

House Study Bill 560 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON BEST)

A BILL FOR

1 An Act authorizing a licensed physical therapist to provide
2 a statement for purposes of persons with disabilities
3 special registration plates and parking permits, and making
4 penalties applicable.

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

1 Section 1. Section 321.34, subsection 14, Code 2022, is
2 amended to read as follows:

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

1 owner who has a child who is a person with a disability shall
2 provide satisfactory evidence to the department that the
3 child with a disability continues to reside with the owner.
4 The registration plates with a persons with disabilities
5 processed emblem shall be surrendered in exchange for regular
6 registration plates as provided in subsection 12 when the owner
7 of the vehicle or the owner's child no longer qualifies as a
8 person with a disability as defined in section 321L.1 or when
9 the owner's child who is a person with a disability no longer
10 resides with the owner.

11 Sec. 2. Section 321L.2, subsection 1, unnumbered paragraph
12 1, Code 2022, is amended to read as follows:

13 A resident of the state with a disability desiring a persons
14 with disabilities parking permit shall apply to the department
15 upon an application form furnished by the department providing
16 the applicant's full legal name, address, date of birth, and
17 social security number or Iowa driver's license number or
18 Iowa nonoperator's identification card number, and shall also
19 provide a statement from a physician licensed under chapter
20 148 or 149, a physician assistant licensed under chapter 148C,
21 an advanced registered nurse practitioner licensed under
22 chapter 152, ~~or~~ a chiropractor licensed under chapter 151, or a
23 physical therapist licensed under chapter 148A, or a physician,
24 physician assistant, nurse practitioner, ~~or~~ chiropractor,
25 or physical therapist licensed to practice in a contiguous
26 state, written on the physician's, physician assistant's, nurse
27 practitioner's, ~~or~~ chiropractor's, or physical therapist's
28 stationery, stating the nature of the applicant's disability
29 and such additional information as required by rules adopted by
30 the department under section 321L.8. If the person is applying
31 for a temporary persons with disabilities parking permit, the
32 physician's, physician assistant's, nurse practitioner's, ~~or~~
33 chiropractor's, or physical therapist's statement shall state
34 the period of time during which the person is expected to be
35 disabled and the period of time for which the permit should be

1 issued, not to exceed six months. The department may waive the
2 requirement that the applicant furnish the applicant's social
3 security number, Iowa driver's license number, or nonoperator's
4 identification card number when the application for a temporary
5 persons with disabilities parking permit is made on behalf of
6 a person who is less than one year old. The department may
7 accept a certification of disability from the United States
8 department of veterans affairs in lieu of a statement from
9 a physician, physician assistant, advanced registered nurse
10 practitioner, ~~or~~ chiropractor, or physical therapist. The
11 department may adopt rules pursuant to [chapter 17A](#) detailing
12 the requirements for an acceptable certification of disability.

13 Sec. 3. Section 321L.2, subsection 1, paragraph a,
14 subparagraph (3), subparagraph division (a), unnumbered
15 paragraph 1, Code 2022, is amended to read as follows:

16 A person with a disability may apply for a temporary
17 removable windshield placard valid for a period of up to six
18 months or a standard removable windshield placard valid for
19 a period of five years, as determined by the physician's,
20 physician assistant's, nurse practitioner's, ~~or~~ chiropractor's,
21 or physical therapist's statement under [this subsection](#).

22 Sec. 4. Section 321L.2, subsection 1, paragraph a,
23 subparagraph (3), subparagraph division (a), subparagraph
24 subdivision (ii), Code 2022, is amended to read as follows:

25 (ii) A standard removable windshield placard shall expire
26 on the last day of the month five years from the date of
27 issuance. A person with a disability may renew a standard
28 removable windshield placard within thirty days before or
29 after the date of expiration by submitting a statement from
30 a physician, physician's assistant, nurse practitioner, ~~or~~
31 chiropractor, or physical therapist, as provided in this
32 subsection, to the department that the person has a continuing
33 need for the placard.

34 Sec. 5. Section 321L.2, subsection 2, Code 2022, is amended
35 to read as follows:

1 2. Any person providing false information with the intent
2 to defraud on the application for a persons with disabilities
3 parking permit used in establishing proof under subsection 1
4 is subject to a civil penalty of three hundred dollars which
5 may be imposed by the department. A physician, physician
6 assistant, nurse practitioner, ~~or~~ chiropractor, or physical
7 therapist who provides false information with the intent to
8 defraud on the physician's, physician assistant's, nurse
9 practitioner's, ~~or~~ chiropractor's, or physical therapist's
10 statement used in establishing proof under subsection 1 is
11 subject to a civil penalty of three hundred dollars which
12 may be imposed by the department. In addition to the civil
13 penalty, the department shall revoke the permit issued pursuant
14 to this section.

15 Sec. 6. Section 321L.2A, subsection 1, paragraph e, Code
16 2022, is amended to read as follows:

17 e. The person carries in the motor vehicle a copy of the
18 statement from a physician, physician assistant, advanced
19 registered nurse practitioner, ~~or~~ chiropractor, or physical
20 therapist which accompanied the person's application for
21 persons with disabilities registration plates under section
22 321.34 or other persons with disabilities parking permit under
23 section 321L.2 and which indicates the person is permanently
24 unable to walk. The person shall show the copy of the
25 statement to any peace officer upon request.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 Under current law, persons with disabilities may submit
30 an application to the department of transportation (DOT) for
31 persons with disabilities special registration plates and
32 parking permits. An application must provide a statement from
33 an Iowa licensed physician, physician assistant, advanced
34 registered nurse practitioner, or chiropractor (both plates
35 and permits), or a physician, physician assistant, nurse

1 practitioner, or chiropractor licensed to practice in a
2 contiguous state (permits only), written on the physician's,
3 physician assistant's, nurse practitioner's, or chiropractor's
4 stationery, stating the nature of the person's disability and
5 such additional information as required by DOT rules.

6 A person with a disability may apply for a temporary
7 removable windshield placard valid for up to six months or a
8 standard removable windshield placard valid for five years,
9 as determined by the statement. If a person applies for
10 a temporary persons with disabilities parking permit, the
11 statement must specify the period of time during which the
12 person is expected to be disabled and the period of time for
13 which the permit should be issued, so long as the period of
14 time does not exceed six months.

15 This bill authorizes a physical therapist licensed under
16 Code chapter 148A to provide the required statement for both
17 plates and permits, and a physical therapist licensed in a
18 contiguous state to provide the required statement for permits.
19 A physical therapist who provides false information on the
20 statement with the intent to defraud is subject to a civil
21 penalty of \$300.