

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

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

By: Newhouse, **Stephens**, and
Garvin of the Senate

and

Hilbert of the House

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10 COMMITTEE SUBSTITUTE

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

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

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

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

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.

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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.

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5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/05/2023 -
6 DO PASS, As Amended and Coauthored.

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