

2020 Regular Session

HOUSE BILL NO. 317

BY REPRESENTATIVES THOMPSON, ADAMS, AMEDEE, BACALA, BAGLEY, BEAULLIEU, BISHOP, BRASS, BROWN, BRYANT, CARPENTER, CARRIER, GARY CARTER, WILFORD CARTER, CORMIER, COX, DESHOTEL, DUBUISSON, DUPLESSIS, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMENT, FONTENOT, FREEMAN, FREIBERG, FRIEMAN, GADBERRY, GOUDEAU, GREEN, HARRIS, HORTON, HUGHES, ILLG, IVEY, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, JONES, KERNER, LACOMBE, LARVADAIN, LYONS, MARCELLE, MCKNIGHT, DUSTIN MILLER, MINCEY, MOORE, NELSON, CHARLES OWEN, ROBERT OWEN, PHELPS, PIERRE, RISER, ROMERO, SCHEXNAYDER, SELDERS, STAGNI, STEFANSKI, THOMAS, WHEAT, WHITE, AND WILLARD AND SENATORS BERNARD, CATHEY, CONNICK, CORTEZ, FESI, FOIL, HENRY, HENSGENS, HEWITT, JOHNS, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, WARD, AND WOMACK

1 AN ACT

2 To amend and reenact R.S. 32:412(Section heading) and (P) and to enact R.S. 32:412(Q),
3 relative to criteria for the establishment of a special license plate designation; to
4 provide for a special license plate designation indicating that a person has autism
5 spectrum disorder; to provide penalties for false statements concerning an autism
6 spectrum disorder designation; to require the implementation of a law enforcement
7 officer training course; to provide for the promulgation of rules and regulations; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:412(Section heading) and (P) are hereby amended and reenacted
11 and R.S. 32:412(Q) is hereby enacted to read as follows:

12 §412. Amount of fees; credit or refund; duration of license; veteran designation;
13 disabled veteran designation; university logo; "I'm a Cajun" designation;
14 needs accommodation designation; autism spectrum disorder designation;
15 disbursement of funds; renewal by mail or electronic commerce of Class "D"
16 or "E" drivers' licenses; disposition of certain fees; exception

17 * * *

1 P.(1) Upon request of an applicant for a driver's license, a designation that
2 the applicant has autism spectrum disorder shall be exhibited on the driver's license
3 upon presentation of a statement from a qualified medical or mental health
4 professional licensed in Louisiana or any other state or territory of the United States
5 verifying the applicant's disability as established by administrative rule. The
6 qualified medical or mental health professional shall be authorized to diagnose
7 autism spectrum disorder. No additional fee shall be charged to include such
8 designation.

9 (2) Upon the renewal of a driver's license, a driver who has autism spectrum
10 disorder shall provide a statement from a qualified medical or mental health
11 professional licensed in Louisiana or any other state or territory of the United States
12 verifying his disability as established by administrative rule.

13 (3) Any person who has not been diagnosed with autism spectrum disorder
14 who willfully and falsely represents himself as having the qualifications to obtain the
15 special designation authorized by this Section shall be fined not less than one
16 hundred dollars nor more than two hundred fifty dollars, or shall be imprisoned for
17 not more than thirty days, or both. Any subsequent offense shall result in a fine of
18 not less than two hundred fifty dollars nor more than five hundred dollars, or
19 imprisonment for not more than ninety days, or both.

20 (4) In addition to the requirements of R.S. 40:2404.2(C), the Department of
21 Public Safety and Corrections, public safety services, shall establish and implement
22 a law enforcement training course relative to law enforcement officers' interaction
23 with persons who have autism spectrum disorder. The course shall instruct law
24 enforcement officers on sensitivity and awareness to ensure equitable treatment and
25 how to effectively communicate and interact with persons with autism spectrum
26 disorder. At a minimum, the course shall include the following:

27 (a) Identification of indicators that a person has autism spectrum disorder.

28 (b) Identification of procedures that an officer should employ when
29 encountering a person with autism spectrum disorder.

1 (c) Demonstrations of communication and interactive techniques required
2 to effectively interact with a person with autism spectrum disorder.

3 (d) Explanations that provide law enforcement officers with an
4 understanding of the developmental disability and examples of unexpected actions
5 potentially taken by persons diagnosed with autism spectrum disorder.

6 (e) Explanations of the resources available to assist an officer encountering
7 a person who has autism spectrum disorder.

8 (f) Descriptions of the procedures an officer should use to ensure compliance
9 with the Americans with Disabilities Act when encountering a person with autism
10 spectrum disorder.

11 (5) The deputy secretary of the Department of Public Safety and Corrections,
12 public safety services, shall promulgate rules and regulations as necessary to
13 implement the provisions of this Subsection, including a waiver of liability for the
14 release of any medical information. Notwithstanding the provisions of R.S.
15 49:968(B)(12), the House and Senate committees on transportation, highways and
16 public works shall have oversight of the adoption of rules and regulations required
17 by this Subsection.

18 P: Q. An applicant for any class of license may choose to donate one dollar
19 in addition to any license fee required by this Section to the Louisiana Military
20 Family Assistance Fund.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____