

By: Barrientos

S.B. No. 305

A BILL TO BE ENTITLED

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AN ACT

relating to specialized license plates and parking placards for vehicles of persons with disabilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 502.253, Transportation Code, is amended by amending Subsection (e) and adding Subsection (j) to read as follows:

(e) Subject to Subsections [~~Subsection~~] (i) and (j), the first application for registration must be accompanied by a written statement of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the Veterans Administration, certifying to the department that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement must include a certification of whether a mobility problem, if applicable, is temporary or permanent. A written statement from a physician is not required as acceptable medical proof if:

(1) the person with a disability:

(A) has had a limb, hand, or foot amputated; or

(B) must use a wheelchair; and

(2) the applicant and the county assessor-collector issuing the special license plates execute an affidavit attesting

1 to the person's disability.

2 (j) If a first application for registration under this
3 section is made by or on behalf of a person with a mobility problem
4 that substantially impairs the person's ability to ambulate, the
5 written statement required by Subsection (e) may be issued by a
6 person licensed to practice chiropractic in this state or a state
7 adjacent to this state. In this subsection, "chiropractic" has the
8 meaning assigned by Section 201.002, Occupations Code.

9 SECTION 2. Section 681.003, Transportation Code, is amended
10 by amending Subsection (c) and adding Subsection (f) to read as
11 follows:

12 (c) Subject to Subsections [~~Subsection~~] (e) and (f), the
13 first application must be accompanied by a notarized written
14 statement or written prescription of a physician licensed to
15 practice medicine in this state or a state adjacent to this state,
16 or authorized by applicable law to practice medicine in a hospital
17 or other health facility of the Veterans Administration, certifying
18 and providing evidence acceptable to the department that the person
19 making the application or on whose behalf the application is made is
20 legally blind or has a mobility problem that substantially impairs
21 the person's ability to ambulate. The statement or prescription
22 must include a certification of whether the disability is temporary
23 or permanent and information acceptable to the department to
24 determine the type of disabled parking placard for which the
25 applicant is eligible. The department shall determine a person's
26 eligibility based on evidence provided by the applicant
27 establishing legal blindness or mobility impairment.

1 (f) If a first application for a disabled parking placard
2 under this section is made by or on behalf of a person with a
3 mobility problem that substantially impairs the person's ability to
4 ambulate, the notarized written statement required by Subsection
5 (c) may be issued by a person licensed to practice chiropractic in
6 this state or a state adjacent to this state. In this subsection,
7 "chiropractic" has the meaning assigned by Section 201.002,
8 Occupations Code.

9 SECTION 3. This Act takes effect September 1, 2003.