

EXPRESSING THE SENSE OF THE CONGRESS THAT STATES SHOULD REQUIRE CANDIDATES FOR DRIVER'S LICENSES TO DEMONSTRATE AN ABILITY TO EXERCISE GREATLY INCREASED CAUTION WHEN DRIVING IN THE PROXIMITY OF A POTENTIALLY VISUALLY IMPAIRED INDIVIDUAL

JUNE 20, 2006.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H. Con. Res. 235]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the concurrent resolution (H. Con. Res. 235) expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution be agreed to.

PURPOSE OF THE LEGISLATION

The purpose of House Concurrent Resolution 235 is to express the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

BACKGROUND AND NEED FOR LEGISLATION

H. Con. Res. 235 was introduced by Mr. Evans on September 7, 2005. Each year, careless drivers cause personal injury and death to visually impaired individuals and their guide dogs. To reduce these accidents, the resolution urges states to adopt the requirement that candidates for driver's licenses demonstrate an ability to drive with increased caution when driving in the proximity of a potentially visually impaired individual.

SUMMARY OF THE LEGISLATION

H. Con. Res. 235 finds that many visually impaired people travel about their communities without personal assistance and that many visually impaired people and guide dogs suffer injury and death each year as a result of being struck by a motor vehicle. Therefore, the legislation expresses the sense of Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual. The bill encourages states to teach candidates for driver's licenses to associate guide dogs and white canes with visually impaired pedestrians.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On April 5, 2006, the full committee met in open session and ordered H. Con. Res. 235 favorably reported by voice vote.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report, and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no rollcall votes.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

With respect to the requirements of clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, H. Con. Res. 235 is a sense of Congress Resolution and therefore does not have the force of law. As such, there is no cost associated with this legislation for fiscal year 2006, nor for any fiscal year thereafter. Attached to this report is a cost estimate prepared by the Acting Director of the Congressional Budget Office.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the attached cost estimate prepared by the Acting Director of the Congressional Budget Office shows that the resolution contains no measure that authorizes funding. Therefore, there is no change of total estimated funding level for the relevant programs compared to the appropriate levels under current law.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the attached cost estimate prepared by the Acting Director of the Congressional Budget Office shows that the resolution contains no measure that authorizes funding, so no statement of general performance and objectives for any measure that authorizes funding is required.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the attached cost estimate prepared by the Acting Director of the Congressional Budget Office shows that the resolution contains no measure that authorizes funding.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 24, 2006.

Hon. DON YOUNG,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H. Con. Res. 235, expressing the sense of the Congress that states should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

If you wish further details on these estimates, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

DONALD B. MARRON,
Acting Director.

Enclosure.

H. Con. Res. 235—Expressing the sense of the Congress that states should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual

H. Con. Res. 235 would express the sense of the Congress that each state should require candidates for a driver's license to associate the use of a white cane and guide dog with visually impaired individuals and exercise great caution when in their proximity. Adopting H. Con. Res. 235 would result in no cost to the federal government.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee advises that with respect to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4), the resolution is a sense of Congress and does not include any Federal Mandate,

therefore no reports on Federal Mandates nor Intergovernmental Mandates are required.

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1994 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local or tribal law. The Committee states that H. Con. Res. 235 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act. (Public Law 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Con. Res. 235 makes no changes to existing law.