

BILL ANALYSIS

S.B. 1367
By: Carona
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The original statute in the Transportation Code that provided for the issuance of disabled parking placards was written years ago in broad language under which optometrists were allowed to issue disability placards. The law was subsequently amended to limit issuance of such placards to a licensed doctor of medicine or doctor of osteopathy. However, other practitioners, including podiatrists, have since been authorized to issue disability placards.

Approximately 80 percent of individuals receive their eye care and determination of visual functioning from an optometrist. Optometrists also provide low vision rehabilitation services for patients with visual disabilities and coordinate care and support for persons with legal blindness. Even if a visually disabled person does not drive, relying instead on another person for transportation, the visually disabled person has sight and mobility issues and would benefit from having access to a preferential parking spot.

S.B. 1367 amends the Transportation Code, to authorize a person who is licensed to practice optometry or therapeutic optometry to provide a notarized statement or written prescription required for a disabled parking placard for a person who has a mobility problem caused by an impairment of vision.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 504.201(a), Transportation Code, by adding Subdivision (3), to define "practice of optometry" and "practice of therapeutic optometry."

SECTION 2. Amends Section 504.201, Transportation Code, by amending Subsection (d) and adding Subsection (d-1), as follows:

(d) Creates an exception under Subsection (d-1). Makes a nonsubstantive change.

(d-1) Authorizes the written statement required by Subsection (d), if the initial application for specialty license plates under this section is made by or on behalf of a person who is legally blind, to be issued by a person licensed to engage in the practice of optometry or the practice of therapeutic optometry in this state or a state adjacent to this state.

SECTION 3. Amends Section 681.003, Transportation Code, by amending Subsection (e) and adding Subsection (f), as follows:

(e) Provides that if a first application for a disabled parking placard under this section is made by or on behalf of a person with a disability caused by an impairment of vision as provided by Section 681.001(2) (relating to the definition of "disability"), the notarized written statement or written prescription required by Subsection (c) (relating to a requirement for written notarized statement) is authorized to be issued by a person

licensed to engage in the practice of optometry or the practice of therapeutic optometry in this state or a state adjacent to this state.

(f) Defines "practice of optometry" and "practice of therapeutic optometry."

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009