

2023 Regular Session

HOUSE BILL NO. 516

BY REPRESENTATIVES KERNER, BEAULLIEU, WILFORD CARTER, CORMIER, DESHOTEL, EDMONSTON, FREIBERG, GADBERRY, GLOVER, HORTON, MIKE JOHNSON, LACOMBE, LARVADAIN, LYONS, MOORE, NEWELL, PIERRE, SELDERS, STEFANSKI, THOMAS, WHITE, AND WRIGHT

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

MOTOR VEHICLES: Provides for placement of a special identification sticker or decal on a motor vehicle operated by a person with autism spectrum disorder or their guardian

1 AN ACT

2 To amend and reenact R.S. 32:403.3 and R.S. 44:4.1(B)(19), relative to special identification
3 decals; to provide for persons with autism spectrum disorder or their guardian; to
4 provide for the creation of an autism spectrum disorder designation sticker or decal
5 for placement on the rear window of a vehicle; to provide awareness to officers that
6 there is a person with autism spectrum disorder in the vehicle; to provide for proof
7 of disability for the deaf and hard of hearing and persons with autism spectrum
8 disorder; to provide for an exception to the public records law; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 32:403.3 is hereby amended and reenacted to read as follows:

12 §403.3. Identification stickers and decals; ~~for the~~ deaf and hard of hearing; ~~license~~
13 ~~label~~ autism spectrum disorder

14 A.(1)(a) The office of motor vehicles of the Department of Public Safety and
15 Corrections is hereby authorized to issue an identification sticker or decal, which
16 shall be the international symbol of deafness, at no cost for use by deaf and hard of
17 hearing persons who are granted a driver's license. ~~Every~~ A deaf or hard of hearing
18 person applying for a driver's license ~~with~~ or registration who wants an identification

1 decal or sticker shall attach to the application ~~a statement indicating a hearing loss~~
2 ~~attested by one of the following: a medical physician, audiologist, or speech~~
3 ~~pathologist proof as provided in Subsection C of this Section.~~

4 (b) The sticker or decal ~~is to~~ shall be offered at the time the driver's license
5 or a registration in compliance with R.S. 47:505 is issued and shall be prepared so
6 that it may at the option of the user be applied to the windshield and viewed from the
7 outside of the vehicle or on the license plate, or both in a space that does not interfere
8 with the visibility of the operator of the motor vehicle. ~~The same sticker or decal~~
9 ~~identifying the licensee as deaf or hard of hearing shall be offered and imprinted on~~
10 ~~the back of the driver's license under the lamination.~~

11 ~~B.(2)~~ In addition to the identification sticker or decal provided for in
12 ~~Subsection A of this Section~~ this Subsection, the office of motor vehicles of the
13 Department of Public Safety and Corrections shall create a flag code to be placed on
14 the registration of a motor vehicle which shall indicate that the driver of the vehicle
15 is deaf or hard of hearing. Upon the initial application for or renewal of the
16 registration of a motor vehicle, the flag ~~will~~ shall be placed on the registration at the
17 driver's request at no additional cost, provided he produces ~~a statement indicating a~~
18 ~~hearing loss attested by one of the following: a medical physician, audiologist, or~~
19 ~~speech pathologist proof as provided in Subsection C of this Section.~~

20 B.(1)(a) The office of motor vehicles of the Department of Public Safety and
21 Corrections is hereby authorized to issue an identification sticker or decal which
22 shall be the awareness symbol for autism spectrum disorder at no cost for use by
23 persons with autism spectrum disorder who have obtained the autism spectrum
24 disorder designation in accordance with R.S. 32:412(P) or a parent, legal guardian,
25 or other caregiver of such a person. A person with autism spectrum disorder
26 applying for a driver's license or registration who wants an autism spectrum disorder
27 sticker or decal shall attach to the application proof as provided in Subsection C of
28 this Section.

1 (b) A parent, legal guardian, or other caregiver of a person with autism
2 spectrum disorder applying for a driver's license or registration who wants an autism
3 spectrum disorder sticker or decal shall attach to the application proof of the
4 diagnosis of the person in his care as provided in Subsection C of this Section and
5 sufficient documentation of the relationship to the person.

6 (c) The sticker or decal shall be offered at the time the driver's license or a
7 registration in compliance with R.S. 47:505 is issued and shall be prepared so that
8 it may at the option of the user be applied to the windshield and viewed from the
9 outside of the vehicle or on the license plate, or both in a space that does not interfere
10 with the visibility of the operator of the motor vehicle.

11 (2) In addition to the identification sticker or decal provided for in this
12 Subsection, the office of motor vehicles of the Department of Public Safety and
13 Corrections shall create a flag code to be placed on the registration of a motor
14 vehicle which shall indicate that the driver of the vehicle has an autism spectrum
15 disorder or is the parent, legal guardian, or caregiver of a person with an autism
16 spectrum disorder. Upon the initial application for or renewal of the registration of
17 a motor vehicle, the flag shall be placed on the registration at the driver's request at
18 no additional cost, provided he produces proof as required by this Subsection.

19 C.(1) In order to receive the appropriate sticker or decal or to have a flag or
20 code placed on the registration record, the applicant shall attach to his application a
21 statement which contains proof indicating the applicant's disability attested by one
22 of the following: a physician, audiologist, speech pathologist, mental health
23 professional, or occupational therapist.

24 (2) The office of motor vehicles shall deny the application if the person fails
25 to provide the requisite documentation at the time of application.

26 D. All documentation submitted pursuant to this Section by an applicant
27 shall be confidential and not subject to disclosure pursuant to the Public Records
28 Law, R.S. 44:1 et seq. Any person seeking the documentation submitted pursuant

Present law (R.S. 32:412(P)) provides that upon request of an applicant for a driver's license, a designation that the applicant has autism spectrum disorder shall be exhibited on the driver's license upon presentation of a statement from a qualified medical or mental health professional.

Proposed law retains present law and further authorizes the office to issue identification stickers or decals for a person who has obtained the autism spectrum disorder designation in accordance with present law or his parent, legal guardian, or other caregiver and to place a flag code on such person's vehicle registration upon presentation of a statement indicating the disability of the person with autism spectrum disorder attested by a physician, mental health professional, or occupational therapist.

Proposed law provides that the documentation submitted as proof that an individual is deaf, hard of hearing, or diagnosed with autism spectrum disorder is not subject to disclosure pursuant to the Public Records Law and any person seeking such documentation shall obtain a court order after a contradictory hearing against the applicant.

(Amends R.S. 32:403.3 and R.S. 44:4.1(B)(19))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Change "a person with autism spectrum disorder" to "persons with autism spectrum disorder who have obtained the autism spectrum disorder designation" in accordance with present law.
3. Add a provision requiring proof, at the time of application, of the disorder for which the sticker or decal is requested.
4. Add an exception for documentation provided to the office of motor vehicles from public records law.
5. Add a provision that provides medical requirements for obtaining a driver's license identification decal or sticker.

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Change "court-appointed guardian" to "parent, legal guardian, or other caregiver".
2. Make technical changes.