

SENATE BILL NO. 236

BY SENATOR FOIL AND REPRESENTATIVE CHASSION

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

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



1 designation that the applicant has autism spectrum disorder or seizure disorder shall  
 2 be exhibited on the special identification card upon presentation of a statement from  
 3 a qualified medical or mental health professional licensed in Louisiana or any other  
 4 state or territory of the United States verifying the applicant's disability as  
 5 established by administrative rule. The qualified medical or mental health  
 6 professional shall be authorized to diagnose autism spectrum disorder or seizure  
 7 disorder. No additional fee shall be charged to include such designation.

8 (2) Upon the renewal of a special identification card, an applicant who has  
 9 autism spectrum disorder or seizure disorder shall provide a statement from a  
 10 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.

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

20 \* \* \*

21 (5) In addition to the training requirements contained in R.S.  
 22 40:2404.2(C), the Department of Public Safety and Corrections, public safety  
 23 services, shall establish and implement a law enforcement training course  
 24 relative to law enforcement officers' interaction with persons who have a seizure  
 25 disorder. The course shall instruct law enforcement officers on sensitivity and  
 26 awareness to ensure equitable treatment and how to effectively interact with a  
 27 person experiencing a seizure. At a minimum, the course shall include the  
 28 following:

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

30 (b) Identification of procedures that an officer should employ when

1 encountering a person experiencing a seizure.

2 (c) Demonstrations of techniques required to effectively respond to a  
3 person experiencing a seizure.

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

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

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

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

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