

HCS HB 976 -- DISABLED LICENSE PLATES AND PLACARDS

SPONSOR: Crawford (Schlottach)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation and Motor Vehicles by a vote of 20 to 0.

This substitute:

(1) Changes the fraudulent procurement or use of a disabled license plate or placard from a class C misdemeanor to a class B misdemeanor;

(2) Changes the penalty for certifying an individual for a disabled plate or placard outside the practitioner's scope from a class C misdemeanor to a class B misdemeanor and requires certification to meet certain standards;

(3) Allows other health care practitioners (chiropractors, podiatrists, and optometrists) to certify individuals for disabled license plates or placards;

(4) Excludes age as a factor in determining whether a person is entitled to a disabled license plate or placard;

(5) Establishes record maintenance requirements for physicians and health care practitioners who issue a physician's statement for a disabled license plate or placard. These records must be open to inspection and review by the practitioner's licensing board to verify compliance;

(6) Requires a physician's statement to be on a form prescribed by the Director of the Department of Revenue, state the specific diagnosis which renders the person physically disabled, include the physician's license number, and be signed by the physician or health care practitioner;

(7) Limits to two the number of removable windshield handicap placards that may be issued by the director to any one person;

(8) Increases the fee for removable windshield handicap placards from \$2 to \$4;

(9) Limits the use of the placard to when the person is in the motor vehicle at the time of parking or when the person is being delivered;

(10) Requires, beginning August 1, 2005, every applicant or renewal for a disabled license plate or placard to present a new physician's statement dated no more than 90 days prior to the

application. Thereafter, the director must not renew pre-existing disabled plates or placards unless the applicant furnishes a new physician's statement every four years; and

(11) Makes any person who cannot produce the certificate which authorizes him or her to park in a disabled parking space guilty of a class A misdemeanor. If a person can later produce a valid certificate in court, the person will not be found guilty. Placards can only be used when the vehicle is parked in a disabled parking space.

The substitute becomes effective January 1, 2005.

FISCAL NOTE: Not available at time of printing.

PROPOSERS: Supporters say the bill is needed to help strengthen the application process and to help stop violators.

Testifying for the bill were Representative Schlottach; Daniel Card II; Mike Griffin; Wayne Lee; Missouri State Medical Association; Paraquad, Incorporated; and Marcia Luebbert.

OPPOSERS: Those who oppose the bill say that physicians should not be criminalized and believe that a class C misdemeanor is a strong enough deterrent. The office record-keeping requirement should be eliminated. There are not enough law enforcement officers and prosecutors to enforce the additional requirements of the bill.

Testifying against the bill was Representative Holand.

Robert Triplett, Legislative Analyst