

SENATE FILE 269
BY RITTMER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the health care provider determination of need
2 for the issuance of handicapped special plates and making a
3 civil penalty applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.34, subsection 14, Code 1997, is
2 amended to read as follows:

3 14. HANDICAPPED SPECIAL PLATES. An owner referred to in
4 subsection 12 who is a handicapped person, or who is the
5 parent or guardian of a child who resides with the parent or
6 guardian owner and who is a handicapped person, as defined in
7 section 321L.1, may, upon written application to the
8 department, order special registration plates with a
9 handicapped processed emblem designed by the department
10 bearing the international symbol of accessibility. The
11 special registration plates with a handicapped processed
12 emblem shall only be issued if the application is accompanied
13 with a statement from a physician licensed under chapter 148,
14 149, 150, or 150A, a physician assistant licensed under
15 chapter 148C, an advanced registered nurse practitioner
16 licensed under chapter 152, or a chiropractor licensed under
17 chapter 151, written on the physician's, physician
18 assistant's, nurse practitioner's, or chiropractor's
19 stationery, stating the nature of the applicant's or the
20 applicant's child's handicap and such additional information
21 as required by rules adopted by the department, including
22 proof of residency of a child who is a handicapped person. If
23 the application is approved by the department the special
24 registration plates with a handicapped processed emblem shall
25 be issued to the applicant. There shall be no fee in addition
26 to the regular annual registration fee for the special
27 registration plates with a handicapped processed emblem. The
28 authorization for special registration plates with a
29 handicapped processed emblem shall not be renewed without the
30 applicant furnishing evidence to the department that the owner
31 of the motor vehicle or the owner's child is still a
32 handicapped person as defined in section 321L.1. An owner who
33 has a child who is a handicapped person shall provide
34 satisfactory evidence to the department that the handicapped
35 child continues to reside with the owner. The registration

1 plates with a handicapped processed emblem shall be
2 surrendered in exchange for regular registration plates as
3 provided in subsection 12 when the owner of the motor vehicle
4 or the owner's child no longer qualifies as a handicapped
5 person as defined in section 321L.1 or when the owner's child
6 who is a handicapped person no longer resides with the owner.

7 Sec. 2. Section 321L.2, subsection 1, paragraph a,
8 unnumbered paragraph 1, Code 1997, is amended to read as
9 follows:

10 A handicapped resident of the state desiring a handicapped
11 parking permit shall apply to the department upon an
12 application form furnished by the department providing the
13 applicant's name, address, date of birth, and social security
14 number and shall also provide a statement from a physician
15 licensed under chapter 148, 149, 150, or 150A, a physician
16 assistant licensed under chapter 148C, an advanced registered
17 nurse practitioner licensed under chapter 152, or a
18 chiropractor licensed under chapter 151, or a physician,
19 physician assistant, nurse practitioner, or chiropractor
20 licensed to practice in a contiguous state, written on the
21 physician's, physician assistant's, nurse practitioner's, or
22 chiropractor's stationery, stating the nature of the
23 applicant's handicap and such additional information as
24 required by rules adopted by the department under section
25 321L.8. If the person is applying for a temporary handicapped
26 parking permit, the physician's, physician assistant's, nurse
27 practitioner's, or chiropractor's statement shall state the
28 period of time during which the person is expected to be
29 handicapped and the period of time for which the permit should
30 be issued, not to exceed six months.

31 Sec. 3. Section 321L.2, subsection 1, paragraph a,
32 subparagraph (3), Code 1997, is amended to read as follows:

33 (3) Removable windshield placard. A handicapped person
34 may apply for a temporary removable windshield placard which
35 shall be valid for a period of up to six months, as determined

1 by the physician's, physician assistant's, nurse
2 practitioner's, or chiropractor's statement under this
3 subsection or a removable windshield placard which shall be
4 valid for a period of four years from the date of issuance. A
5 removable windshield placard shall be renewed within thirty
6 days of the date of expiration. To renew the placard, the
7 person shall comply with the requirements for initial issuance
8 of the placard under this section. Persons seeking temporary
9 removable windshield placards shall be required to furnish
10 evidence upon initial application that they are temporarily
11 handicapped and, in addition, furnish evidence at subsequent
12 intervals that they remain temporarily handicapped. Temporary
13 removable windshield placards shall be of a distinctively
14 different color from removable windshield placards. The
15 department shall issue one additional removable windshield
16 placard upon the request of a handicapped person.

17 Sec. 4. Section 32iL.2, subsection 2, Code 1997, is
18 amended to read as follows:

19 2. Any person providing false information with the intent
20 to defraud on the application for a handicapped parking permit
21 used in establishing proof under subsection 1 is subject to a
22 civil penalty of three hundred dollars which may be imposed by
23 the department. A physician, physician assistant, nurse
24 practitioner, or chiropractor who provides false information
25 with the intent to defraud on the physician's, physician
26 assistant's, nurse practitioner's, or chiropractor's statement
27 used in establishing proof under subsection 1 is subject to a
28 civil penalty of three hundred dollars which may be imposed by
29 the department. In addition to the civil penalty, the
30 department shall revoke the permit issued pursuant to this
31 section.

32 Sec. 5. Section 32iL.2, subsection 3, paragraph b,
33 subparagraph 3, Code 1997, is amended to read as follows:

34 (3) The signature of the person who has been issued the
35 placard and the signature of the physician, physician

1 assistant, nurse practitioner, or chiropractor who made the
2 determination that the person was handicapped for purposes of
3 issuance of the placard.

4 EXPLANATION

5 This bill provides that handicapped parking permits may be
6 issued pursuant to the statement of a physician assistant or
7 nurse practitioner. Currently, only physicians and
8 chiropractors may provide information to the department
9 regarding the disability of the person seeking the handicapped
10 permit.

11 The bill also makes physician assistants and nurse
12 practitioners subject to the \$300 civil penalty for providing
13 false information.

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