

2020 First Extraordinary Session

HOUSE RESOLUTION NO. 32

BY REPRESENTATIVE CARPENTER

A RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the feasibility of establishing a license plate designation and implementing a system for flagging license plates of individuals with developmental disabilities to prevent miscommunication with law enforcement officers.

WHEREAS, being pulled over by a police officer and the officer approaching a vehicle can be an unsettling experience, but it can be especially stressful for someone with a developmental disability who may not understand the nature of the stop and who presents difficulty communicating; and

WHEREAS, individuals with a developmental disability may suffer from social anxiety, an inability to make eye contact, emotional challenges, slow or limited language development, problems with abstract thinking and short term memory, and other impairments in physical, learning, language, and behavioral areas, all of which may impact day-to-day functioning and adversely affect social interactions; and

WHEREAS, a heightened level of nervousness and anxiety may result from a traffic stop, which could result in a negative interaction; and

WHEREAS, disabled individuals could benefit from a license plate identifier that indicates that the driver of the vehicle has a medical condition that affects his ability to communicate; and

WHEREAS, vehicles operated by persons with medical conditions, intellectual disabilities, or developmental disabilities which could impede communications and affect their encounters with law enforcement or first responders could benefit from a distinctive combination of letters and numbers on their license plate as a status identifier; and

WHEREAS, a potential letter and number combination could identify the individual's condition to law enforcement and first responders so they could be made aware of the individual's capacity during a welfare check or traffic stop; and

WHEREAS, the letter and number combination could solely be disclosed by the Department of Public Safety and Corrections, office of motor vehicles, to law enforcement and first responders to make them aware of the individual's unique needs and allow them to proceed accordingly; and

WHEREAS, the goal of any potential legislation would be to ensure drivers with certain conditions are safe on the roads and during other potential interactions with law enforcement and first responders; and

WHEREAS, some detractors of license plate identifiers have indicated that there is a potential for abuse, such as allowing the criminal element to learn what the identifiers mean, which may ultimately compromise individuals with such plates by making them easy targets; and

WHEREAS, any potential disabled license plate should contemplate these issues and seek to limit the potential for abuse; and

WHEREAS, an alternative method of implementing license plate identifiers is through the electronic system immediately available to a police officer when conducting a traffic stop or welfare check; and

WHEREAS, the electronic system could alert the officer through an identifier on screen that an individual in the vehicle may have a developmental disability, which would obviate the need for public identifiers on the license plate itself; and

WHEREAS, the implementation of a license plate flag system will alert that officer prior to approaching the vehicle that a person driving the vehicle may have difficulty understanding or communicating; and

WHEREAS, the availability of this information affords the officer advance knowledge and awareness in order to enable respectful interactions with individuals with all levels of communication abilities.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Department of Public Safety and Corrections to study the feasibility of establishing a license plate designation and implementing a system for flagging license plates of individuals with developmental disabilities to prevent miscommunication with law enforcement officers.

BE IT FURTHER RESOLVED that the study shall consider, at a minimum, the following:

(1) The methods of implementation and the requirements for updating the system to enable an officer to utilize the motor vehicle's license plate number to access and verify the driver's license information of any registered driver of the motor vehicle to determine whether any driver has a developmental disability that may impede effective communication.

(2) The potential costs associated with implementing a system that allows an officer to verify if a driver has a developmental disability after running the license plate.

(3) The documentation that a driver with a developmental disability would be required to produce to qualify for the license plate designation, including but not limited to proof of a physical health condition provided by a licensed physician or proof of a mental health condition, provided by a licensed physician, psychologist, or other mental health professional.

(4) The documentation a driver would have to provide to the department to receive the license plate designation.

(5) The methods of maintaining discretion to eliminate potential abuse.

(6) The methods by which the department would maintain the information supplied by the driver relating to his health or medical condition to ensure it remains confidential.

BE IT FURTHER RESOLVED that a report of their findings shall be submitted to the House and Senate Committees on Transportation, Highways and Public Works and the member of the House of Representatives that represents House District Number sixty-three no later than February 1, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES