICENSING
DIRECTOR'S OFFICE
DRIVER SAFETY DIVISION
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RE: Comments of the Pennsylvania Optometric Association regarding the proposed
rulemaking under 67 Pa. Code Chapter 83.

Dear Mr. McGinley:

The Pennsylvania Optometric Association (POA) fully supports the Department of
Transportations proposed rulemaking regarding the vision standards relating to the
licensing of drivers.

The POA requests that the final form regulation and comment and response documents
are forwarded to us, and that we continue to be kept apprised of all future correspondence
relating to this matter.

Thank you for your continued support.

Sincerely,
PENNSYLVANIA OPTOMETRIC ASSOCIATION

Greg L. Bittner, O.D.

Greg L. Bittner, O.D.
President

GLB/alz

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Facsimile Cover Sheet

Fiona E. Wilmarth
Regulatory Analyst



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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

Date: 9-22-03

To: Rebecca Bickley **Phone:** 787-4701

Agency: PA Department of Transportation

Fax: 772-5774

Re: Proposed Rulemaking # 18-374 (IRRC # 2346)

Number of pages including cover sheet: 2

Message: We received the attached comment letter today from the Pennsylvania Optometric Association. We are forwarding a copy to you for your information.

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INDEPENDENT ADMINISTRATIVE
REVIEW COMMISSION

September 23, 2003

Alan Welder
503 Taylor Avenue
Shillington, PA 19607

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BUREAU OF DRIVER LICENSING
DIRECTOR'S OFFICE

Robert Nyce, Director
IRRC
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: Proposed Revisions to Title 67

Dear Sirs:

I'm writing in regard to the proposed revisions to Title 67 PA Code Chapter 83. It is my understanding that the regulations being proposed under § 83.3 (visual standards) are to bring the regulations under section (e) into compliance with the statute by reducing the field of vision requirement from 140 degrees to 120 degrees. The regulation specifies that the field of vision shall be measured in the horizontal meridian. I would propose that the regulation be modified to allow the measurement to be taken within 5 degrees, plus or minus, of the horizontal meridian.

The rationale for this request is as follows:

1. The technology used to measure the field of vision usually puts the blindness directly on the meridian.
2. The measurement makes no allowance for an individual's height when sitting in the driver's seat. The blindness that would occur in the upper left or right quadrant would not affect a taller individual since the obstructed view is above the roofline of most vehicles.

In lieu of changing the measurement on the meridian, I would suggest that the same standards could be used that is applied in section (f) sight in one eye. This section allows driving privileges to be restricted to vehicles having mirrors located as to reflect to the person a view of the highway.

I would further suggest that driving privileges could be reinstated if a new driver's examination were to be successfully completed.

I feel these proposed changes would not pose a hazard to the driving public and would be in conformance with the intent of the American's with Disabilities Act.

If you have any questions on this matter, I can be reached at 610-775-0839.

Thank you for the opportunity to express my view on this matter and I request your consideration to revise the proposed revised regulations.

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DRIVER SAFETY DIVISION
BUREAU OF DRIVER LICENSING

Sincerely Yours,



Alan Welder

cc: Department of Transportation, Bureau of Driver Licensing
John R. McGinley, Chairman IRRC
Senator Madigan, Majority Chair, Senate Transportation
Senator Stout, Minority Chair, Senate Transportation
Senator LaValle, Senate Transportation
Representative Geist, Majority Chair, House Transportation

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Executive Vice President

Ms. Rebecca L. Bickley
Director, Bureau of Drivers Licensing
1101 South Front Street
Harrisburg, Pennsylvania 17104

DRIVER SAFETY DIVISION
BUR. OF DRIVER LICENSING

Re: Department of Transportation Proposed Regulations – Chapter 83:
Physical and Mental Criteria, Including Vision Standards, for the
Licensing of Drivers

Dear Ms. Bickley:

I am writing as President of the Pennsylvania Medical Society to offer comments on the above captioned proposed regulations that were published in the Pennsylvania Bulletin.

The Society solicited comments from representatives of specialties familiar with the specific criteria affected by the proposed changes. Generally, there was no opposition to the proposed amendments. The Society does wish to offer comments on Section 83.4 "Seizure Disorders." Advances in treatment regimens makes it reasonable for the seizure free period to be shortened from twelve to six months before a person regains driving privileges. Also, allowing persons to drive who only experience auras seems reasonable. However, persons who experience an aura prior to a seizure should not be allowed to drive unless they complete the proposed six month seizure free period. Exemptions could be considered for persons with a consistent pattern of nocturnal seizures or for a person who was previously controlled during a medication change under the supervision of a physician (provided the previous medication is reinstated.)

Concern was expressed by one of our commentators regarding section 83.4.c.4. It appears from the language that a person who has been seizure free for six months and suffers another seizure as a result of a head injury would be allowed to continue driving. The severity and type of injury and the presence of early post-traumatic seizures may increase the likelihood of subsequent seizures. It is therefore recommended that a waiver not be granted for patients with post-traumatic seizures, whether occurring for the first time or in a patient with a prior history of epilepsy. Post-traumatic seizures have been reported to occur as late as three years after certain types of injury, however, the majority of late seizures will occur within the first six to twelve months post-trauma. Therefore a six-month seizure free period for patients with post-traumatic seizures seems reasonable.

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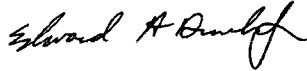
Fax: 717-550-7840

E-mail: info@pemsoc.org

www.pemsoc.org

Thank you for the opportunity to comment on these proposed regulations. After the changes are approved, the Medical Society would be pleased to assist the Department of Transportation in educating physicians as to the changes in criteria and their responsibilities for reporting.

Sincerely,



Edward H. Dench, Jr., MD
President

Cc: Independent Regulatory Review Commission

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