

By: Representatives Gibbs, Dedeaux, Evans,
Fredericks, Green, Holloway, Rogers (14th),
Thomas, Whittington

To: Judiciary B

HOUSE BILL NO. 1281

1 AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE
2 PERSONAL IDENTIFICATION CARDS FOR PERSONS WITH DISABILITIES; TO
3 PRESCRIBE THE INFORMATION TO BE INCLUDED ON THE IDENTIFICATION
4 CARD; TO PROVIDE FOR RENEWAL OF THE IDENTIFICATION CARD; TO
5 PROVIDE FOR A FEE FOR ISSUANCE OF THE CARD; TO PROVIDE THAT MISUSE
6 OF THE IDENTIFICATION CARDS FOR PERSONS WITH DISABILITIES SHALL BE
7 A MISDEMEANOR; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** As used in this article, the term:

10 (a) "Commissioner" means the Commissioner of the
11 Department of Public Safety.

12 (b) "Department" means Department of Public Safety.

13 (c) "Disability" means any physical, mental or
14 neurological impairment which severely restricts a person's
15 mobility, manual dexterity or ability to climb stairs; substantial
16 loss of sight or hearing; loss of one or more limbs or use
17 thereof; or significantly diminished reasoning capacity.

18 (d) "Identification card for persons with disabilities"
19 means an identification card issued as provided in this act.

20 (e) "Permanent disability" means any disability which
21 is permanent in nature or which is expected to continue for a
22 period of at least five (5) years.

23 (f) "Person with disabilities" means any person with a
24 permanent or temporary disability.

25 (g) "Temporary disability" means any disability which
26 is expected to continue for at least six (6) months but less than
27 five (5) years.

28 **SECTION 2.** (1) The Department of Public Safety shall issue
29 personal identification cards to persons with disabilities who

30 make application to the department in accordance with rules and
31 regulations prescribed by the commissioner. The identification
32 card for persons with disabilities shall prominently display the
33 international handicapped symbol and, in addition to any other
34 information required by this act, may contain a recent color
35 photograph of the applicant and the following information:

- 36 (a) Full legal name;
- 37 (b) Address of residence;
- 38 (c) Birth date;
- 39 (d) Date identification card was issued;
- 40 (e) Date identification card expires;
- 41 (f) Sex;
- 42 (g) Height;
- 43 (h) Weight;
- 44 (i) Eye color;
- 45 (j) Location where the identification card was issued;
- 46 (k) Signature of person identified or facsimile
47 thereof;
- 48 (l) Fingerprint of person identified; and
- 49 (m) Such other information as required by the
50 department.

51 (2) The identification card for persons with disabilities
52 shall bear the signatures of the commissioner and the Governor and
53 shall bear an identification card number which shall not be the
54 same as the applicant's social security number, unless the person
55 specifically requests that the social security number be used, or,
56 in the case of an individual who is not a citizen of the United
57 States, the passport number of the person identified or any number
58 the department deems necessary to implement this act.

59 **SECTION 3.** (1) The identification card for persons with
60 disabilities shall be issued to a person with a permanent
61 disability for a period of four (4) years and shall be renewable
62 on the applicant's birthday in the fourth year following such

63 issuance. The identification cards shall be issued to persons:

64 (a) With obvious permanent disabilities without further
65 verification of disability; and

66 (b) With disabilities which are not obvious upon
67 presentation of the current sworn affidavit of at least one (1)
68 medical doctor attesting to such permanent disability. A current
69 affidavit shall be presented at each request for renewal.

70 (2) The identification card for persons with disabilities
71 shall be issued to a person with a temporary disability upon
72 presentation of a sworn affidavit of at least one (1) medical
73 doctor attesting to such disability and estimating the duration of
74 such disability. Such identification cards shall be issued for
75 periods of six (6) months. A current affidavit of a medical
76 doctor attesting to the continuance of such disability shall be
77 presented at each request for renewal thereafter.

78 **SECTION 4.** The face of the identification card for persons
79 with disabilities shall prominently bear the words "URGENT MEDICAL
80 INFORMATION ON REVERSE." On the reverse side of the
81 identification card shall be a space within which the issuer of
82 the card shall enter such medical information as the applicant may
83 request.

84 **SECTION 5.** The face of the identification card for persons
85 with disabilities shall bear the word "TRANSPORTATION" with a box
86 or blank space adjacent thereto. The issuer of the card shall
87 place an 'X' in such box or blank space if the applicant's
88 disability creates mobility limitations which prevent him or her
89 from climbing stairs or otherwise from entering normally designed
90 buses or other vehicles normally used for public transportation.
91 When so marked, the identification card for persons with
92 disabilities shall serve as sufficient proof of the need for
93 special transportation services for persons with disabilities
94 provided by any entity in this state.

95 **SECTION 6.** The identification card for persons with
96 disabilities shall bear the word "SEATING" with a box or blank
97 space adjacent thereto. The issuer of the card shall place an "X"
98 in such box or blank space if the applicant's disability creates
99 mobility or health limitations which prevent him or her from
100 climbing stairs or steep inclines. When so marked, the
101 identification card for persons with disabilities shall be
102 sufficient to admit the holder to seating for persons with
103 disabilities at public events in this state.

104 **SECTION 7.** The commissioner shall promulgate rules and
105 regulations under which this article shall be implemented.

106 **SECTION 8.** The department shall require an applicant for an
107 identification card for persons with disabilities to furnish a
108 birth certificate or other verifiable evidence stating the
109 applicant's birth date.

110 **SECTION 9.** The department shall collect a fee of Five
111 Dollars (\$5.00) for an identification card for persons with
112 disabilities, which fee shall be deposited in the State Treasury
113 in the same manner as motor vehicle driver's license fees.

114 **SECTION 10.** It is a misdemeanor for any person:

115 (1) To lend his or her identification card for persons with
116 disabilities to any other person or knowingly to permit the use
117 thereof by another; and

118 (2) To display or represent as his or her own any
119 identification card for persons with disabilities not issued to
120 him or her.

121 **SECTION 11.** This act shall take effect and be in force from
122 and after July 1, 2005.