

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 1070

By: Newhouse

6
7 COMMITTEE SUBSTITUTE

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

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

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

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

22 1. "Physician" means any person holding a valid license to
23 practice medicine and surgery, osteopathic medicine, chiropractic,
24 podiatric medicine, or optometry, pursuant to the state licensing
provisions of Title 59 of the Oklahoma Statutes;

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

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

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

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

1 e. has functional limitations which are classified in
2 severity as Class III or Class IV according to
3 standards set by the American Heart Association,

4 f. is severely limited in the person's ability to walk
5 due to an arthritic, neurological or orthopedic
6 condition, or from complications due to pregnancy, or

7 g. is certified legally blind, or is missing one or more
8 limbs.

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

1 Practice Registered Nurse shall denote "five-year" as the type of
2 placard requested.

3 C. Any placard issued by Service Oklahoma shall remain valid
4 until:

5 1. The placard expires;

6 2. The person to whom the placard was issued requests a
7 replacement placard; or

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

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

18 2. A temporary placard shall indicate the expiration date which
19 the physician, physician assistant, or ~~advanced registered nurse~~
20 ~~practitioner~~ Advanced Practice Registered Nurse certifying the
21 physical disability estimates to be the date of termination of such
22 physical disability, which shall not be later than six (6) months
23 from the date of issuance and upon which date such placard shall
24 expire and shall be returned to Service Oklahoma; provided, however,

1 nothing in this paragraph shall be construed to prevent the holder
2 from applying for another placard, as provided for in this section.

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

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

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

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

1 practice of the physician or physician assistant, or ~~advanced~~
2 ~~registered nurse practitioner~~ Advanced Practice Registered Nurse.

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

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

14 H. Service Oklahoma shall issue a yellow temporary placard to
15 any person who has given birth within the past six (6) months
16 provided the person requesting the temporary placard submits a birth
17 certificate or record of birth for the child, a valid Oklahoma
18 driver license for the person who has given birth, proof of motor
19 vehicle insurance, and valid Oklahoma motor vehicle registration.
20 The temporary placard for the person who has given birth shall
21 expire six (6) months after the date of birth listed on the
22 submitted birth certificate or record of birth. Service Oklahoma
23 shall require a minimal fee for the temporary placard and Service
24 Oklahoma may adjust the fee on an annual basis.

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

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