

AN ACT

relating to parking placard or specialty license plate applications by persons with a mobility problem caused by an impairment of vision.

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

SECTION 1. Subsection (a), Section 504.201, Transportation Code, is amended by adding Subdivision (3) to read as follows:

(3) "Practice of optometry" and "practice of therapeutic optometry" have the meanings assigned by Section 351.002, Occupations Code.

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

(d) Except as provided by Subsection (d-1), 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

1 that the person making the application or on whose behalf the
2 application is made is legally blind or has a mobility problem that
3 substantially impairs the person's ability to ambulate. The
4 statement must also certify whether a mobility problem is temporary
5 or permanent. A written statement is not required as acceptable
6 medical proof if:

7 (1) the person with a disability:

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

9 (B) must use a wheelchair; and

10 (2) the applicant and the county assessor-collector
11 processing the application execute an affidavit attesting to the
12 person's disability.

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

19 SECTION 3. Section 681.003, Transportation Code, is amended
20 by amending Subsection (e) and adding Subsection (f) to read as
21 follows:

22 (e) If a first application for a disabled parking placard
23 under this section is made by or on behalf of a person with:

24 (1) a mobility problem caused by a disorder of the
25 foot, the notarized written statement or written prescription
26 required by Subsection (c) may be issued by a person licensed to
27 practice podiatry in this state or a state adjacent to this state;

1 or

2 (2) a disability caused by an impairment of vision as
3 provided by Section 681.001(2), the notarized written statement or
4 written prescription required by Subsection (c) may be issued by a
5 person licensed to engage in the practice of optometry or the
6 practice of therapeutic optometry in this state or a state adjacent
7 to this state.

8 (f) In this section, "practice of optometry" and "practice
9 of therapeutic optometry" have the meanings assigned by Section
10 351.002, Occupations Code.

11 SECTION 4. The changes in law made by this Act apply only to
12 an application for a disabled parking placard or disabled license
13 plates submitted on or after the effective date of this Act. An
14 application submitted before the effective date of this Act is
15 governed by the law in effect on the date the application was
16 submitted, and the former law is continued in effect for that
17 purpose.

18 SECTION 5. This Act takes effect September 1, 2009.

S.B. No. 1367

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1367 passed the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1367 passed the House on May 26, 2009, by the following vote: Yeas 141, Nays 2, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor