

HOUSE BILL No. 2562

By Committee on Health and Human Services

Requested by Representative David Buehler

1-27

1 AN ACT concerning motor vehicles; relating to registration; providing for
2 the issuance of a special license plate or permanent or temporary
3 placard for a person with a disability based on documentation of
4 satisfactory proof of disability from a physical therapist; amending
5 K.S.A. 8-1,125 and repealing the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 8-1,125 is hereby amended to read as follows: 8-
9 1,125. (a) Any Kansas resident who submits satisfactory proof to the
10 director of vehicles, on a form provided by the director, that such person is
11 a person with a disability or is responsible for the transportation of a
12 person with a disability shall be issued a special license plate or a
13 permanent placard for any motor vehicle owned by such person or shall be
14 issued a temporary placard. Satisfactory proof of disability, condition or
15 impairment shall include a statement from a person licensed to practice the
16 healing arts in any state, a licensed optometrist, an advanced practice
17 registered nurse licensed under K.S.A. 65-1131, and amendments thereto,
18 a licensed physician assistant, *a physical therapist as defined in K.S.A. 65-*
19 *2901, and amendments thereto*, or a Christian Science practitioner listed in
20 The Christian Science Journal certifying that such person is a person with
21 a disability. The placard shall be suspended immediately below the rear
22 view mirror of any motor vehicle used for the transportation of a person
23 with a disability so as to be maximally visible from outside the vehicle. In
24 addition to the special license plate or permanent placard, the director of
25 vehicles shall issue to the person with a disability an individual
26 identification card, which must be carried by the person with a disability
27 when the motor vehicle being operated by or used for the transportation of
28 such person is parked in accordance with the provisions of K.S.A. 8-1,126,
29 and amendments thereto. In addition to the temporary placard, a person
30 issued such temporary placard shall carry the state or county receipt
31 showing the name of the person who is issued such temporary placard. A
32 person submitting satisfactory proof that such person's disability, condition
33 or impairment is permanent in nature, and upon such person's request and
34 payment of the fees prescribed in subsection (b), shall be issued an
35 individual identification card and: (1) A permanent placard; (2) a

1 permanent placard and a special license plate; or (3) a permanent placard
2 and a wheelchair emblem decal to be affixed to a distinctive license plate.
3 Upon proper request, one additional permanent placard shall be issued to
4 the applicant who has not requested and received a special license plate.
5 Upon proper request, one additional temporary placard shall be issued to
6 the applicant certified as temporarily disabled. Temporary placards shall
7 have an expiration date of not longer than six months from the date of
8 issuance. The special license plates, decals and placards shall display the
9 international symbol of access to the physically disabled.

10 (b) Special license plates issued pursuant to this section shall be
11 issued for the same period of time as other license plates are issued or for
12 the remainder of such period if an existing license plate is to be exchanged
13 for the special license plate. There shall be no fee for such special license
14 plates in addition to the regular registration fee. No person shall be issued
15 more than one special license plate, except that agencies or businesses
16 ~~which~~ *that* provide transportation for persons with a disability as a service;
17 may obtain additional special license plates for vehicles ~~which~~ *that* are
18 utilized in the provision of ~~that~~ *such* service. Special license plates may be
19 personalized license plates subject to the provisions of K.S.A. 8-132, and
20 amendments thereto, including the payment of the additional fee.

21 (c) Placards and individual identification cards issued pursuant to this
22 section shall be valid ~~as long as~~ *if* the person *with a disability* or a person
23 responsible for the transportation of a person with a disability is eligible
24 for a special license plate or permanent placard. The secretary of revenue
25 shall ~~promulgate~~ *adopt* the rules and regulations necessary to remain
26 compliant with 23 C.F.R. § 1235.4.

27 (d) The color of the permanent placard shall be white on a blue
28 background, and the temporary placard shall be white on a red
29 background.

30 (e) In addition to such other information contained on individual
31 identification cards, cards shall have the date of birth and the sex of the
32 person to whom the card is issued.

33 (f) Permanent placards and individual identification cards shall be
34 returned to the department of revenue upon the death of the person with a
35 disability. Temporary placards shall be returned to the department of
36 revenue upon the expiration of the placard or ~~upon~~ the death of the person
37 with a disability. Special license plates shall be returned to the county
38 treasurer to be exchanged for another license plate upon the death of the
39 person with a disability. The individual identification cards issued with the
40 special license plates shall be returned to the department of revenue upon
41 the death of the person with a disability.

42 (g) Violation of subsection (f) is an unclassified misdemeanor
43 punishable by a fine of not more than \$50.

1 Sec. 2. K.S.A. 8-1,125 is hereby repealed.

2 Sec. 3. This act shall take effect and be in force from and after its
3 publication in the statute book.