

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 754,
Page 38, Section 214.550, Line 22, by inserting immediately after said line the following:

“301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Other authorized health care practitioner" includes advanced practice registered
nurses licensed pursuant to chapter 335, RSMo, physician assistants licensed pursuant to chapter
334, RSMo, chiropractors licensed pursuant to chapter 331, RSMo, podiatrists licensed pursuant
to chapter 330, RSMo, and optometrists licensed pursuant to chapter 336, RSMo;

(4) "Physically disabled", a natural person who is blind, as defined in section 8.700,
RSMo, or a natural person with medical disabilities which prohibits, limits, or severely impairs
one's ability to ambulate or walk, as determined by a licensed physician or other authorized health
care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a
severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling
condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace,
cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person's forced
respiratory expiratory volume for one second, when measured by spirometry, is less than one liter,
or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are
classified in severity as class III or class IV according to standards set by the American Heart
Association; or

(f) A person's age, in and of itself, shall not be a factor in determining whether such
person is physically disabled or is otherwise entitled to disabled license plates and/or disabled
windshield hanging placards within the meaning of sections 301.141 to 301.143;

1 (5) "Physician", a person licensed to practice medicine pursuant to chapter 334, RSMo;
2 (6) "Physician's statement", a statement personally signed by a duly authorized person
3 which certifies that a person is disabled as defined in this section;
4 (7) "Temporarily disabled person", a disabled person as defined in this section whose
5 disability or incapacity is expected to last no more than one hundred eighty days;
6 (8) "Temporary windshield placard", a placard to be issued to persons who are
7 temporarily disabled persons as defined in this section, certification of which shall be indicated on
8 the physician's statement;
9 (9) "Windshield placard", a placard to be issued to persons who are physically disabled as
10 defined in this section, certification of which shall be indicated on the physician's statement.
11 2. Other authorized health care practitioners may furnish to a disabled or temporarily
12 disabled person a physician's statement for only those physical health care conditions for which
13 such health care practitioner is legally authorized to diagnose and treat.
14 3. A physician's statement shall:
15 (1) Be on a form prescribed by the director of revenue;
16 (2) Set forth the specific diagnosis and medical condition which renders the person
17 physically disabled or temporarily disabled as defined in this section;
18 (3) Include the physician's or other authorized health care practitioner's license number;
19 and
20 (4) Be personally signed by the issuing physician or other authorized health care
21 practitioner.
22 4. If it is the professional opinion of the physician or other authorized health care
23 practitioner issuing the statement that the physical disability of the applicant, user, or member of
24 the applicant's household is permanent, it shall be noted on the statement. Otherwise, the
25 physician or other authorized health care practitioner shall note on the statement the anticipated
26 length of the disability which period may not exceed one hundred eighty days. If the physician or
27 health care practitioner fails to record an expiration date on the physician's statement, the director
28 shall issue a temporary windshield placard for a period of thirty days.
29 5. A physician or other authorized health care practitioner who issues or signs a
30 physician's statement so that disabled plates or a disabled windshield placard may be obtained
31 shall maintain in such disabled person's medical chart documentation that such a certificate has
32 been issued, the date the statement was signed, the diagnosis or condition which existed that
33 qualified the person as disabled pursuant to this section and shall contain sufficient documentation
34 so as to objectively confirm that such condition exists.
35 6. The medical or other records of the physician or other authorized health care
36 practitioner who issued a physician's statement shall be open to inspection and review by such

1 practitioner's licensing board, in order to verify compliance with this section. Information
2 contained within such records shall be confidential unless required for prosecution, disciplinary
3 purposes, or otherwise required to be disclosed by law.

4 7. Owners of motor vehicles who are residents of the state of Missouri, and who are
5 physically disabled, owners of motor vehicles operated at least fifty percent of the time by a
6 physically disabled person, or owners of motor vehicles used to primarily transport physically
7 disabled members of the owner's household may obtain disabled person license plates. Such
8 owners, upon application, accompanied by the documents and fees provided for in this section, a
9 current physician's statement which has been issued within ninety days proceeding the date the
10 application is made and proof of compliance with the state motor vehicle laws relating to
11 registration and licensing of motor vehicles, shall be issued motor vehicle license plates for
12 vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand
13 pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the
14 word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall
15 be made with fully reflective material with a common color scheme and design, shall be clearly
16 visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

17 8. The director shall further issue, upon request, to such applicant one, and for good cause
18 shown, as the director may define by rule and regulations, not more than two, removable disabled
19 windshield hanging placards for use when the disabled person is occupying a vehicle or when a
20 vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the
21 physically disabled person issued the disabled motor vehicle license plate or disabled windshield
22 hanging placard.

