

By: Fletcher

H.B. No. 3507

A BILL TO BE ENTITLED

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 504.201, Transportation Code, is amended by amending Subsection (d) and adding Subsection (i) to read as follows:

(d) Subject to Subsection (i), the ~~[The]~~ initial application for specialty license plates under this section must be accompanied by a written statement from a physician who is licensed to practice medicine in this state or in a state adjacent to this state or who is authorized by applicable law to practice medicine in a hospital or other health facility of the Department of Veterans Affairs. If the applicant has a mobility problem caused by a disorder of the foot, the written statement may be issued by a person licensed to practice podiatry in this state or a state adjacent to this state. In this subsection, "podiatry" has the meaning assigned by Section 681.001. The statement must certify 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 also certify whether a mobility problem is temporary or permanent. A written statement is not required as acceptable medical proof if:

1 (1) the person with a disability:

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

3 (B) must use a wheelchair; and

4 (2) the applicant and the county assessor-collector
5 processing the application execute an affidavit attesting to the
6 person's disability.

7 (i) If the initial application for specialty license plates
8 under this section is made by or on behalf of a person with a
9 mobility problem that substantially impairs the person's ability to
10 ambulate, the written statement required by Subsection (d) may be
11 issued by a person licensed to practice chiropractic in this state
12 or a state adjacent to this state. In this subsection,
13 "chiropractic" has the meaning assigned by Section 201.002,
14 Occupations Code.

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

18 (c) Subject to Subsections [~~Subsection~~] (e) and (f), the
19 first application must be accompanied by a notarized written
20 statement or written prescription of a physician licensed to
21 practice medicine in this state or a state adjacent to this state,
22 or authorized by applicable law to practice medicine in a hospital
23 or other health facility of the Veterans Administration, certifying
24 and providing evidence acceptable to the department that the person
25 making the application or on whose behalf the application is made is
26 legally blind or has a mobility problem that substantially impairs
27 the person's ability to ambulate. The statement or prescription

1 must include a certification of whether the disability is temporary
2 or permanent and information acceptable to the department to
3 determine the type of disabled parking placard for which the
4 applicant is eligible. The department shall determine a person's
5 eligibility based on evidence provided by the applicant
6 establishing legal blindness or mobility impairment.

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

15 SECTION 3. This Act takes effect September 1, 2009.