

2020 Regular Session

HOUSE BILL NO. 317

BY REPRESENTATIVES THOMPSON, BRASS, CORMIER, EDMONSTON, FREIBERG, GADBERRY, HORTON, TRAVIS JOHNSON, LARVADAIN, CHARLES OWEN, ROBERT OWEN, PIERRE, AND SELDERS

TRANSPORTATION: Establishes a driver's license designation for a person with autism

1 AN ACT

2 To amend and reenact R.S. 32:412(Section heading) and (P) and to enact R.S. 32:412(Q),  
3 relative to criteria for the establishment of a special license plate designation; to  
4 provide for a special license plate designation indicating that a person has autism; to  
5 provide penalties for false statements concerning an autism designation; to require  
6 the implementation of a law enforcement officer training course; to provide for the  
7 promulgation of rules and regulations; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:412(Section heading) and (P) are hereby amended and reenacted  
10 and R.S. 32:412(Q) is hereby enacted to read as follows:

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

16 \* \* \*

17 P.(1) Upon request of an applicant for a driver's license, a designation that  
18 the applicant has autism shall be exhibited on the driver's license upon presentation  
19 of a statement from a qualified medical professional licensed in Louisiana or any

1 other state or territory of the United States verifying the applicant's disability as  
2 established by administrative rule. No additional fee shall be charged to include such  
3 designation.

4 (2) Upon the renewal of a driver's license, a driver who has autism shall  
5 provide a statement from a qualified medical professional licensed in Louisiana or  
6 any other state or territory of the United States verifying his disability as established  
7 by administrative rule.

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

15 (4) In addition to the requirements of R.S. 40:2404.2(C), the Department of  
16 Public Safety and Corrections, public safety services, shall establish and implement  
17 a law enforcement training course relative to law enforcement officers' interaction  
18 with persons who have autism. The course shall instruct law enforcement officers  
19 on sensitivity and awareness to ensure equitable treatment and how to effectively  
20 communicate and interact with persons with autism. At a minimum, the course shall  
21 include the following:

22 (a) Identification of indicators that a person has autism.

23 (b) Identification of procedures that an officer should employ when  
24 encountering a person with autism.

25 (c) Demonstrations of communication and interactive techniques required  
26 to effectively interact with a person with autism.

27 (d) Explanations that provide law enforcement officers with an  
28 understanding of the developmental disability and examples of unexpected actions  
29 potentially taken by persons diagnosed with autism.

1           (e) Explanations of the resources available to assist an officer encountering  
2           a person who has autism.

3           (f) Descriptions of the procedures an officer should use to ensure compliance  
4           with the Americans with Disabilities Act when encountering a person with autism.

5           (5) The deputy secretary of the Department of Public Safety and Corrections,  
6           public safety services, shall promulgate rules and regulations as necessary to  
7           implement the provisions of this Subsection, including a waiver of liability for the  
8           release of any medical information. Notwithstanding the provisions of R.S.  
9           49:968(B)(12), the House and Senate committees on transportation, highways and  
10          public works shall have oversight of the adoption of rules and regulations required  
11          by this Subsection.

12           P. Q. An applicant for any class of license may choose to donate one dollar  
13           in addition to any license fee required by this Section to the Louisiana Military  
14           Family Assistance Fund.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 317 Engrossed

2020 Regular Session

Thompson

**Abstract:** Establishes an autism designation for a person's driver's license.

Proposed law authorizes an applicant for a driver's license who has autism to request a designation and requires the designation to be placed on his driver's license.

Proposed law requires the applicant to provide a sworn statement from a qualified medical professional licensed in La. or any U.S. state or territory verifying his disability and prohibits any additional fee for the designation.

Proposed law requires a driver who has autism to provide a statement from a qualified medical professional licensed in La. or any other U.S. state or territory verifying the disability upon the renewal of his driver's license.

Proposed law specifies that any person who willfully and falsely represents himself as having the qualifications to obtain the special designation authorized by proposed law be fined not less than \$100 nor more than \$250, or be imprisoned for not more than 30 days, or both. Specifies that a subsequent offense will result in a fine of not less than \$250 nor more than \$500, or imprisonment for not more than 90 days, or both.

Proposed law requires the Dept. of Public Safety and Corrections, public safety services, to establish and implement a law enforcement training course relative to law enforcement officers' interactions with persons who have autism, in addition to the requirements of present law.

Proposed law requires the course to instruct law enforcement officers on sensitivity and awareness to ensure equitable treatment and how to effectively communicate and interact with persons who have autism.

Proposed law requires the course to include identification of indicators that a person has autism; identification of procedures that an officer should employ when encountering a person who has autism; demonstrations of communication and interactive techniques required to effectively interact with a person who has autism; explanations that provide law enforcement officers with an understanding of developmental disabilities and examples of unexpected actions potentially taken by persons diagnosed with autism; explanations of the resources available to assist an officer encountering a person who has autism; and descriptions of the procedures an officer should use to ensure compliance with the Americans with Disabilities Act when encountering a person who has autism.

Proposed law authorizes the deputy secretary of the Dept. of Public Safety and Corrections to promulgate rules and regulations to implement the provisions of proposed law. Provides rule oversight authority to the House and Senate committees on transportation, highways and public works.

(Amends R.S. 32:412(Section heading) and (P); Adds R.S. 32:412(Q))

#### 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.