

SECOND REGULAR SESSION

# HOUSE BILL NO. 1651

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

3950H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to disability designations on driver's licenses, with a delayed effective date.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 302, RSMo, is amended by adding thereto one new section, to be known as section 302.208, to read as follows:

- 302.208. 1. Any resident of this state may elect to have a disability designation placed on the person's driver's license or nondriver's identification card indicating that the applicant has a disability, including a cognitive, mental, neurological, or physical disability, or a combination of those disabilities.**
- 2. Any person requesting the inclusion of a disability designation on his or her driver's license or nondriver's identification card shall submit an application form to include a waiver of liability for the release of any medical information to the department, any person who is eligible for access to such medical information as recorded on the person's driving record under this chapter, and any other person who may view or receive notice of such medical information by virtue of having seen such person's driver's license or nondriver's identification card. Such application shall advise the person that he or she will be consenting to the release of such medical information to anyone who sees or copies his or her driver's license or nondriver's identification card, even if such person is otherwise ineligible to access such medical information under state or federal law.**
- 3. Such application shall include space for a person requesting the inclusion of a disability designation on his or her driver's license or nondriver's identification card to**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 obtain a sworn statement from a person licensed to practice medicine or psychology in this  
18 state verifying such diagnosis.

19 4. Any person who has been issued a driver's license or nondriver's identification  
20 card bearing a disability designation may be issued a replacement driver's license or  
21 nondriver's identification card excluding such disability designation at his or her request  
22 and upon payment of the fee provided in this chapter for replacement of lost licenses or  
23 identification cards.

24 5. No disability information shall be printed on or removed from a driver's license  
25 or nondriver's identification card without the express consent of the licensee. If the  
26 licensee is a child under eighteen years of age, consent for the printing of disability  
27 information shall be provided by the parent or guardian of the child when he or she signs  
28 the application for the driver's license or nondriver's identification card. If the licensee is  
29 an incapacitated adult, consent for the printing of disability information shall be given by  
30 the guardian of such adult as appointed by a court of competent jurisdiction.

31 6. The information collected under subsection 1 of this section shall be transferred  
32 by the Missouri department of revenue to the Missouri state highway patrol for entry into  
33 the Missouri Uniform Law Enforcement System (MULES). The fact of this transfer of  
34 information and use of the MULES system shall be contained in the application and  
35 consent documents required under this section.

36 7. The director of the department of revenue may promulgate all necessary rules  
37 and regulations for the administration of this section. Any rule or portion of a rule, as that  
38 term is defined in section 536.010, that is created under the authority delegated in this  
39 section shall become effective only if it complies with and is subject to all of the provisions  
40 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
41 nonseverable, and if any of the powers vested with the general assembly pursuant to  
42 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
43 subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
44 proposed or adopted after August 28, 2020, shall be invalid and void.

Section B. The enactment of section 302.208 of Section A of this act shall become  
2 effective on July 31, 2021.

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