

2022 Regular Session

HOUSE BILL NO. 337

BY REPRESENTATIVES HILFERTY, ADAMS, AMEDEE, BAGLEY, BROWN, BRYANT, CARPENTER, CARRIER, CORMIER, COUSSAN, DAVIS, DEVILLIER, EDMONDS, EDMONSTON, EMERSON, FISHER, FREEMAN, FREIBERG, FRIEMAN, GAINES, GOUDEAU, GREEN, HARRIS, HORTON, HUVAL, JEFFERSON, JENKINS, JORDAN, LACOMBE, LARVADAIN, LYONS, MAGEE, MARINO, MCKNIGHT, MCMAHEN, DUSTIN MILLER, NEWELL, CHARLES OWEN, ROBERT OWEN, PHELPS, PIERRE, PRESSLY, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SCHLEGEL, SELDERS, STAGNI, STEFANSKI, THOMAS, THOMPSON, WHEAT, WHITE, WRIGHT, AND ZERINGUE

MOTOR VEHICLES: Establishes a special identification card designation for persons with autism spectrum disorder

1 AN ACT
2 To amend and reenact R.S. 40:1321(S) and to enact R.S. 40:1321(T), relative to a special
3 identification card designation for persons with autism spectrum disorder; to provide
4 for the establishment of an autism spectrum disorder designation on a special
5 identification card; to provide for the criteria for obtaining an autism spectrum
6 disorder designation for new applicants or renewals; to provide penalties for persons
7 making false statements to obtain special designation; to require the implementation
8 of a law enforcement officer training course; to provide for the promulgation of rules
9 and regulations; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:1321(S) is hereby amended and reenacted and R.S. 40:1321(T)
12 is hereby enacted to read as follows:

13 §1321. Special identification cards; issuance; veteran designation; disabled veteran
14 designation; university logo; "I'm a Cajun" designation; needs
15 accommodation designation; autism spectrum disorder designation; fees;

1 expiration and renewal; exceptions; promulgation of rules; promotion of use;
2 persons less than twenty-one years of age; the Protect and Save our Children
3 Program; Selective Service Registration

4 * * *

5 S.(1) Upon request of an applicant for a special identification card, a
6 designation that the applicant has autism spectrum disorder shall be exhibited on the
7 special identification card upon presentation of a statement from a qualified medical
8 or mental health professional licensed in Louisiana or any other state or territory of
9 the United States verifying the applicant's disability as established by administrative
10 rule. The qualified medical or mental health professional shall be authorized to
11 diagnose autism spectrum disorder. No additional fee shall be charged to include
12 such designation.

13 (2) Upon the renewal of a special identification card, an applicant who has
14 autism spectrum disorder shall provide a statement from a qualified medical or
15 mental health professional licensed in Louisiana or any other state or territory of the
16 United States verifying the applicant's disability as established by administrative
17 rule.

18 (3) Any person who has not been diagnosed with autism spectrum disorder
19 who willfully and falsely represents himself as having the qualifications to obtain the
20 special designation authorized by this Subsection shall be fined not less than one
21 hundred dollars nor more than two hundred fifty dollars, or shall be imprisoned for
22 not more than thirty days, or both. Any subsequent offense shall result in a fine of
23 not less than two hundred fifty dollars nor more than five hundred dollars, or
24 imprisonment for not more than ninety days, or both.

25 (4) In addition to the training requirements contained in R.S. 40:2404.2(C),
26 the Department of Public Safety and Corrections, public safety services, shall
27 establish and implement a law enforcement training course relative to law
28 enforcement officers' interaction with persons who have autism spectrum disorder.
29 The course shall instruct law enforcement officers on sensitivity and awareness to

1 ensure equitable treatment and how to effectively communicate and interact with
2 persons with autism spectrum disorder. At a minimum, the course shall include the
3 following:

4 (a) Identification of indicators that a person has autism spectrum disorder.

5 (b) Identification of procedures that an officer should employ when
6 encountering a person with autism spectrum disorder.

7 (c) Demonstrations of communication and interactive techniques required
8 to effectively interact with a person with autism spectrum disorder.

9 (d) Explanations that provide law enforcement officers with an
10 understanding of the developmental disability and examples of unexpected actions
11 potentially taken by persons diagnosed with autism spectrum disorder.

12 (e) Explanations of the resources available to assist an officer encountering
13 a person who has autism spectrum disorder.

14 (f) Descriptions of the procedures an officer should use to ensure compliance
15 with the Americans with Disabilities Act when encountering a person with autism
16 spectrum disorder.

17 (5) The deputy secretary of the Department of Public Safety and Corrections,
18 public safety services, shall promulgate rules and regulations as necessary to
19 implement the provisions of this Subsection, including a waiver of liability for the
20 release of any medical information. Notwithstanding the provisions of R.S.
21 49:968(B)(12), the House and Senate committees on transportation, highways and
22 public works shall have oversight of the adoption of rules and regulations required
23 by this Subsection.

24 T. No fee shall be charged for transactions to issue a duplicate special
25 identification card to correct an address due to the renaming of a street or highway
26 in accordance with a parish or municipal ordinance.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 337 Reengrossed

2022 Regular Session

Hilferty

Abstract: Creates an autism spectrum disorder designation for a special identification card.

Proposed law establishes the application process for obtaining an autism spectrum disorder designation on a special identification card for new applicants and renewals.

Proposed law requires an autism spectrum disorder designation be displayed on a special identification card upon receipt of a statement from a qualified medical or mental health professional licensed in La. or any other state or territory of the U.S. verifying the applicant's disability as established by administrative rule. Further requires the qualified medical or mental health professional be authorized to diagnose autism spectrum disorder.

Proposed law specifies that no additional fee can be charged to include an autism spectrum disorder designation.

Proposed law specifies that any person who has not been diagnosed with autism spectrum disorder who makes a false statement of having the qualification to obtain the special designation will be fined not less than \$100 nor more than \$250, or be imprisoned for not more than 30 days, or both. Further, requires any subsequent offense carry a fine of not less than \$250 nor more than \$500, or imprisonment for not more than 90 days, or both.

Proposed law requires the Dept. of Public Safety and Corrections, public safety services, to establish and implement a law enforcement training course relative to law enforcement officers' interactions with persons who have autism spectrum disorder, in addition to the requirements of present law.

Proposed law requires the course to instruct law enforcement officers on sensitivity and awareness to ensure equitable treatment and how to effectively communicate and interact with persons who have autism.

Proposed law requires the course include identification of indicators that a person has autism; identification of procedures that an officer should employ when encountering a person who has autism; demonstrations of communication and interactive techniques required to effectively interact with a person who has autism; explanations that provide law enforcement officers with an understanding of developmental disabilities and examples of unexpected actions potentially taken by persons diagnosed with autism; explanations of the resources available to assist an officer encountering a person who has autism; and descriptions of the procedures an officer should use to ensure compliance with the Americans with Disabilities Act when encountering a person who has autism.

Proposed law authorizes the deputy secretary of the Dept. of Public Safety and Corrections to promulgate rules and regulations to implement the provisions of proposed law. Provides rule oversight authority to the House and Senate committees on transportation, highways and public works.

(Amends R.S. 40:1321(S); Adds R.S. 40:1321(T))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make a technical change.