

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1976

Bill Subtitle: TO AMEND THE LAW CONCERNING THE SUSPENSION OR REVOCATION OF A DRIVER'S LICENSE FOR INABILITY TO DRIVE.

Basic Change :

Sponsor: Rep. Dotson

HB1976 amends the law concerning the suspension or revocation of a driver's license for inability to drive by defining the term "good cause" and adding that a person who in good faith files a report under this law is immune from civil and criminal liability for reporting a licensed driver to the Office of Driver Services for inability to drive.

The term "good cause" means a justifiable reason to believe that a licensed driver is incompetent or not qualified to be licensed on the basis of a report submitted to the office, including without limitation by a law enforcement officer, a medical care provider, social worker, an immediate family member who is 18 years of age or older, or by court order.

Revenue Impact :

None.

Taxpayer Impact :

Taxpayers may not file a cause of action against someone who in good faith reports a person to the Office of Driver Services for inability to drive. The bill also provides immunity from criminal prosecution provided that the report is made in good faith.

Resources Required :

None.

Time Required :

Adequate time is provided for implementation.

Procedural Changes :

Procedural changes will be required when someone is reported to the Office of Driver Services for inability to drive.

Other Comments :

None.

Legal Analysis :

Currently, § 27-16-909(a) allows the Office of Driver Services to require a licensed driver to submit to an initial evaluation if there is good cause to believe that the driver is incompetent or otherwise not qualified to be licensed. This bill defines "good cause" and requires good cause to be supported by the submission of a report issued by a law enforcement officer, a medical care provider, an immediate family member 18 years or older, or a court order. "Medical care provider" is further clarified by listing seven acceptable providers, if licensed. Immunity from civil and criminal liability is created for a person who files the report in good faith.