

1-1 By: Carona S.B. No. 1367
1-2 (In the Senate - Filed March 4, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 8, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 8, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1367 By: Carona

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

1-10 relating to parking placard or specialty license plate applications
1-11 by persons with a mobility problem caused by an impairment of
1-12 vision.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 504.201, Transportation
1-15 Code, is amended by adding Subdivision (3) to read as follows:

1-16 (3) "Practice of optometry" and "practice of
1-17 therapeutic optometry" have the meanings assigned by Section
1-18 351.002, Occupations Code.

1-19 SECTION 2. Section 504.201, Transportation Code, is amended
1-20 by amending Subsection (d) and adding Subsection (d-1) to read as
1-21 follows:

1-22 (d) Except as provided by Subsection (d-1), the [The]
1-23 initial application for specialty license plates under this section
1-24 must be accompanied by a written statement from a physician who is
1-25 licensed to practice medicine in this state or in a state adjacent
1-26 to this state or who is authorized by applicable law to practice
1-27 medicine in a hospital or other health facility of the Department of
1-28 Veterans Affairs. If the applicant has a mobility problem caused by
1-29 a disorder of the foot, the written statement may be issued by a
1-30 person licensed to practice podiatry in this state or a state
1-31 adjacent to this state. In this subsection, "podiatry" has the
1-32 meaning assigned by Section 681.001. The statement must certify
1-33 that the person making the application or on whose behalf the
1-34 application is made is legally blind or has a mobility problem that
1-35 substantially impairs the person's ability to ambulate. The
1-36 statement must also certify whether a mobility problem is temporary
1-37 or permanent. A written statement is not required as acceptable
1-38 medical proof if:

1-39 (1) the person with a disability:

1-40 (A) has had a limb, hand, or foot amputated; or

1-41 (B) must use a wheelchair; and

1-42 (2) the applicant and the county assessor-collector
1-43 processing the application execute an affidavit attesting to the
1-44 person's disability.

1-45 (d-1) If the initial application for specialty license
1-46 plates under this section is made by or on behalf of a person who is
1-47 legally blind, the written statement required by Subsection (d) may
1-48 be issued by a person licensed to engage in the practice of
1-49 optometry or the practice of therapeutic optometry in this state or
1-50 a state adjacent to this state.

1-51 SECTION 3. Section 681.003, Transportation Code, is amended
1-52 by amending Subsection (e) and adding Subsection (f) to read as
1-53 follows:

1-54 (e) If a first application for a disabled parking placard
1-55 under this section is made by or on behalf of a person with:

1-56 (1) a mobility problem caused by a disorder of the
1-57 foot, the notarized written statement or written prescription
1-58 required by Subsection (c) may be issued by a person licensed to
1-59 practice podiatry in this state or a state adjacent to this state;
1-60 or

1-61 (2) a disability caused by an impairment of vision as
1-62 provided by Section 681.001(2), the notarized written statement or
1-63 written prescription required by Subsection (c) may be issued by a

2-1 person licensed to engage in the practice of optometry or the
2-2 practice of therapeutic optometry in this state or a state adjacent
2-3 to this state.

2-4 (f) In this section, "practice of optometry" and "practice
2-5 of therapeutic optometry" have the meanings assigned by Section
2-6 351.002, Occupations Code.

2-7 SECTION 4. The changes in law made by this Act apply only to
2-8 an application for a disabled parking placard or disabled license
2-9 plates submitted on or after the effective date of this Act. An
2-10 application submitted before the effective date of this Act is
2-11 governed by the law in effect on the date the application was
2-12 submitted, and the former law is continued in effect for that
2-13 purpose.

2-14 SECTION 5. This Act takes effect September 1, 2009.

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