

By: Klick

H.B. No. 4005

A BILL TO BE ENTITLED

AN ACT

relating to certification by a physical therapist of a person's eligibility for license plates or parking placards issued to persons with disabilities.

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

SECTION 1. Section 504.201(d), Transportation Code, is amended to read as follows:

(d) Except as provided by Subsection (d-1), 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 or physical therapist licensed to practice physical therapy in this state or in a state adjacent to this state or who is authorized by applicable law to practice medicine or physical therapy, as applicable, 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) the person with a disability:

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

(B) must use a wheelchair; and

(2) the applicant executes a statement attesting to the person's disability before the county assessor-collector.

SECTION 2. Section 681.003(c), Transportation Code, is amended to read as follows:

(c) Subject to Subsections (e) and (f), the first application must be accompanied by a notarized written statement or written prescription of a physician licensed to practice medicine or physical therapist licensed to practice physical therapy in this state or a state adjacent to this state, or authorized by applicable law to practice medicine or physical therapy, as applicable, in a hospital or other health facility of the United States Department of Veterans Affairs, certifying and providing evidence acceptable to the department 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 or prescription must include a certification of whether the disability is temporary or permanent and information acceptable to the department to determine the type of disabled parking placard for which the applicant is eligible. The department shall determine a person's eligibility based on evidence provided by the applicant establishing legal blindness or mobility impairment.

SECTION 3. Section 681.004(d), Transportation Code, is

1 amended to read as follows:

2 (d) A disabled parking placard issued to a person with a
3 temporary disability expires after the period set by the department
4 and may be renewed at the end of that period if the disability
5 remains as evidenced by a physician's or physical therapist's
6 statement or prescription submitted as required for a first
7 application under Section 681.003(c).

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2019.