

THE HOUSE OF REPRESENTATIVES  
Thursday, February 25, 2010

Committee Substitute for  
House Bill No. 2907

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2907 - By: MORGAN of the House.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 15-112, as last amended by Section 3, Chapter 302, O.S.L. 2008 (47 O.S. Supp. 2009, Section 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.

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

- 1           SECTION 1.    AMENDATORY    47 O.S. 2001, Section 15-112, as last amended by  
2    Section 3, Chapter 302, O.S.L. 2008 (47 O.S. Supp. 2009, Section 15-112), is amended to  
3    read as follows:
- 4           Section 15-112. A. As used in this section:
- 5           1. “Physician” means any person holding a valid license to practice medicine and  
6    surgery, osteopathic medicine, chiropractic, podiatric medicine, or optometry, pursuant to  
7    the state licensing provisions of Title 59 of the Oklahoma Statutes;
- 8           2. “Physician assistant” means any person holding a valid license as a physician  
9    assistant, pursuant to the state licensing provisions of the Physician Assistant Act;
- 10          3. “Advanced registered nurse practitioner” means any person who holds a current  
11    license as a registered nurse and a current certificate of recognition for practice as an

1 Advanced Registered Nurse Practitioner as set forth in the Oklahoma Nursing Practice  
2 Act pursuant to the state licensing provisions contained in paragraph 5 of Section 567.3a  
3 of Title 59 of the Oklahoma Statutes; and

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

- 6 a. cannot walk two hundred (200) feet without stopping to rest,
- 7 b. cannot walk without the use of or assistance from a brace, cane, crutch,  
8 another person, prosthetic device, wheelchair or other assistance  
9 device,
- 10 c. is restricted to such an extent that the person's forced (respiratory)  
11 expiratory volume for one (1) second, when measured by spirometry, is  
12 less than one (1) liter, or the arterial oxygen tension is less than sixty  
13 (60) mm/hg on room air at rest,
- 14 d. must use portable oxygen,
- 15 e. has functional limitations which are classified in severity as Class III  
16 or Class IV according to standards set by the American Heart  
17 Association,
- 18 f. is severely limited in the person's ability to walk due to an arthritic,  
19 neurological or orthopedic condition, or from complications due to  
20 pregnancy,
- 21 g. is certified legally blind, or
- 22 h. is missing one or more limbs.

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

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

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

- 16           1. The placard expires;
- 17           2. The person to whom the placard was issued requests a replacement placard; or
- 18           3. The placard is no longer needed by the person to whom the placard was issued  
19 for the disability for which the placard was originally issued, whereupon such placard  
20 shall be returned to the Department.

21           D. 1. A five-year placard shall expire five (5) years from the last day of the month  
22 in which the placard was issued. Upon the expiration of a five-year placard, the person

1 to whom such placard was issued may obtain a subsequent placard by reapplying to the  
2 Department, in the same manner as provided in subsection B of this section.

3 2. A temporary placard shall indicate the expiration date which the physician,  
4 physician assistant, or advanced registered nurse practitioner certifying the physical  
5 disability estimates to be the date of termination of such physical disability, which shall  
6 not be later than six (6) months from the date of issuance and upon which date such  
7 placard shall expire and shall be returned to the Department; provided, however, nothing  
8 in this paragraph shall be construed to prevent the holder from applying for another  
9 placard, as provided for in this section.

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

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

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

1 E. A physician, physician assistant, or advanced registered nurse practitioner may  
2 sign an application certifying that a person has a physical disability, as provided in  
3 subsection B of this section, only if care and treatment of the illness, disease, injury or  
4 condition causing the physical disability of such person falls within the authorized scope  
5 of practice of the physician or physician assistant, or advanced registered nurse  
6 practitioner.

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

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

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

20 I. Nothing in this section shall prohibit the issuance of a temporary placard to a  
21 pregnant woman whose condition, as determined by a physician, physician assistant, or

1 advanced registered nurse practitioner, meets one or more of the categories described in  
2 paragraph 4 of subsection A of this section.

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

6 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02-  
7 24-10 - DO PASS, As Amended.