

# SENATE BILL 124

R4, J2

5lr1233

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By: **Senator Gladden**

Introduced and read first time: January 28, 2015

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 17, 2015

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## CHAPTER \_\_\_\_\_

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:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Transportation**

2 13–616.

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

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

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

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

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

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

22 [(6)] (7) “Licensed physician assistant” means an individual who is  
23 licensed under Title 15 of the Health Occupations Article to practice medicine with  
24 physician supervision.

25 [(7)] (8) “Licensed podiatrist” means a podiatrist who is licensed by the  
26 State Board of Podiatric Medical Examiners to practice podiatry as described in § 16–101  
27 of the Health Occupations Article.

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

1 (i) Has lung disease to such an extent that forced (respiratory)  
2 expiratory volume for one second when measured by spirometry is less than one liter, or  
3 arterial oxygen tension (PO<sub>2</sub>) is less than 60 mm/hg on room air at rest;

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

6 (iii) Is unable to walk 200 feet without stopping to rest;

7 (iv) Is unable to walk without the use of, or assistance from, a brace,  
8 cane, crutch, another person, prosthetic device, or other assistive device;

9 (v) Requires a wheelchair for mobility;

10 (vi) Has lost a foot, leg, hand, or arm;

11 (vii) Has lost the use of a foot, leg, hand, or arm;

12 (viii) Has a permanent impairment of both eyes so that:

13 1. The central visual acuity is 20/200 or less in the better eye,  
14 with corrective glasses; or

15 2. There is a field defect in which the peripheral field has  
16 contracted to such an extent that the widest diameter of visual field subtends an angular  
17 distance no greater than 20 degrees in the better eye; or

18 (ix) Has a permanent disability that adversely impacts the  
19 ambulatory ability of the applicant and which is so severe that the person would endure a  
20 hardship or be subject to a risk of injury if the privileges accorded a person for whom a  
21 vehicle is specially registered under this section were denied.

22 (2) For the purposes of this section, the qualifying disabilities specified in  
23 paragraph (1) of this subsection shall be certified as follows:

24 (i) A licensed physician, licensed physician assistant, or certified  
25 nurse practitioner may certify conditions specified in paragraph (1)(i) through (ix) of this  
26 subsection;

27 (ii) A licensed chiropractor [or a], licensed podiatrist, **OR LICENSED**  
28 **PHYSICAL THERAPIST** may certify conditions specified in paragraph (1)(iii) through (vii)  
29 and (ix) of this subsection;

30 (iii) A licensed optometrist may certify the condition specified in  
31 paragraph (1)(viii) of this subsection; and

1 (iv) Notwithstanding any provision of paragraph (1) of this  
2 subsection, the applicant may self-certify conditions specified in paragraph (1)(vi) of this  
3 subsection by appearing in person with proper identification at a full-service Motor Vehicle  
4 Administration office during normal business hours.

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

10 13-616.1.

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

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

14 (2) (i) Has a permanent disability as described in § 13-616(b)(1) of this  
15 subtitle and as certified by a licensed physician, licensed physician assistant, licensed  
16 chiropractor, licensed optometrist, [or] licensed podiatrist, **OR LICENSED PHYSICAL**  
17 **THERAPIST**, as defined in § 13-616(a) of this subtitle; or

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

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

25 13-616.2.

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

28 (1) The applicant, a dependent of the applicant, or any individual who  
29 depends on the applicant for transportation has a disability, as described in § 13-616(b)(1)  
30 of this subtitle; and

31 (2) A licensed physician, licensed physician assistant, licensed  
32 chiropractor, licensed optometrist, [or] licensed podiatrist, **OR LICENSED PHYSICAL**  
33 **THERAPIST**, as defined in § 13-616(a) of this subtitle, certifies that the disability is not  
34 permanent but would substantially impair the applicant's mobility or limit or impair the  
35 applicant's ability to walk for at least 3 weeks, and is so severe that the applicant would

1 endure a hardship or be subject to risk of injury if the temporary parking placard were  
2 denied.

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

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

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

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.