

1 ENGROSSED HOUSE
2 BILL NO. 2907

By: Morgan, Bengel, Dorman,
Wright (John) and Walker of
the House

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Paddack of the Senate
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8 An Act relating to motor vehicles; amending 47 O.S.
9 2001, Section 15-112, as last amended by Section 3,
10 Chapter 302, O.S.L. 2008 (47 O.S. Supp. 2009, Section
11 15-112), which relates to temporary placards for
physically disabled persons; authorizing issuance of
temporary parking placards to persons with certain
conditions; and declaring an emergency.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 47 O.S. 2001, Section 15-112, as
16 last amended by Section 3, Chapter 302, O.S.L. 2008 (47 O.S. Supp.
17 2009, Section 15-112), is amended to read as follows:

18 Section 15-112. A. As used in this section:

19 1. "Physician" means any person holding a valid license to
20 practice medicine and surgery, osteopathic medicine, chiropractic,
21 podiatric medicine, or optometry, pursuant to the state licensing
22 provisions of Title 59 of the Oklahoma Statutes;

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1 2. "Physician assistant" means any person holding a valid
2 license as a physician assistant, pursuant to the state licensing
3 provisions of the Physician Assistant Act;

4 3. "Advanced registered nurse practitioner" means any person
5 who holds a current license as a registered nurse and a current
6 certificate of recognition for practice as an Advanced Registered
7 Nurse Practitioner as set forth in the Oklahoma Nursing Practice Act
8 pursuant to the state licensing provisions contained in paragraph 5
9 of Section 567.3a of Title 59 of the Oklahoma Statutes; and

10 4. "Physical disability" means an illness, disease, injury or
11 condition by reason of which a person:

- 12 a. cannot walk two hundred (200) feet without stopping to
13 rest,
- 14 b. cannot walk without the use of or assistance from a
15 brace, cane, crutch, another person, prosthetic
16 device, wheelchair or other assistance device,
- 17 c. is restricted to such an extent that the person's
18 forced (respiratory) expiratory volume for one (1)
19 second, when measured by spirometry, is less than one
20 (1) liter, or the arterial oxygen tension is less than
21 sixty (60) mm/hg on room air at rest,
- 22 d. must use portable oxygen,

- e. has functional limitations which are classified in severity as Class III or Class IV according to standards set by the American Heart Association,
- f. is severely limited in the person's ability to walk due to an arthritic, neurological or orthopedic condition, or from complications due to pregnancy,
- g. is certified legally blind, or
- h. is missing one or more limbs.

B. 1. The Department of Public Safety shall issue a detachable placard indicating physical disability to any person who submits an application on a form furnished by the Department and certified by a physician, physician assistant, or advanced registered nurse practitioner attesting that the applicant has a physical disability. The attestation of the physician, physician assistant, or advanced registered nurse practitioner shall denote "temporary" as the type of placard requested and shall indicate an expiration date which the physician, physician assistant, or advanced registered nurse practitioner estimates to be the date of termination of such physical disability; however, if the physician, physician assistant, or advanced registered nurse practitioner certifies that the physical disability is permanent, the physician, physician assistant, or advanced registered nurse practitioner shall denote "five-year" as the type of placard requested.

1 2. The person to whom such placard is issued shall be entitled
2 to the special parking privileges provided for in Section 15-111 of
3 this title; provided, however, the placard is properly displayed on
4 the parked vehicle.

5 C. Any placard issued by the Department of Public Safety shall
6 remain valid until:

7 1. The placard expires;

8 2. The person to whom the placard was issued requests a
9 replacement placard; or

10 3. The placard is no longer needed by the person to whom the
11 placard was issued for the disability for which the placard was
12 originally issued, whereupon such placard shall be returned to the
13 Department.

14 D. 1. A five-year placard shall expire five (5) years from the
15 last day of the month in which the placard was issued. Upon the
16 expiration of a five-year placard, the person to whom such placard
17 was issued may obtain a subsequent placard by reapplying to the
18 Department, in the same manner as provided in subsection B of this
19 section.

20 2. A temporary placard shall indicate the expiration date which
21 the physician, physician assistant, or advanced registered nurse
22 practitioner certifying the physical disability estimates to be the
23 date of termination of such physical disability, which shall not be
24 later than six (6) months from the date of issuance and upon which

1 date such placard shall expire and shall be returned to the
2 Department; provided, however, nothing in this paragraph shall be
3 construed to prevent the holder from applying for another placard,
4 as provided for in this section.

5 3. In the event that a placard is lost or destroyed, the person
6 to whom such placard was issued may apply in writing to the
7 Department for a replacement placard, which the Department shall
8 issue with the same expiration date as the original placard.

9 4. On and after January 1, 1998, all placards issued prior to
10 October 31, 1990, shall expire on the last day of the month in which
11 the placard was issued, and the person to whom such placard was
12 issued may follow the procedure provided for in subsection B of this
13 section to obtain a second or subsequent placard.

14 5. On and after January 1, 2000, all placards issued between
15 November 1, 1990, and June 30, 1995, shall expire on the last day of
16 the birth month of the person to whom the placard was issued, and
17 the person to whom such placard was issued may follow the procedure
18 provided for in subsection B of this section to obtain a second or
19 subsequent placard.

20 E. A physician, physician assistant, or advanced registered
21 nurse practitioner may sign an application certifying that a person
22 has a physical disability, as provided in subsection B of this
23 section, only if care and treatment of the illness, disease, injury
24 or condition causing the physical disability of such person falls

1 within the authorized scope of practice of the physician or
2 physician assistant, or advanced registered nurse practitioner.

3 F. The Department shall recognize handicap and disability
4 stickers issued by the Department of Veterans Affairs and federal
5 military bases in the same manner as the placard issued by the
6 Department as provided for in this section. For purposes of this
7 section and other sections of law relating to the physical
8 disability placard, the term "physical disability placard" shall
9 include those handicap and disability stickers issued by the
10 Department of Veterans Affairs and federal military bases.

11 G. The Department shall have the power to formulate, adopt and
12 promulgate rules as may be necessary to implement and administer the
13 provisions of this section, including, but not limited to,
14 prescribing the manner in which the placard is to be displayed on a
15 motor vehicle.

16 H. The Commissioner of Public Safety is hereby authorized to
17 enter into reciprocity agreements with other states for the purpose
18 of recognizing parking placards or license plates indicating
19 physical disability issued by those states.

20 I. Nothing in this section shall prohibit the issuance of a
21 temporary placard to a pregnant woman whose condition, as determined
22 by a physician, physician assistant, or advanced registered nurse
23 practitioner, meets one or more of the categories described in
24 paragraph 4 of subsection A of this section.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 Passed the House of Representatives the 8th day of March, 2010.

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8 Presiding Officer of the House of
9 Representatives

10 Passed the Senate the ____ day of _____, 2010.

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13 Presiding Officer of the Senate

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