23 9. No additional fee shall be paid to the director for the issuance of the special license
24 plates provided in this section, except for special personalized license plates and other license
25 plates described in this subsection. Priority for any specific set of special license plates shall be
26 given to the applicant who received the number in the immediately preceding license period
27 subject to the applicant's compliance with the provisions of this section and any applicable rules
28 or regulations issued by the director. If determined feasible by the advisory committee established
29 in section 301.129, any special license plate issued pursuant to this section may be adapted to also
30 include the international wheelchair accessibility symbol and the word "DISABLED" as
31 prescribed in this section and such plate may be issued to any applicant who meets the
32 requirements of this section and the other appropriate provision of this chapter, subject to the
33 requirements and fees of the appropriate provision of this chapter.

34 10. Any physically disabled person, or the parent or guardian of any such person, or any
35 not-for-profit group, organization, or other entity which transports more than one physically
36 disabled person, may apply to the director of revenue for a removable windshield placard. The

1 placard may be used in motor vehicles which do not bear the permanent handicap symbol on the
2 license plate. Such placards must be hung from the front, middle rearview mirror of a parked
3 motor vehicle and may not be hung from the mirror during operation. These placards may only be
4 used during the period of time when the vehicle is being used by a disabled person, or when the
5 vehicle is being used to pick up, deliver, or collect a disabled person. When there is no rearview
6 mirror, the placard shall be displayed on the dashboard on the driver's side.

7 11. The removable windshield placard shall conform to the specifications, in respect to
8 size, color, and content, as set forth in federal regulations published by the Department of
9 Transportation. The removable windshield placard shall be renewed every four years. The
10 director may stagger the expiration dates to equalize workload. Only one removable placard may
11 be issued to an applicant who has been issued disabled person license plates. Upon request, one
12 additional windshield placard may be issued to an applicant who has not been issued disabled
13 person license plates.

14 12. A temporary windshield placard shall be issued to any physically disabled person, or
15 the parent or guardian of any such person who otherwise qualifies except that the physical
16 disability, in the opinion of the physician, is not expected to exceed a period of one hundred
17 eighty days. The temporary windshield placard shall conform to the specifications, in respect to
18 size, color, and content, as set forth in federal regulations published by the Department of
19 Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request,
20 and for good cause shown, one additional temporary windshield placard may be issued to an
21 applicant. Temporary windshield placards shall be issued upon presentation of the physician's
22 statement provided by this section and shall be displayed in the same manner as removable
23 windshield placards. A person or entity shall be qualified to possess and display a temporary
24 removable windshield placard for six months and the placard may be renewed once for an
25 additional six months if a physician's statement pursuant to this section is supplied to the director
26 of revenue at the time of renewal.

27 13. Application for license plates or windshield placards issued pursuant to this section
28 shall be made to the director of revenue and shall be accompanied by a statement signed by a
29 licensed physician or other authorized health care practitioner which certifies that the applicant,
30 user, or member of the applicant's household is a physically disabled person as defined by this
31 section.

32 14. The placard shall be renewable only by the person or entity to which the placard was
33 originally issued. Any placard issued pursuant to this section shall only be used when the
34 physically disabled occupant for whom the disabled plate or placard was issued is in the motor
35 vehicle at the time of parking or when a physically disabled person is being delivered or collected.
36 A disabled license plate and/or a removable windshield hanging placard are not transferable and

1 may not be used by any other person whether disabled or not.

2 15. At the time the disabled plates or windshield hanging placards are issued, the director
3 shall issue a registration certificate which shall include the applicant's name, address, and other
4 identifying information as prescribed by the director, or if issued to an agency, such agency's name
5 and address. This certificate shall further contain the disabled license plate number or, for
6 windshield hanging placards, the registration or identifying number stamped on the placard. The
7 validated registration receipt given to the applicant shall serve as the registration certificate.

8 16. The director shall, upon issuing any disabled registration certificate for license plates
9 and/or windshield hanging placards, provide information which explains that such plates or
10 windshield hanging placards are nontransferable, and the restrictions explaining who and when a
11 person or vehicle which bears or has the disabled plates or windshield hanging placards may be
12 used or be parked in a disabled reserved parking space, and the penalties prescribed for violations
13 of the provisions of this act.

