

1 ENGROSSED SENATE
2 BILL NO. 1070

By: Newhouse of the Senate

and

Hilbert of the House

3
4
5
6 An Act relating to motor vehicle disability placard;
7 amending 47 O.S. 2021, Section 15-112, as amended by
8 Section 98, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
9 2022, Section 15-112), which relates to the physical
10 disability temporary placard; modifying certain
11 definition; requiring Service Oklahoma to issue
12 certain temporary placards; requiring certain
13 expiration; requiring a certain fee; updating
14 statutory language; and providing an effective date.

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

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

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

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

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

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

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

- 10 a. cannot walk two hundred (200) feet without stopping to
11 rest,
- 12 b. cannot walk without the use of or assistance from a
13 brace, cane, crutch, another person, prosthetic
14 device, wheelchair or other assistance device,
- 15 c. is restricted to such an extent that the person's
16 forced (respiratory) expiratory volume for one (1)
17 second, when measured by spirometry, is less than one
18 (1) liter, or the arterial oxygen tension is less than
19 sixty (60) mm/hg on room air at rest,
- 20 d. must use portable oxygen,
- 21 e. has functional limitations which are classified in
22 severity as Class III or Class IV according to
23 standards set by the American Heart Association,

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

4 g. is certified legally blind, or is missing one or more
5 limbs, or

6 h. is up to six (6) months postpartum.

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

1 C. Any placard issued by Service Oklahoma shall remain valid
2 until:

3 1. The placard expires;

4 2. The person to whom the placard was issued requests a
5 replacement placard; or

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

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

16 2. A temporary placard shall indicate the expiration date which
17 the physician, physician assistant, or ~~advanced registered nurse~~
18 ~~practitioner~~ Advanced Practice Registered Nurse certifying the
19 physical disability estimates to be the date of termination of such
20 physical disability, which shall not be later than six (6) months
21 from the date of issuance and upon which date such placard shall
22 expire and shall be returned to Service Oklahoma; provided, however,
23 nothing in this paragraph shall be construed to prevent the holder
24 from applying for another placard, as provided for in this section.

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

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

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

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

24

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

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

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

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

1 Passed the Senate the 22nd day of March, 2023.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

7
8 _____
9 Presiding Officer of the House
10 of Representatives