

applicant's license examination. If such vision reading meets the vision requirements prescribed by the department in such rules and regulations, then the vision requirements shall have been met for purposes of this section. Can't that be construed to mean that if the bottom line, as she said, is that if they...the person who is doing the testing feels that they have not met the requirements set out by the rules and regs of the department, then again, the bottom line is that they can reject them?

SENATOR LANDIS: No, I don't think that is a fair characterization, but I do think...let me just counteroffer what I think it says. The department does get to set the standards. Once those standards are set you may meet those standards either by an examination before the Department of Motor Vehicles in one of their eye testing places or, in the alternative, a note from your doctor that indicates that in the doctor's office you've taken those and met those standards which the department has absolute power to create.

SENATOR SMITH: Okay, now wait a minute. It says if the applicant fails to meet the vision requirements, the license examiner shall require them to present an ophthalmologist's statement. So evidently in my interpretation they have already tried to meet the requirements by taking the test and they have not met their...what they interpret to be the requirements, so now they are saying it's okay now, if you want to contest this, then you bring me a statement from an ophthalmologist or an optometrist.

SENATOR LANDIS: Right. You go to DMV, you fail the eye test, you go to your own doctor. If your own doctor's test will say you have met the requirements, you can get licensed.

SENATOR SMITH: Then you bring it back to them, don't you?

SENATOR LANDIS: Right. And that's sufficient.

SENATOR SMITH: And then they determine whether or not it meets requirements.

SENATOR LANDIS: No, no. If the requirements are met, this indicates that they get their license. In other words, if your doctor will say you meet the standards that you couldn't prove at the Department of Motor Vehicles you could prove, you get