14 17. Every new applicant for a disabled license plate or placard shall be required to present
15 a new physician's statement dated no more than ninety days prior to such application. Renewal
16 applicants will be required to submit a physician's statement dated no more than ninety days prior
17 to such application upon their first renewal occurring on or after August 1, 2005. Upon
18 completing subsequent renewal applications, a physician's statement dated no more than ninety
19 days prior to such application shall be required every fourth year. Such physician's statement shall
20 state the expiration date for the temporary windshield placard. If the physician fails to record an
21 expiration date on the physician's statement, the director shall issue the temporary windshield
22 placard for a period of thirty days. The director may stagger the requirement of a physician's
23 statement on all renewals for the initial implementation of a four-year period.

24 18. The director of revenue upon receiving a physician's statement pursuant to this
25 subsection shall check with the state board of registration for the healing arts created in section
26 334.120, RSMo, or the Missouri state board of nursing established in section 335.021, RSMo,
27 with respect to physician's statements signed by advanced practice registered nurses, or the
28 Missouri state board of chiropractic examiners established in section 331.090, RSMo, with
29 respect to physician's statements signed by licensed chiropractors, or with the board of optometry
30 established in section 336.130, RSMo, with respect to physician's statements signed by licensed
31 optometrists, or the state board of podiatric medicine created in section 330.100, RSMo, with
32 respect to physician's statements signed by physicians of the foot or podiatrists to determine
33 whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining
34 a disabled license plate or placard presents proof of disability in the form of a statement from the
35 United States Veterans' Administration verifying that the person is permanently disabled, the
36 applicant shall be exempt from the four-year certification requirement of this subsection for

1 renewal of the plate or placard. Initial applications shall be accompanied by the physician's
2 statement required by this section. Notwithstanding the provisions of paragraph (f) of subdivision
3 (4) of subsection 1 of this section, any person seventy-five years of age or older who provided the
4 physician's statement with the original application shall not be required to provide a physician's
5 statement for the purpose of renewal of disabled persons license plates or windshield placards.

6 19. The boards shall cooperate with the director and shall supply information requested
7 pursuant to this subsection. The director shall, in cooperation with the boards which shall assist
8 the director, establish a list of all Missouri physicians and other authorized health care
9 practitioners and of any other information necessary to administer this section.

10 20. Where the owner's application is based on the fact that the vehicle is used at least fifty
11 percent of the time by a physically disabled person, the applicant shall submit a statement stating
12 this fact, in addition to the physician's statement. The statement shall be signed by both the owner
13 of the vehicle and the physically disabled person. The applicant shall be required to submit this
14 statement with each application for license plates. No person shall willingly or knowingly submit
15 a false statement and any such false statement shall be considered perjury and may be punishable
16 pursuant to section 301.420.

17 21. The director of revenue shall retain all physicians' statements and all other documents
18 received in connection with a person's application for disabled license plates and/or disabled
19 windshield placards.

20 22. The director of revenue shall enter into reciprocity agreements with other states or the
21 federal government for the purpose of recognizing disabled person license plates or windshield
22 placards issued to physically disabled persons.

23 23. When a person to whom disabled person license plates or a removable or temporary
24 windshield placard or both have been issued dies, the personal representative of the decedent or
25 such other person who may come into or otherwise take possession of the disabled license plates
26 or disabled windshield placard shall return the same to the director of revenue under penalty of
27 law. Failure to return such plates or placards shall constitute a class B misdemeanor.

28 24. The director of revenue may order any person issued disabled person license plates or
29 windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to
30 such other investigation as will determine whether such person qualifies for the special plates or
31 placards.

32 25. If such person refuses to submit or is found to no longer qualify for special plates or
33 placards provided for in this section, the director of revenue shall collect the special plates or
34 placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

35 26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated,
36 the lawful holder thereof shall, within five days, file with the director of revenue an application

1 and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement
2 windshield placard shall be four dollars.

3 27. Fraudulent application, renewal, issuance, procurement or use of disabled person
4 license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor
5 for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family
6 member is qualified for a license plate or windshield placard based on a disability, the diagnosis
7 of which is outside their scope of practice or if there is no basis for the diagnosis.”; and
8

9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.
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