

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 1070

By: Newhouse of the Senate

and

Hilbert of the House

6  
7  
8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicle disability placard;  
11 amending 47 O.S. 2021, Section 15-112, as amended by  
12 Section 98, Chapter 282, O.S.L. 2022 (47 O.S. Supp.  
13 2022, Section 15-112), which relates to the physical  
14 disability temporary placard; modifying certain  
15 definition; requiring Service Oklahoma to issue  
16 certain temporary placards; requiring certain  
17 expiration; requiring a certain fee; updating  
18 statutory language; and providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 47 O.S. 2021, Section 15-112, as  
21 amended by Section 98, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,  
22 Section 15-112), is amended to read as follows:

23 Section 15-112. A. As used in this section:

24 1. "Physician" means any person holding a valid license to  
practice medicine and surgery, osteopathic medicine, chiropractic,

1 podiatric medicine, or optometry, pursuant to the state licensing  
2 provisions of Title 59 of the Oklahoma Statutes;

3 2. "Physician assistant" means any person holding a valid  
4 license as a physician assistant, pursuant to the state licensing  
5 provisions of the Physician Assistant Act;

6 3. ~~"Advanced registered nurse practitioner"~~ "Advanced Practice  
7 Registered Nurse" means any person who holds a current license as a  
8 registered nurse and a current certificate of recognition for  
9 practice as an Advanced ~~Registered Nurse Practitioner~~ Practice  
10 Registered Nurse as set forth in the Oklahoma Nursing Practice Act  
11 pursuant to the state licensing provisions contained in paragraph 5  
12 of Section 567.3a of Title 59 of the Oklahoma Statutes; and

13 4. "Physical disability" means an illness, disease, injury or  
14 condition by reason of which a person:

- 15 a. cannot walk two hundred (200) feet without stopping to  
16 rest,
- 17 b. cannot walk without the use of or assistance from a  
18 brace, cane, crutch, another person, prosthetic  
19 device, wheelchair or other assistance device,
- 20 c. is restricted to such an extent that the person's  
21 forced (respiratory) expiratory volume for one (1)  
22 second, when measured by spirometry, is less than one  
23 (1) liter, or the arterial oxygen tension is less than  
24 sixty (60) mm/hg on room air at rest,

- 1 d. must use portable oxygen,  
2 e. has functional limitations which are classified in  
3 severity as Class III or Class IV according to  
4 standards set by the American Heart Association,  
5 f. is severely limited in the person's ability to walk  
6 due to an arthritic, neurological or orthopedic  
7 condition, or from complications due to pregnancy,  
8 g. is certified legally blind, or is missing one or more  
9 limbs, or  
10 h. is up to six (6) months postpartum.

11 B. Service Oklahoma shall issue a detachable placard indicating  
12 physical disability to any person who submits an application on a  
13 form furnished by Service Oklahoma and certified by a physician,  
14 physician assistant, or ~~advanced registered nurse practitioner~~  
15 Advanced Practice Registered Nurse attesting that the applicant has  
16 a physical disability. The attestation of the physician, physician  
17 assistant, or ~~advanced registered nurse practitioner~~ Advanced  
18 Practice Registered Nurse shall denote "temporary" as the type of  
19 placard requested and shall indicate an expiration date which the  
20 physician, physician assistant, or ~~advanced registered nurse~~  
21 ~~practitioner~~ Advanced Practice Registered Nurse estimates to be the  
22 date of termination of such physical disability; however, if the  
23 physician, physician assistant, or ~~advanced registered nurse~~  
24 ~~practitioner~~ Advanced Practice Registered Nurse certifies that the

1 physical disability is permanent, the physician, physician  
2 assistant, or ~~advanced registered nurse practitioner~~ Advanced  
3 Practice Registered Nurse shall denote "five-year" as the type of  
4 placard requested.

