

SENATE BILL 124

R4, J2

5lr1233

By: **Senator Gladden**

Introduced and read first time: January 28, 2015

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Special Registration Plates and Parking Placards for**
3 **Individuals With Disabilities – Licensed Physical Therapists**

4 FOR the purpose of authorizing a licensed physical therapist to certify certain medical
5 conditions of an applicant for a special disability registration number and special
6 disability registration plates for a certain vehicle; requiring the State Board of
7 Physical Therapy Examiners to be responsible for the development and maintenance
8 of a database system with which the Motor Vehicle Administration can interface and
9 verify licensure; authorizing a licensed physical therapist to certify the existence of
10 certain permanent disabilities for applicants for a certain parking placard;
11 authorizing a licensed physical therapist to certify the existence of a certain
12 temporary disability of an applicant for a temporary parking placard; defining a
13 certain term; making conforming changes; repealing certain obsolete provisions; and
14 generally relating to special registration plates and parking placards for individuals
15 with disabilities.

16 BY repealing and reenacting, with amendments,
17 Article – Transportation
18 Section 13–616(a), (b)(1) and (2), and (m), 13–616.1(a) and (k), and 13–616.2(a), (b),
19 (c), and (i)
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2014 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Transportation**

25 13–616.

26 (a) (1) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) “Certified nurse practitioner” means an individual who is licensed by
2 the State Board of Nursing to practice registered nursing as described in § 8–101 of the
3 Health Occupations Article and who is certified as a nurse practitioner by the State Board
4 of Nursing.

5 (3) “Licensed chiropractor” means a chiropractor who is licensed by the
6 State Board of Chiropractic and Massage Therapy Examiners to practice chiropractic or
7 chiropractic with the right to practice physical therapy as described in § 3–301 of the Health
8 Occupations Article.

9 (4) “Licensed optometrist” means an optometrist who is licensed by the
10 State Board of Examiners in Optometry to practice optometry as described in § 11–101 of
11 the Health Occupations Article.

12 (5) **“LICENSED PHYSICAL THERAPIST” MEANS A PHYSICAL**
13 **THERAPIST WHO IS LICENSED BY THE STATE BOARD OF PHYSICAL THERAPY**
14 **EXAMINERS TO PRACTICE PHYSICAL THERAPY AS DESCRIBED IN § 13–101 OF THE**
15 **HEALTH OCCUPATIONS ARTICLE.**

16 (6) “Licensed physician” means a physician, including a doctor of
17 osteopathy, who is licensed by the State Board of Physicians to practice medicine as
18 described in § 14–101 of the Health Occupations Article.

19 [(6)] (7) “Licensed physician assistant” means an individual who is
20 licensed under Title 15 of the Health Occupations Article to practice medicine with
21 physician supervision.

22 [(7)] (8) “Licensed podiatrist” means a podiatrist who is licensed by the
23 State Board of Podiatric Medical Examiners to practice podiatry as described in § 16–101
24 of the Health Occupations Article.

25 (b) (1) The owner of any vehicle described in paragraph (3) of this subsection
26 may apply to the Administration for the assignment to that vehicle of a special disability
27 registration number and special disability registration plates, if a certified nurse
28 practitioner, licensed physician, licensed physician assistant, licensed chiropractor,
29 licensed optometrist, [or] licensed podiatrist, **OR LICENSED PHYSICAL THERAPIST**
30 certifies, in accordance with paragraph (2) of this subsection, that the applicant:

31 (i) Has lung disease to such an extent that forced (respiratory)
32 expiratory volume for one second when measured by spirometry is less than one liter, or
33 arterial oxygen tension (PO₂) is less than 60 mm/hg on room air at rest;

34 (ii) Has cardiovascular disease limitations classified in severity as
35 Class III or Class IV according to standards accepted by the American Heart Association;

