

Chapter 05 Use of Bioptic Telescopic Lenses

.01 Definitions.

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

- (1) “Administration” means the Motor Vehicle Administration.
- (2) “Bioptic telescopic lens” means a spectacle-mounted telescopic lens which is a corrective lens and which uses magnification as the main means of obtaining minimal visual acuity.
- (3) “Carrier lens” means a lens on which a bioptic telescopic lens is mounted.
- (4) Corrective Lens.
 - (a) “Corrective lens” means a lens which improves a refractive condition in the eye.
 - (b) “Corrective lens” as used in this chapter does not include a bioptic telescopic lens.
- (5) “Field expander” means a wide-angle lens that makes objects look smaller and further away.
- (6) “Gross vehicle weight (GVW)” means the greatest of the following weights for a single vehicle or combination of vehicles:
 - (a) The value specified by the manufacturer or manufacturers as the maximum gross weight;
 - (b) The registered gross weight; or

(c) The actual operating weight.

(7) “Knowledge test” means a written, computer-assisted, or oral test covering the Maryland rules of the road which is administered to an applicant for a Maryland driver's license.

(8) “Skills test” means a two-part driving test given to assess an applicant's ability to drive a motor vehicle under the provisions of this chapter, with the test consisting of a:

(a) Basic skills test conducted on a driving course; and

(b) Road test designed to test the applicant's ability to operate a motor vehicle in traffic conditions.

.02 Minimum Visual Standards.

A. An applicant using bioptic telescopic lenses meets the minimum visual standards if the applicant has the visual acuity specified in §§B and C of this regulation.

B. The applicant shall demonstrate:

(1) A visual acuity of at least 20/100 in one or both eyes and a field of 150 degrees horizontal vision with or without corrective lenses; or

(2) If the applicant has vision in one eye only, a field of at least 100 degrees horizontal vision.

C. The applicant shall demonstrate a visual acuity of at least 20/70 in one or both eyes with the bioptic telescopic lenses and without the use of field expanders.

.03 Procedures.

A. The procedures in §§B and C of this regulation apply to vision tests.

B. A vision test shall be administered by a licensed optometrist or ophthalmologist.

C. Statement by Optometrist or Ophthalmologist.

- (1) A licensed optometrist or ophthalmologist shall submit a statement on a form furnished by the Administration.
- (2) The statement is not acceptable if the date of the examination is more than 3 months before the date of submission of the statement to the Administration.
- (3) The statement shall contain:
 - (a) A patient's full name, signature, address, date of birth, and sex;
 - (b) Whether the test results were obtained with or without corrective lenses;
 - (c) Date of the test;
 - (d) Signature and license number of the individual authorized to certify the statement;
 - (e) A statement as to whether the patient has a vision condition which is stable;
 - (f) Recommendations for the:
 - (i) Driving restrictions the ophthalmologist or optometrist wishes the Administration to consider, if any; and
 - (ii) Administration's consideration relating to a vision reexamination on a 6-month or 12-month basis, if any; and
 - (g) A statement as to whether:
 - (i) The patient has been referred to an appropriate physician because of any underlying medical condition,
 - (ii) The patient has been fitted for bioptic telescopic lenses which the patient has had in the patient's possession at least 60 days before the patient's original or renewal application for a Maryland driver's license;
 - (iii) The patient has received instructions at least equal to the suggested instructions as set forth in [Regulation .04 of this chapter](#); and

- (iv) In the opinion of the optometrist or ophthalmologist, the patient's vision condition would interfere with the safe operation of a vehicle upon the highways.

Cross References

[11.17.05.09A\(1\)](#)

.04 Additional Requirements.

- A. An individual who meets the minimum visual acuity standards of this chapter with bioptic telescopic lenses shall pass a skills test examination if the individual has not taken a skills test wearing the individual's bioptic telescopic lenses. Upon renewal, the Administration may waive a skills test reexamination for a bioptic telescopic lens wearer.
- B. Instruction Requirements. Basic instruction requirements for an applicant wearing bioptic telescopic lenses shall ensure that the applicant has demonstrated the ability to:
- (1) Locate stationary objects within the telescopic field;
 - (2) Locate a moving object in a large field of vision by anticipating future movement and coordinating head and eye movement to locate the moving object within the telescopic field;
 - (3) Remember what has been seen after a brief exposure, with the duration of exposure diminished constantly to simulate short looking time while driving; and
 - (4) Differentiate varying levels of illumination such as daylight, dusk, and nighttime while wearing bioptic telescopic lenses.

Cross References

[11.17.05.03C\(3\)\(g\)\(iii\)](#)

.05 Medical Advisory Board Referral.

If the statement from the optometrist or ophthalmologist indicates that the applicant's vision loss is a result of a medical condition or the applicant's vision condition is not stable, the applicant shall be referred to the Medical Advisory Board for evaluation.

.06 Restrictions.

- A. If an individual applying for an original driver's license cannot meet the minimum visual requirements without the aid of corrective lenses and bioptic telescopic lenses, a license with an appropriate restriction shall be issued.
- B. An individual may qualify only for a noncommercial Class C driver's license valid for a vehicle with a GVW of 10,000 pounds or less if it is necessary for the individual to use bioptic telescopic lenses to meet the minimum visual acuity standards.
- C. A licensee may apply for a vision reexamination for the purpose of removing a vision-related restriction.

.07 Renewal.

- A. Upon application for renewal, if an individual required to submit to a vision reexamination holds a license which is not restricted to operation with bioptic telescopic lenses, and the individual cannot meet the minimum visual requirements except with the aid of bioptic telescopic lenses, a renewal license with an appropriate restriction shall be issued if the individual passes the required skills test.
- B. If an individual's visual acuity has diminished to the extent that bioptic telescopic lenses are required to meet the minimum visual acuity, the individual shall convert the individual's Maryland driver's license to the noncommercial Class C driver's license combination, restricted to the operation of vehicles less than 10,000 pounds GVW.
- C. Upon application for renewal, if an individual required to submit to a vision reexamination holds a license which is restricted to operation with corrective lenses or bioptic telescopic lenses, and that individual can meet the minimum visual requirements without the use of these lenses, that individual is entitled to file an application to have the restriction removed from the individual's renewal license.

.08 Disqualification.

Notwithstanding any of the provisions of these regulations, if the Administration has received notification that an applicant or licensee has been certified legally blind, the certification may provide grounds for refusal to issue an original or renewal driver's license, and any current driver's license or learner's permit may be cancelled.

.09 Learner's Instructional Permit.

- A. The Administration shall require an individual who is applying for a learner's instructional permit under the provisions of these regulations to:
 - (1) Submit the statements required by [Regulation .03 of this chapter](#);
 - (2) Pass a knowledge test; and
 - (3) Pay the applicable fees.
- B. If an individual whose license is up for renewal, and who needs bioptic telescopic lenses to meet the minimum vision requirements, fails a skills test, the individual may obtain a learner's card.
- C. If an individual's license is valid at the time application is made for a license restricted to bioptic telescopic lenses, the learner's card shall be issued free of charge.

.10 Driver's License Requirements.

The Administration shall require an individual who is applying for a driver's license restricted to bioptic telescopic lenses under the provisions of this chapter to:

- A. Have a valid license or hold a valid learner's instructional permit; and
- B. Pass the skills test.