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February 16, 2023

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 1070

By: Newhouse of the Senate

and

Hilbert of the House

An Act relating to motor vehicle disability placard; amending 47 O.S. 2021, Section 15-112, as amended by Section 98, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 15-112), which relates to the physical disability temporary placard; modifying certain definition; requiring Service Oklahoma to issue certain temporary placards; requiring certain expiration; requiring a certain fee; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 15-112, as amended by Section 98, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, 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;

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

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

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

- 1 e. has functional limitations which are classified in  
2 severity as Class III or Class IV according to  
3 standards set by the American Heart Association,  
4 f. is severely limited in the person's ability to walk  
5 due to an arthritic, neurological or orthopedic  
6 condition, or from complications due to pregnancy,  
7 g. is certified legally blind, or is missing one or more  
8 limbs, or  
9 h. is up to six (6) months postpartum.

10 B. Service Oklahoma shall issue a detachable placard indicating  
11 physical disability to any person who submits an application on a  
12 form furnished by Service Oklahoma and certified by a physician,  
13 physician assistant, or ~~advanced registered nurse practitioner~~  
14 Advanced Practice Registered Nurse attesting that the applicant has  
15 a physical disability. The attestation of the physician, physician  
16 assistant, or ~~advanced registered nurse practitioner~~ Advanced  
17 Practice Registered Nurse shall denote "temporary" as the type of  
18 placard requested and shall indicate an expiration date which the  
19 physician, physician assistant, or ~~advanced registered nurse~~  
20 ~~practitioner~~ Advanced Practice Registered Nurse estimates to be the  
21 date of termination of such physical disability; however, if the  
22 physician, physician assistant, or ~~advanced registered nurse~~  
23 ~~practitioner~~ Advanced Practice Registered Nurse certifies that the  
24 physical disability is permanent, the physician, physician

1 assistant, or ~~advanced registered nurse practitioner~~ Advanced  
2 Practice Registered Nurse shall denote "five-year" as the type of  
3 placard requested.

4 C. Any placard issued by Service Oklahoma shall remain valid  
5 until:

6 1. The placard expires;

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

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

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

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

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

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

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

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

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

1 practice of the physician or physician assistant, or ~~advanced~~  
2 ~~registered nurse practitioner~~ Advanced Practice Registered Nurse.

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

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

14 H. Service Oklahoma shall issue a yellow temporary placard to  
15 any person who has given birth within the past six (6) months  
16 provided the person requesting the temporary placard submits a birth  
17 certificate or record of birth for the child and a valid Oklahoma  
18 driver license, a valid Oklahoma identification card, or other proof  
19 of principal residency in the state, as prescribed by rules  
20 promulgated by Service Oklahoma, for the person who has given birth.  
21 The temporary placard for the person who has given birth shall  
22 expire six (6) months after the date of birth listed on the  
23 submitted birth certificate or record of birth. Service Oklahoma  
24

1 shall require a minimal fee for the temporary placard and Service  
2 Oklahoma may adjust the fee on an annual basis.

3 SECTION 2. This act shall become effective November 1, 2023.

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
5 February 16, 2023 - DO PASS AS AMENDED BY CS  
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