- 1 (iii) Is unable to walk 200 feet without stopping to rest;
- 2 (iv) Is unable to walk without the use of, or assistance from, a brace,
3 cane, crutch, another person, prosthetic device, or other assistive device;
- 4 (v) Requires a wheelchair for mobility;
- 5 (vi) Has lost a foot, leg, hand, or arm;
- 6 (vii) Has lost the use of a foot, leg, hand, or arm;
- 7 (viii) Has a permanent impairment of both eyes so that:
- 8 1. The central visual acuity is 20/200 or less in the better eye,
9 with corrective glasses; or
- 10 2. There is a field defect in which the peripheral field has
11 contracted to such an extent that the widest diameter of visual field subtends an angular
12 distance no greater than 20 degrees in the better eye; or
- 13 (ix) Has a permanent disability that adversely impacts the
14 ambulatory ability of the applicant and which is so severe that the person would endure a
15 hardship or be subject to a risk of injury if the privileges accorded a person for whom a
16 vehicle is specially registered under this section were denied.
- 17 (2) For the purposes of this section, the qualifying disabilities specified in
18 paragraph (1) of this subsection shall be certified as follows:
- 19 (i) A licensed physician, licensed physician assistant, or certified
20 nurse practitioner may certify conditions specified in paragraph (1)(i) through (ix) of this
21 subsection;
- 22 (ii) A licensed chiropractor [or a], licensed podiatrist, **OR LICENSED**
23 **PHYSICAL THERAPIST** may certify conditions specified in paragraph (1)(iii) through (vii)
24 and (ix) of this subsection;
- 25 (iii) A licensed optometrist may certify the condition specified in
26 paragraph (1)(viii) of this subsection; and
- 27 (iv) Notwithstanding any provision of paragraph (1) of this
28 subsection, the applicant may self-certify conditions specified in paragraph (1)(vi) of this
29 subsection by appearing in person with proper identification at a full-service Motor Vehicle
30 Administration office during normal business hours.
- 31 (m) In accordance with the provisions of this section, [by July 1, 2001,] each board
32 for licensed physicians, licensed physician assistants, licensed chiropractors, licensed
33 optometrists, [or] licensed podiatrists, **OR LICENSED PHYSICAL THERAPISTS** shall be

1 responsible for the development and maintenance of a database system with which the
2 Administration can interface and verify licensure.

3 13–616.1.

4 (a) A person may apply to the Administration for a parking placard on a form
5 provided by the Administration if the applicant:

6 (1) Is a resident of the State; and

7 (2) (i) Has a permanent disability as described in § 13–616(b)(1) of this
8 subtitle and as certified by a licensed physician, licensed physician assistant, licensed
9 chiropractor, licensed optometrist, [or] licensed podiatrist, **OR LICENSED PHYSICAL**
10 **THERAPIST**, as defined in § 13–616(a) of this subtitle; or

11 (ii) Has a permanent disability as described in § 13–616(b)(1)(vi) of
12 this subtitle and as self-certified as provided by § 13–616(b)(2)(iv) of this subtitle.

13 (k) In accordance with the provisions of this section, [by July 1, 2001,] each board
14 for licensed physicians, licensed physician assistants, licensed chiropractors, licensed
15 optometrists, [or] licensed podiatrists, **OR LICENSED PHYSICAL THERAPISTS** shall be
16 responsible for the development and maintenance of a database system, with which the
17 Administration can interface and verify licensure.

18 13–616.2.

19 (a) A person may apply to the Administration for a temporary parking placard on
20 a form provided by the Administration if:

21 (1) The applicant, a dependent of the applicant, or any individual who
22 depends on the applicant for transportation has a disability, as described in § 13–616(b)(1)
23 of this subtitle; and

24 (2) A licensed physician, licensed physician assistant, licensed
25 chiropractor, licensed optometrist, [or] licensed podiatrist, **OR LICENSED PHYSICAL**
26 **THERAPIST**, as defined in § 13–616(a) of this subtitle, certifies that the disability is not
27 permanent but would substantially impair the applicant's mobility or limit or impair the
28 applicant's ability to walk for at least 3 weeks, and is so severe that the applicant would
29 endure a hardship or be subject to risk of injury if the temporary parking placard were
30 denied.

31 (b) An application under subsection (a) of this section shall be accompanied by:

32 (1) Proof satisfactory to the Administration that the applicant, the
33 dependent of the applicant, or the individual who depends on the applicant for
34 transportation is a person with a disability under subsection (a) of this section; and

1 (2) The certification of a licensed physician, licensed physician assistant,
2 licensed chiropractor, licensed optometrist, [or] licensed podiatrist, **OR LICENSED**
3 **PHYSICAL THERAPIST** that the applicant, the dependent of the applicant, or the individual
4 who depends on the applicant for transportation is disabled, including an estimate of the
5 length of time the disability will continue.

6 (c) (1) A temporary parking placard for a person with a disability issued under
7 this section shall be valid for a period of time the licensed physician, licensed physician
8 assistant, licensed chiropractor, licensed optometrist, [or] licensed podiatrist, **OR**
9 **LICENSED PHYSICAL THERAPIST** has determined that the applicant, the dependent of
10 the applicant, or the individual who depends on the applicant for transportation is likely to
11 have the disability, not to exceed 6 months.

12 (2) The person to whom a temporary parking placard was issued under this
13 section shall return the placard to the Administration within 5 calendar days of the
14 placard's expiration.

15 (i) In accordance with the provisions of this section, [by July 1, 2001,] each board
16 for licensed physicians, licensed physician assistants, licensed chiropractors, licensed
17 optometrists, [or] licensed podiatrists, **OR LICENSED PHYSICAL THERAPISTS** shall be
18 responsible for the development and maintenance of a database system with which the
19 Administration can interface and verify licensure.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2015.