

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

To: Judiciary B

HOUSE BILL NO. 1281  
(As Sent to Governor)

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 article.

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.  
56 The commissioner shall prescribe the form of identification cards  
57 issued pursuant to this article to persons who are not United  
58 States citizens and who do not possess a social security number  
59 issued by the United States government. The identification cards  
60 of such persons shall include a number and any other identifying  
61 information prescribed by the commissioner.

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

67           (a) With obvious permanent disabilities without further  
68 verification of disability; and

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

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

81           **SECTION 4.** The face of the identification card for persons  
82 with disabilities shall bear the word "TRANSPORTATION" with a box  
83 or blank space adjacent thereto. The issuer of the card shall  
84 place an "X" in such box or blank space if the applicant's  
85 disability creates mobility limitations which prevent him or her  
86 from climbing stairs or otherwise from entering normally designed  
87 buses or other vehicles normally used for public transportation.  
88 When so marked, the identification card for persons with  
89 disabilities shall serve as sufficient proof of the need for  
90 special transportation services for persons with disabilities  
91 provided by any entity in this state.

92           **SECTION 5.** The identification card for persons with  
93 disabilities shall bear the word "SEATING" with a box or blank  
94 space adjacent thereto. The issuer of the card shall place an "X"

95 in such box or blank space if the applicant's disability creates  
96 mobility or health limitations which prevent him or her from  
97 climbing stairs or steep inclines. When so marked, the  
98 identification card for persons with disabilities shall be  
99 sufficient to admit the holder to seating for persons with  
100 disabilities at public events in this state.

101 **SECTION 6.** The commissioner shall promulgate rules and  
102 regulations under which this article shall be implemented.

103 **SECTION 7.** The department shall require an applicant for an  
104 identification card for persons with disabilities to furnish a  
105 birth certificate or other verifiable evidence stating the  
106 applicant's birth date.

107 **SECTION 8.** The department shall collect a fee of Fifteen  
108 Dollars (\$15.00) for an identification card for persons with  
109 disabilities, which fee shall be deposited in the State Treasury  
110 in the same manner as motor vehicle driver's license fees.

111 **SECTION 9.** It is a misdemeanor for any person:

112 (a) To lend his or her identification card for persons  
113 with disabilities to any other person or knowingly to permit the  
114 use thereof by another; and

115 (b) To display or represent as his or her own any  
116 identification card for persons with disabilities not issued to  
117 him or her.

118 **SECTION 10.** This act shall take effect and be in force from  
119 and after July 1, 2005.