

1-1 By: Barrientos S.B. No. 305
1-2 (In the Senate - Filed January 28, 2003; February 5, 2003,
1-3 read first time and referred to Committee on Infrastructure
1-4 Development and Security; March 11, 2003, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9, Nays
1-6 0; March 11, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 305 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to specialized license plates and parking placards for
1-11 vehicles of persons with disabilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 502.253, Transportation Code, is amended
1-14 by amending Subsection (e) and adding Subsection (j) to read as
1-15 follows:

1-16 (e) Subject to Subsections [~~Subsection~~] (i) and (j), the
1-17 first application for registration must be accompanied by a written
1-18 statement of a physician licensed to practice medicine in this
1-19 state or a state adjacent to this state, or authorized by applicable
1-20 law to practice medicine in a hospital or other health facility of
1-21 the Veterans Administration, certifying to the department that the
1-22 person making the application or on whose behalf the application is
1-23 made is legally blind or has a mobility problem that substantially
1-24 impairs the person's ability to ambulate. The statement must
1-25 include a certification of whether a mobility problem, if
1-26 applicable, is temporary or permanent. A written statement from a
1-27 physician is not required as acceptable medical proof if:

1-28 (1) the person with a disability:

1-29 (A) has had a limb, hand, or foot amputated; or

1-30 (B) must use a wheelchair; and

1-31 (2) the applicant and the county assessor-collector
1-32 issuing the special license plates execute an affidavit attesting
1-33 to the person's disability.

1-34 (j) If a first application for registration under this
1-35 section is made by or on behalf of a person with a mobility problem
1-36 that substantially impairs the person's ability to ambulate, the
1-37 written statement required by Subsection (e) may be issued by a
1-38 person licensed to practice chiropractic in this state or a state
1-39 adjacent to this state. In this subsection, "chiropractic" has the
1-40 meaning assigned by Section 201.002, Occupations Code.

1-41 SECTION 2. Section 681.003, Transportation Code, is amended
1-42 by amending Subsection (c) and adding Subsection (f) to read as
1-43 follows:

1-44 (c) Subject to Subsections [~~Subsection~~] (e) and (f), the
1-45 first application must be accompanied by a notarized written
1-46 statement or written prescription of a physician licensed to
1-47 practice medicine in this state or a state adjacent to this state,
1-48 or authorized by applicable law to practice medicine in a hospital
1-49 or other health facility of the Veterans Administration, certifying
1-50 and providing evidence acceptable to the department that the person
1-51 making the application or on whose behalf the application is made is
1-52 legally blind or has a mobility problem that substantially impairs
1-53 the person's ability to ambulate. The statement or prescription
1-54 must include a certification of whether the disability is temporary
1-55 or permanent and information acceptable to the department to
1-56 determine the type of disabled parking placard for which the
1-57 applicant is eligible. The department shall determine a person's
1-58 eligibility based on evidence provided by the applicant
1-59 establishing legal blindness or mobility impairment.

1-60 (f) If a first application for a disabled parking placard
1-61 under this section is made by or on behalf of a person with a
1-62 mobility problem that substantially impairs the person's ability to
1-63 ambulate, the notarized written statement required by Subsection

2-1 (c) may be issued by a person licensed to practice chiropractic in
2-2 this state or a state adjacent to this state. In this subsection,
2-3 "chiropractic" has the meaning assigned by Section 201.002,
2-4 Occupations Code.

2-5 SECTION 3. This Act takes effect September 1, 2003.

2-6

* * * * *