

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3121

By: Blancett

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 15-112, which relates to physical disability placards; authorizing placard issuance based on existing out-of-state qualification; limiting period where certain placards are valid; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 15-112, is amended to read as follows:

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

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

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

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

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

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

1           f.    is severely limited in the person's ability to walk  
2                due to an arthritic, neurological or orthopedic  
3                condition, or from complications due to pregnancy,

4           g.    is certified legally blind, or is missing one or more  
5                limbs.

6           B.    The Department of Public Safety shall issue a detachable  
7 placard indicating physical disability to any person ~~who~~ who:

8           1. Who submits an application on a form furnished by the  
9 Department and certified by a physician, physician assistant, or  
10 advanced registered nurse practitioner attesting that the applicant  
11 has a physical disability. The attestation of the physician,  
12 physician assistant, or advanced registered nurse practitioner shall  
13 denote "temporary" as the type of placard requested and shall  
14 indicate an expiration date which the physician, physician  
15 assistant, or advanced registered nurse practitioner estimates to be  
16 the date of termination of such physical disability; however, if the  
17 physician, physician assistant, or advanced registered nurse  
18 practitioner certifies that the physical disability is permanent,  
19 the physician, physician assistant, or advanced registered nurse  
20 practitioner shall denote "five-year" as the type of placard  
21 requested; or

22           2. Who submits proof of a valid unexpired placard indicating  
23 physical disability granted by another state prior to relocation of  
24 the individual to Oklahoma.

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

3 1. The placard expires;

4 2. The person to whom the placard was issued requests a  
5 replacement placard; ~~or~~

6 3. The placard is no longer needed by the person to whom the  
7 placard was issued for the disability for which the placard was  
8 originally issued, whereupon such placard shall be returned to the  
9 Department; or

10 4. For purposes of a placard issued pursuant to paragraph 2 of  
11 subsection B of this section, the date the placard indicating  
12 physical disability granted by the state other than Oklahoma would  
13 have expired, provided no placard issued pursuant to paragraph 2 of  
14 subsection B of this section shall remain valid for a period longer  
15 than five (5) years.

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

22 2. A temporary placard shall indicate the expiration date which  
23 the physician, physician assistant, or advanced registered nurse  
24 practitioner certifying the physical disability estimates to be the

1 date of termination of such physical disability, which shall not be  
2 later than six (6) months from the date of issuance and upon which  
3 date such placard shall expire and shall be returned to the  
4 Department; provided, however, nothing in this paragraph shall be  
5 construed to prevent the holder from applying for another placard,  
6 as provided for in this section.

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

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

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

22 E. A physician, physician assistant, or advanced registered  
23 nurse practitioner may sign an application certifying that a person  
24 has a physical disability, as provided in subsection B of this

1 section, only if care and treatment of the illness, disease, injury  
2 or condition causing the physical disability of such person falls  
3 within the authorized scope of practice of the physician or  
4 physician assistant, or advanced registered nurse practitioner.

5 F. The Department shall have the power to formulate, adopt and  
6 promulgate rules as may be necessary to implement and administer the  
7 provisions of this section, including, but not limited to,  
8 prescribing the manner in which the placard is to be displayed on a  
9 motor vehicle.

10 G. Nothing in this section shall prohibit the issuance of a  
11 temporary placard to a pregnant woman whose condition, as determined  
12 by a physician, physician assistant, or advanced registered nurse  
13 practitioner, meets one or more of the categories described in  
14 paragraph 4 of subsection A of this section.

15 SECTION 2. This act shall become effective November 1, 2018.

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