### SLS 17RS-75

## REENGROSSED

2017 Regular Session

SENATE BILL NO. 152

## BY SENATORS CARTER, CORTEZ AND GARY SMITH

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

MOTOR VEHICLES. Provides relative to a needs accommodation designation on a driver's license or special identification card and law enforcement training regarding mental health. (8/1/17)

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 who need accommodation; to require law enforcement training regarding
5	mental health; to require promulgation of administrative rules by a certain date; to
6	provide for an effective date; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 32:412(O) is hereby enacted to read as follows:
9	§412. Amount of fees; credit or refund; duration of license; veteran designation;
10	disabled veteran designation; university logo; "I'm a Cajun"
11	designation; needs accommodation designation; disbursement of
12	funds; renewal by mail or electronic commerce of Class "D" or "E"
13	drivers' licenses; disposition of certain fees; exception
14	* * *
15	O.(1) Upon request of an applicant for a driver's license who needs
16	accommodation, a designation that the applicant needs accommodation shall be
17	exhibited on the driver's license, upon presentation of a sworn statement from

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1	a qualified medical professional licensed in Louisiana or any other state or
2	territory of the United States verifying the reason the applicant needs
3	accommodation as established by administrative rule. No additional fee shall
4	be charged to include such designation.
5	(2) The deputy secretary of the Department of Public Safety and
6	Corrections, public safety services, shall promulgate rules and regulations to
7	implement this Subsection, including a waiver of liability for the release of any
8	medical information. Such rules shall be effective no later than July 1, 2018.
9	Notwithstanding the provisions of R.S. 49:968(12), the senate and house
10	committees on transportation, highways, and public works shall have oversight
11	of the adoption of rules and regulations required by this Subsection.
12	(3) The designation authorized by this Subsection shall not be available
13	<u>prior to the effective date of the administrative rules required by Paragraph (2)</u>
14	of this Subsection.
15	Section 2. R.S. 40:2405.5(D) is hereby amended and reenacted and R.S. 40:1321(R)
16	is hereby enacted to read as follows:
17	§1321. Special identification cards; issuance; veteran designation; disabled veteran
18	designation; university logo; "I'm a Cajun" designation; needs
19	accommodation designation; fees; expiration and renewal;
20	exceptions; promulgation of rules; promotion of use; persons less
21	than twenty-one years of age; the Protect and Save our Children
22	Program; Selective Service Registration
23	* * *
24	<b>R.(1)</b> Upon request of an applicant for a special identification card who
25	needs accommodation, a designation that the applicant needs accommodation
26	shall be exhibited on the special identification card, upon presentation of a
27	sworn statement from a qualified medical professional licensed in Louisiana or
28	any other state or territory of the United States verifying the reason the
29	applicant needs accommodation as established by administrative rule. No

1	additional fee shall be charged to include such designation.
2	(2) The deputy secretary of the Department of Public Safety and
3	Corrections, public safety services, shall promulgate rules and regulations to
4	implement this Subsection, including a waiver of liability for the release of any
5	medical information. Such rules shall be effective no later than July 1, 2018.
6	Notwithstanding the provisions of R.S. 49:968(12), the senate and house
7	committees on transportation, highways, and public works shall have oversight
8	of the adoption of rules and regulations required by this Subsection.
9	(3) The designation authorized by this Subsection shall not be available
10	prior to the effective date of the administrative rules required by Paragraph (2)
11	of this Subsection.
12	* * *
13	§2405.5. Training for law enforcement interaction with persons with mental illness
14	and persons with developmental disabilities
15	* * *
16	D. This training course shall be fully implemented by August 1, 2006 2018,
17	and completion of the course shall be recognized by the issuance of a certificate.
18	* * *
19	Section 3. R.S. 40:2405.5(F) is hereby repealed.

The original instrument was prepared by Sharon F. Lyles. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

## DIGEST

SB 152 Reengrossed

# 2017 Regular Session

Carter

Proposed law provides that upon request of an applicant for a driver's license or a special identification card who needs accommodation, a designation that the applicant needs accommodation will be exhibited on the driver's license or special identification card, upon presentation of a sworn statement from a qualified medical professional licensed in the state or any U.S. state or territory verifying the reason the applicant needs accommodation as established by administrative rule and prohibits any additional fee for such designation.

Proposed law authorizes the deputy secretary of DPS to promulgate rules and regulations to implement proposed law and such rules and regulations must be effective no later than July 1, 2018.

Proposed law provides that the designation authorized by proposed law will not be available

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until the administrative rules are in effect.

<u>Present law</u> 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.

<u>Proposed law</u> changes <u>present law</u> to provide for full implementation of the course by August 1, 2018.

Effective August 1, 2017.

(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))

#### Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the engrossed bill

- 1. Changes designation from"Special Needs" to "Needs Accommodation".
- 2. Requires applicant to verify the reason the applicant needs accommodation.

Senate Floor Amendments to engrossed bill

- 1. Removes provisions requiring that the words "Needs Accommodation" be exhibited in the color black on the person's photograph on the driver's license or special identification card.
- 2. Adds provision requiring the deputy secretary of DPSC to promulgate rules for the designation.
- 3. Requires that rules become effective by July 1, 2018.