

## **Voluntary Identification on Vehicle, Driver's License, or Identification Card of Those Needing Assistance with Cognition; Sub. for SB 74**

**Sub. for SB 74** enacts Joey's Law. The bill authorizes issuance of placards to persons who need assistance with cognition including, but not limited to, persons with autism spectrum disorder, for use in a vehicle. The bill also authorizes a decal to be affixed to a license plate in addition to a placard and placement of an indicator the person needs assistance with cognition on a driver's license or nondriver identification card issued by the Division of Vehicles (Division). Issuance of a placard will require an application submitted to the Division, and placement of an indicator on a driver's license or nondriver identification card will be upon request to the Division. If a person requests a decal, the bill directs such information be included as part of the vehicle registration.

The bill requires satisfactory proof a person needs assistance with cognition and that the proof include a statement from a person licensed to practice the healing arts in any state, an advanced practice registered nurse licensed in Kansas, a licensed physician assistant, or a person clinically licensed by the Kansas Behavioral Sciences Regulatory Board certifying that such person needs assistance with cognition.

The design of the placard will be determined by the Director of Vehicles (Director) for use in any motor vehicle operated or occupied by such person. The bill requires the placard be suitable for attachment to the visor of the vehicle or placement on the dash of the vehicle.

In addition to the placard, the bill directs the Director to issue to the person who needs assistance with cognition an individual identification card to be carried by the person who needs assistance with cognition when the motor vehicle with the placard is being operated or occupied by such person. Information on the card will include the date of birth and the gender of the person to whom the card is issued.

Placards and individual identification cards associated with them will be valid as long as the person who needs assistance with cognition is eligible for a placard. The bill requires permanent placards and individual identification cards be returned to the Kansas Department of Revenue upon the death of the person who needs assistance with cognition. (Requirements for placards and accompanying identification cards are very similar to those for receiving a placard indicating a person with disability; see KSA 2016 Supp. 8-1,125.)

Any person who willfully and falsely represents that such person has the qualifications to obtain a placard will be guilty of a class C misdemeanor. Any person authorized to certify a person needs assistance with cognition for purposes of obtaining a placard who willfully and falsely certifies a person has the qualifications to obtain a placard and an individual identification card also will be guilty of a class C misdemeanor. Any person who utilizes any placard or associated identification card issued to another person will be guilty of an unclassified misdemeanor punishable by a fine of not less than \$100 and not more than \$300.

The bill authorizes the Secretary of Revenue to adopt rules and regulations necessary to carry out the provisions of Joey's Law.

The bill is named for a man who needed assistance with cognition and who was killed in a struggle with a police officer after a traffic stop.