

2017 Regular Session

SENATE BILL NO. 152

BY SENATOR CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES. Provides relative to identification of Special Needs Person and law enforcement training regarding mental health. (1/1/18)

1 AN ACT
2 To amend and reenact R.S. 40:2405.5(D), to enact R.S. 32:412(O) and R.S. 40:1321(R), and
3 to repeal R.S. 40:2405.5(F), relative to motor vehicles; to provide for identification
4 of persons with special needs; to require law enforcement training regarding mental
5 health; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R. S. 32:412(O) is hereby enacted to read as follows:

8 §412. Amount of fees; credit or refund; duration of license; veteran designation;
9 disabled veteran designation; university logo; "I'm a Cajun"
10 designation; **special needs designation**; disbursement of funds;
11 renewal by mail or electronic commerce of Class "D" or "E" drivers'
12 licenses; disposition of certain fees; exception

13 * * *

14 **O. Upon request of an applicant for a driver's license with special needs,**
15 **the words "Special Needs" shall be exhibited in the color black below the**
16 **person's photograph on the driver's license regardless of its class, upon**
17 **presentation by such applicant with a sworn statement from a qualified medical**

1 professional licensed in Louisiana verifying such diagnosis, as established by
2 administrative rule. No additional fee shall be charged to include such
3 designation. The deputy secretary of the Department of Public Safety and
4 Corrections, public safety services, shall comply with the provisions of this
5 Subsection, and shall establish rules and regulations as are necessary to
6 implement the provisions of this Subsection, including a waiver of liability for
7 the release of any medical information.

8 Section 2. R.S. 40:2405.5(D) is hereby amended and reenacted and R.S. 40:1321(R)
9 is hereby enacted to read as follows:

10 §1321. Special identification cards; issuance; veteran designation; disabled veteran
11 designation; university logo; "I'm a Cajun" designation; **special**
12 needs designation; fees; expiration and renewal; exceptions;
13 promulgation of rules; promotion of use; persons less than
14 twenty-one years of age; the Protect and Save our Children Program;
15 Selective Service Registration

16 * * *

17 **R. Upon request of an applicant for a special identification card with**
18 **special needs, the words "Special Needs" shall be exhibited in the color black**
19 **below the person's photograph on the special identification card, upon**
20 **presentation by such applicant with a sworn statement from a qualified medical**
21 **professional licensed in Louisiana verifying such diagnosis, as established by**
22 **administrative rule. No additional fee shall be charged to include such**
23 **designation. The deputy secretary of the Department of Public Safety and**
24 **Corrections, public safety services, shall comply with the provisions of this**
25 **Subsection, and shall establish rules and regulations as are necessary to**
26 **implement the provisions of this Subsection, including a waiver of liability for**
27 **the release of any medical information.**

28 * * *

29 §2405.5. Training for law enforcement interaction with persons with mental illness

1 and persons with developmental disabilities

2 * * *

3 D. This training course shall be fully implemented by August 1, ~~2006~~ **2018**,
4 and completion of the course shall be recognized by the issuance of a certificate.

5 * * *

6 Section 3. R.S. 40:2405.5(F) is hereby repealed.

7 Section 4. This Act shall become effective on January 1, 2018.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

SB 152 Original

2017 Regular Session

Carter

Proposed law provides for the exhibition of the words "Special Needs" in the color black below the person's photograph on a driver's license or identification card, upon request and presentation by such applicant with a sworn statement from a qualified medical professional licensed in Louisiana verifying such diagnosis, as established by administrative rule, without additional charge. Requires the deputy secretary of the Dept. of Public Safety and Corrections, public safety services, to comply with proposed law and to establish rules and regulations as are necessary to implement proposed law, including a waiver of liability for the release of any medical information.

Present law requires the Council on Peace Officer Standards and Training to develop a training course on law enforcement interaction with persons with mental illness and persons with developmental disabilities and provides for full implementation of the course by August 1, 2006, provided funding is available.

Proposed law changes present law to provide for full implementation of the course by August 1, 2018, and repeals provision mandating implementation only if funding is available.

Effective January 1, 2018.

(Amends R.S. 40:2405.5(D); adds R.S. 32:412(O) and R.S. 40:1321(R); repeals R.S. 40:2405.5(F))