

# ACT No. 172

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:

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_