5 C. Any placard issued by Service Oklahoma shall remain valid  
6 until:

7 1. The placard expires;

8 2. The person to whom the placard was issued requests a  
9 replacement placard; or

10 3. The placard is no longer needed by the person to whom the  
11 placard was issued for the disability for which the placard was  
12 originally issued, whereupon such placard shall be returned to  
13 Service Oklahoma.

14 D. 1. A five-year placard shall expire five (5) years from the  
15 last day of the month in which the placard was issued. Upon the  
16 expiration of a five-year placard, the person to whom such placard  
17 was issued may obtain a subsequent placard by reapplying to Service  
18 Oklahoma, in the same manner as provided in subsection B of this  
19 section.

20 2. A temporary placard shall indicate the expiration date which  
21 the physician, physician assistant, or ~~advanced registered nurse~~  
22 ~~practitioner~~ Advanced Practice Registered Nurse certifying the  
23 physical disability estimates to be the date of termination of such  
24 physical disability, which shall not be later than six (6) months

1 from the date of issuance and upon which date such placard shall  
2 expire and shall be returned to Service Oklahoma; provided, however,  
3 nothing in this paragraph shall be construed to prevent the holder  
4 from applying for another placard, as provided for in this section.

5 3. In the event that a placard is lost or destroyed, the person  
6 to whom such placard was issued may apply in writing to Service  
7 Oklahoma for a replacement placard, which Service Oklahoma shall  
8 issue with the same expiration date as the original placard.

9 4. On and after January 1, 1998, all placards issued prior to  
10 October 31, 1990, shall expire on the last day of the month in which  
11 the placard was issued, and the person to whom such placard was  
12 issued may follow the procedure provided for in subsection B of this  
13 section to obtain a second or subsequent placard.

14 5. On and after January 1, 2000, all placards issued between  
15 November 1, 1990, and June 30, 1995, shall expire on the last day of  
16 the birth month of the person to whom the placard was issued, and  
17 the person to whom such placard was issued may follow the procedure  
18 provided for in subsection B of this section to obtain a second or  
19 subsequent placard.

20 E. A physician, physician assistant, or ~~advanced registered~~  
21 ~~nurse practitioner~~ Advanced Practice Registered Nurse may sign an  
22 application certifying that a person has a physical disability, as  
23 provided in subsection B of this section, only if care and treatment  
24 of the illness, disease, injury or condition causing the physical

1 disability of such person falls within the authorized scope of  
2 practice of the physician or physician assistant, or ~~advanced~~  
3 ~~registered nurse practitioner~~ Advanced Practice Registered Nurse.

4 F. Service Oklahoma shall have the power to formulate, adopt  
5 and promulgate rules as may be necessary to implement and administer  
6 the provisions of this section, including, but not limited to,  
7 prescribing the manner in which the placard is to be displayed on a  
8 motor vehicle.

9 G. Nothing in this section shall prohibit the issuance of a  
10 temporary placard to a pregnant woman whose condition, as determined  
11 by a physician, physician assistant, or ~~advanced registered nurse~~  
12 ~~practitioner~~ Advanced Practice Registered Nurse, meets one or more  
13 of the categories described in paragraph 4 of subsection A of this  
14 section.

15 H. Service Oklahoma shall issue a yellow temporary placard to  
16 any woman who has given birth within the past six (6) months  
17 provided the person requesting the temporary placard submits a birth  
18 certificate or record of birth for the child and a valid Oklahoma  
19 driver license, a valid Oklahoma identification card, or other proof  
20 of principal residency in the state, as prescribed by rules  
21 promulgated by Service Oklahoma, for the mother. The temporary  
22 placard for the mother shall expire six (6) months after the date of  
23 birth listed on the submitted birth certificate or record of birth.

24

1 Service Oklahoma shall require a minimal fee for the temporary  
2 placard and Service Oklahoma may adjust the fee on an annual basis.

3 SECTION 2. This act shall become effective November 1, 2023.

4

5 59-1-8101 JBH 04/04/23

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24