

2024 Regular Session

SENATE BILL NO. 236

BY SENATOR FOIL

MOTOR VEHICLES. Establishes a driver's license designation and a special identification designation for a person with a seizure disorder. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 32:412(Q) and R.S. 40:1321(S)(1), (2), (3), and (5) and to enact  
3 R.S. 32:412(R) and R.S. 40:1321(S)(6), relative to a driver's license designation for  
4 persons with a seizure disorder; to provide for special identification card designation;  
5 to provide for an application process; to provide for medical verification; to provide  
6 for a renewal process; to provide for penalties for false application; to provide for  
7 rulemaking; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:412(Q) and R.S. 40:1321(S)(1), (2), (3), and (5) are hereby  
10 amended and reenacted and to enact R.S. 32:412(R) and R.S. 40:1321(S)(6) are hereby  
11 enacted to read as follows:

12 §412. Amount of fees; credit or refund; duration of license; veteran designation;  
13 disabled veteran designation; university logo; "I'm a Cajun"  
14 designation; needs accommodation designation; autism spectrum  
15 disorder designation; **seizure disorder designation**; disbursement of  
16 funds; renewal by mail or electronic commerce of Class "D" or "E"  
17 drivers' licenses; disposition of certain fees; exception.

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1  
2           **Q. (1) Upon request of an applicant for a driver's license, a designation**  
3           **that the applicant has a seizure disorder shall be exhibited on the driver's**  
4           **license upon presentation of a statement from a qualified medical health**  
5           **professional licensed in Louisiana or any other state or territory of the United**  
6           **States verifying the applicant's disability as established by administrative rule.**  
7           **The qualified medical professional shall be authorized to diagnose a seizure**  
8           **disorder. No additional fee shall be charged to include such designation.**

9           **(2) Upon the renewal of a driver's license, a driver who has a seizure**  
10           **disorder shall provide a statement from a qualified medical health professional**  
11           **licensed in Louisiana or any other state or territory of the United States**  
12           **verifying his disability as established by administrative rule.**

13           **(3) Any person who has not been diagnosed with a seizure disorder who**  
14           **willfully and falsely represents himself as having the qualifications to obtain the**  
15           **special designation authorized by this Section shall be fined not less than one**  
16           **hundred dollars nor more than two hundred fifty dollars, or shall be imprisoned**  
17           **for not more than thirty days, or both. Any subsequent offense shall result in a**  
18           **fine of not less than two hundred fifty dollars nor more than five hundred**  
19           **dollars, or imprisonment for not more than ninety days, or both.**

20           **(4) The deputy secretary of the Department of Public Safety and**  
21           **Corrections, public safety services, shall promulgate rules and regulations as**  
22           **necessary to implement the provisions of this Subsection, including a waiver of**  
23           **liability for the release of any medical information.**

24           **R.** An applicant for any class of license may choose to donate one dollar in  
25 addition to any license fee required by this Section to the Louisiana Military Family  
26 Assistance Fund.

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27  
28 §1321. State identification cards; special identification cards; issuance; veteran  
29 designation; disabled veteran designation; university logo; "I'm a

1           Cajun" designation; needs accommodation designation; autism  
2           spectrum disorder designation; fees; expiration and renewal;  
3           exceptions; promulgation of rules; promotion of use; persons less  
4           than twenty-one years of age; the Protect and Save our Children  
5           Program; Selective Service Registration

6                               \*       \*       \*

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

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

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

27                               \*       \*       \*

28          (5) **In addition to the training requirements contained in R.S.**  
29          **40:2404.2(C), the Department of Public Safety and Corrections, public safety**

1 services, shall establish and implement a law enforcement training course  
2 relative to law enforcement officers' interaction with persons who have a seizure  
3 disorder. The course shall instruct law enforcement officers on sensitivity and  
4 awareness to ensure equitable treatment and how to effectively interact with a  
5 person experiencing a seizure. At a minimum, the course shall include the  
6 following:

7 (a) Identification of indicators that a person is experiencing a seizure.

8 (b) Identification of procedures that an officer should employ when  
9 encountering a person experiencing a seizure.

10 (c) Demonstrations of techniques required to effectively respond to a  
11 person experiencing a seizure.

12 (d) Explanations that provide law enforcement officers with an  
13 understanding and examples of unexpected actions potentially taken by persons  
14 experiencing a seizure.

15 (e) Explanations of the resources available to assist an officer  
16 encountering a person who has seizure disorder.

17 (f) Descriptions of the procedures an officer should use to ensure  
18 compliance with the Americans with Disabilities Act when encountering a  
19 person with seizure disorder.

20 ~~(5)~~(6) The deputy secretary of the Department of Public Safety and  
21 Corrections, public safety services, shall promulgate rules and regulations as  
22 necessary to implement the provisions of this Subsection, including a waiver of  
23 liability for the release of any medical information. Notwithstanding the provisions  
24 of R.S. 49:966(B)(12), the House and Senate committees on transportation, highways  
25 and public works shall have oversight of the adoption of rules and regulations  
26 required by this Subsection.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana D. Cadge.

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## DIGEST

SB 236 Engrossed

2024 Regular Session

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Present law provides for the issuance of a driver's license and special designation on a driver's license and special identification card.

Proposed law adds a special designation of "seizure disorder" to driver's license and special identification card.

Present law authorizes an applicant for a driver's license or special identification card to request a designation.

Proposed law adds "seizure disorder" to the list of designations that may be requested on driver's license or special identification card.

Present law requires the applicant for a driver's license or renewal of a driver's license to provide a sworn statement from a qualified licensed medical professional verifying the medical condition and prohibits any additional fee for the designation.

Proposed law adds the designation of seizure disorder who must provide a sworn statement from a qualified licensed medical professional verifying the medical condition and prohibits any additional fee for the designation.

Proposed law authorizes the deputy secretary of the Department of Public Safety and Corrections to promulgate rules and regulations to implement the provisions of proposed law.

Effective August 1, 2024.

(Amends R.S. 32:412(Q) and R.S. 40:1321(S)(1), (2), (3), and (5); adds R.S. 32:412(R) and R.S. 40:1321(S)(6))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Makes technical changes.