2024 Regular Session

ACT No. 100

SENATE BILL NO. 236

BY SENATOR FOIL AND REPRESENTATIVE CHASSION

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) is hereby amended and reenacted and R.S. 32:412(R) is
10	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"
13	designation; needs accommodation designation; autism spectrum
14	disorder designation; disbursement of special needs or
15	accommodation designations; disbursement of funds; renewal by
16	mail or electronic commerce of Class "D" or "E" drivers' licenses;
17	disposition of certain fees; exception.
18	* * *
19	Q.(1) Upon request of an applicant for a driver's license, a designation
20	that the applicant has a seizure disorder shall be exhibited on the driver's
21	license upon presentation of a statement from a qualified medical health
22	professional licensed in Louisiana or any other state or territory of the United
23	States verifying the applicant's disability as established by administrative rule.
24	The qualified medical professional shall be authorized to diagnose a seizure
25	disorder. No additional fee shall be charged to include such designation.

Page 1 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

SB NO. 236

ENROLLED

1	(2) Upon the renewal of a driver's license, a driver who has a seizure
2	disorder shall provide a statement from a qualified medical health professional
3	licensed in Louisiana or any other state or territory of the United States
4	verifying his disability as established by administrative rule.
5	(3) Any person who has not been diagnosed with a seizure disorder who
6	willfully and falsely represents himself as having the qualifications to obtain the
7	special designation authorized by this Section shall be fined not less than one
8	<u>hundred dollars nor more than two hundred fifty dollars, or shall be imprisoned</u>
9	for not more than thirty days, or both. Any subsequent offense shall result in a
10	fine of not less than two hundred fifty dollars nor more than five hundred
11	dollars, or imprisonment for not more than ninety days, or both.
12	(4) 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.
16	<u>R</u> . An applicant for any class of license may choose to donate one dollar in
17	addition to any license fee required by this Section to the Louisiana Military Family
18	Assistance Fund.
19	Section 2. R.S. 40:1321(S)(1), (2), (3), and (5) are hereby amended and reenacted and
20	R.S. 40:1321(S)(6) is hereby enacted to read as follows:
21	§1321. State identification cards; special identification cards; issuance; veteran
22	designation; disabled veteran designation; university logo; "I'm a
23	Cajun" designation; needs accommodation designation; autism
24	spectrum disorder designation; special needs or accommodation
25	designations; fees; expiration and renewal; exceptions; promulgation
26	of rules; promotion of use; persons less than twenty-one years of age;
27	the Protect and Save our Children Program; Selective Service
28	Registration
29	* * *
30	S.(1) Upon request of an applicant for a special identification card, a

Page 2 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

SB NO. 236

20

ENROLLED

1designation that the applicant has autism spectrum disorder or seizure disorder shall2be exhibited on the special identification card upon presentation of a statement from3a qualified medical or mental health professional licensed in Louisiana or any other4state or territory of the United States verifying the applicant's disability as5established by administrative rule. The qualified medical or mental health6professional shall be authorized to diagnose autism spectrum disorder or seizure7disorder. 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 <u>or seizure disorder</u> 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.

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

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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 relative to law enforcement officers' interaction with persons who have a seizure 24 disorder. The course shall instruct law enforcement officers on sensitivity and 25 awareness to ensure equitable treatment and how to effectively interact with a 26 27 person experiencing a seizure. At a minimum, the course shall include the following: 28

29 (a) Identification of indicators that a person is experiencing a seizure.
 30 (b) Identification of procedures that an officer should employ when

Page 3 of 4

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

SB NO. 236

ENROLLED

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.
19	* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____