

2023 Regular Session

HOUSE BILL NO. 516

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

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 any mental, physical,
4 or developmental disability or their guardian; to provide for the creation of an autism
5 spectrum disorder and mental, physical, or developmental disability designation
6 sticker or decal for placement on the rear window of a vehicle; to provide awareness
7 to officers that there is a person with autism spectrum disorder or a person with a
8 mental, physical, or developmental disability in the vehicle; to provide for proof of
9 disability for the deaf and hard of hearing and persons with autism spectrum disorder
10 or a mental, physical, or developmental disability; to provide for an exception to the
11 public records law; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

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

14 §403.3. Identification stickers and decals; ~~for the~~ deaf and hard of hearing; ~~license~~
15 ~~label~~ autism spectrum disorder; mental, physical, or developmental disability

16 A.(1)(a) The office of motor vehicles of the Department of Public Safety and
17 Corrections is hereby authorized to issue an identification sticker or decal, which
18 shall be the international symbol of deafness, at no cost for use by deaf and hard of
19 hearing persons who are granted a driver's license. ~~Every~~ A deaf or hard of hearing
20 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 (i) 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 (ii) The sticker or decal shall be offered at the time the driver's license or a
7 registration is issued and shall be prepared so that it may at the option of the user be
8 applied to the rear window of the vehicle and viewed from the outside of the vehicle
9 in a space that does not interfere with the visibility of the operator of the motor
10 vehicle.

11 (b) 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 (2)(a) The office of motor vehicles of the Department of Public Safety and
20 Corrections is hereby authorized to issue an identification sticker or decal which
21 shall be "an orange square" at no cost, for use by persons with a mental, physical, or
22 developmental disability or a parent, legal guardian, or other caregiver of a person
23 with a mental, physical, or developmental disability. A person with a mental,
24 physical, or developmental disability applying for a driver's license or registration
25 who wants a sticker or decal shall attach to the application proof of the disability
26 pursuant to Subsection C of this Section. The sticker or decal shall be offered at the
27 time of application of the driver's license or a registration is issued and shall be
28 prepared so that it may at the option of the user be applied to the rear window of the
29 vehicle in a space that does not interfere with the visibility of the operator of the
30 motor vehicle.

1 **(b)** In addition to the identification sticker or decal provided for in this
2 Subsection, the office of motor vehicles of the Department of Public Safety and
3 Corrections shall create a flag code to be placed on the registration of a motor
4 vehicle which shall indicate that the driver of the vehicle has a mental, physical, or
5 developmental disability or is the parent, legal guardian, or caregiver of a person
6 with a mental, physical, or developmental disability. Upon the initial application for
7 or renewal of the registration of a motor vehicle, the flag shall be placed on the
8 registration at the driver's request at no additional cost, provided he produces proof
9 as required by this Subsection.

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

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

17 **D.** All documentation submitted pursuant to this Section by an applicant
18 shall be confidential and not subject to disclosure pursuant to the Public Records
19 Law, R.S. 44:1 et seq. Any person seeking the documentation submitted pursuant
20 to this Section shall obtain a court order after a contradictory hearing against the
21 applicant.

22 **E.** The secretary shall adopt rules and regulations in accordance with the
23 Administrative Procedure Act as are necessary to implement the provisions of this
24 Subsection Section.

25 Section 2. R.S. 44:4.1(B)(19) is hereby amended and reenacted to read as follows:
26 §4.1. Exceptions

27 * * *

28 B. The legislature further recognizes that there exist exceptions, exemptions,
29 and limitations to the laws pertaining to public records throughout the revised
30 statutes and codes of this state. Therefore, the following exceptions, exemptions, and

1 limitations are hereby continued in effect by incorporation into this Chapter by
2 citation:

3 * * *

4 (19) R.S. 32:398, 403.3, 707.2, 1254

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____