

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H1/30/25

A Bill

HOUSE BILL 1138

5 By: Representatives Torres, Gramlich
6 By: Senator C. Penzo
7

For An Act To Be Entitled

9 AN ACT TO AUTHORIZE CERTAIN MEDICAL PROFESSIONALS TO
10 CERTIFY TO THE OFFICE OF MOTOR VEHICLE ELIGIBILITY
11 FOR A SPECIAL LICENSE PLATE, CERTIFICATE, OR PARKING
12 DECAL FOR A PERSON WITH A DISABILITY; AND FOR OTHER
13 PURPOSES.
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Subtitle

16 TO AUTHORIZE CERTAIN MEDICAL
17 PROFESSIONALS TO CERTIFY TO THE OFFICE
18 OF MOTOR VEHICLE ELIGIBILITY FOR A
19 SPECIAL LICENSE PLATE, CERTIFICATE, OR
20 PARKING DECAL FOR A PERSON WITH A
21 DISABILITY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 17-80-120(a)(1), concerning the signature
27 authority for advanced practice registered nurses and physician assistants,
28 is amended to read as follows:

29 (1) Certification ~~of disability for patients to receive disabled~~
30 ~~parking permits or placards from the Office of Motor Vehicle to the Office of~~
31 Motor Vehicle that a patient is a person with a disability for the purposes
32 of the Access to Parking for Persons with Disabilities Act, § 27-15-301 et
33 seq.; or
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35 SECTION 2. Arkansas Code Title 17, Chapter 93, Subchapter 1, is amended
36 to add an additional section to read as follows:



1 17-93-104. Certification for purposes of the Access to Parking for
2 Persons with Disabilities Act.

3 (a) A physical therapist licensed under this chapter is authorized to
4 certify to the Office of Motor Vehicle that a patient is a person with a
5 disability for the purposes of the Access to Parking for Persons with
6 Disabilities Act, § 27-15-301 et seq.

7 (b) This section does not expand the scope of practice of a physical
8 therapist.

9
10 SECTION 3. Arkansas Code § 27-15-302(4), concerning the definition of
11 "person with a disability" within the Access to Parking for Persons with
12 Disabilities Act, is amended to read as follows:

13 (4) "Person with a disability" means any individual who, as determined
14 by a ~~licensed physician~~ certifying authority:

15 (A) Cannot walk one hundred feet (100') without stopping to
16 rest;

17 (B) Cannot walk without the use of, or assistance from, a
18 brace, cane, crutch, another person, prosthetic device, wheelchair, or other
19 assistive device;

20 (C) Is restricted by lung disease to such an extent that
21 the person's forced respiratory expiratory volume for one (1) second, when
22 measured by spirometry, is less than one liter (1 L), or the arterial oxygen
23 tension is less than sixty millimeters of mercury (60 mmHg) on room air at
24 rest;

25 (D) Uses portable oxygen; or

26 (E) Has a cardiac condition to the extent that the
27 person's functional limitations are classified in severity as Class III or
28 Class IV according to standards set by the American Heart Association;

29
30 SECTION 4. Arkansas Code § 27-15-302, concerning definitions within
31 the Access to Parking for Persons with Disabilities Act, is amended to add an
32 additional subdivision to read as follows:

33 (8) "Certifying authority" means:

34 (A) A licensed physician;

35 (B) An advanced practice registered nurse as authorized
36 under § 17-80-120;

1 (C) A physician assistant as authorized under § 17-80-120;

2 or

3 (D) A physical therapist as authorized under § 17-93-104.

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5 SECTION 5. Arkansas Code § 27-15-304(a)(1), concerning temporary
6 special certificates under the Access to Parking for Persons with
7 Disabilities Act, is amended to read as follows:

8 (a)(1) A person with a disability, ~~which, as~~ determined by a ~~licensed~~
9 ~~physician, is~~ certifying authority to be temporary in nature as opposed to
10 permanent, may apply to the Office of Motor Vehicle for a temporary person-
11 with-a-disability special certificate, which may include a temporary van-
12 accessible parking decal, and, upon request, one (1) additional temporary
13 special certificate, which may include an additional van-accessible parking
14 decal.

15
16 SECTION 6. Arkansas Code § 27-15-307(8)(B), concerning the
17 administration of the Access to Parking for Persons with Disabilities Act, is
18 amended to read as follows:

19 (B) Verify with a letter from a ~~physician~~ certifying
20 authority stating that the person for whom the van-accessible parking decal
21 is issued is a person with a disability that requires the use of a
22 wheelchair, a three-wheeled or four-wheeled scooter, a four-wheeled walker
23 with a seat, or a similar device that is commonly used to transport persons
24 who have limited or no use of their legs.

25
26 SECTION 7. Arkansas Code § 27-15-308(a)(3)-(4), concerning the
27 eligibility for and renewal of a special license plate or certificate for a
28 person with a disability within the Access to Parking for Persons with
29 Disabilities Act, is amended to read as follows:

30 (3)(A)(i) ~~An owner of a motor vehicle that is issued a special~~
31 ~~license plate under this section shall submit every four (4) years to the~~
32 ~~Office of Motor Vehicle a physician recertification of the person with a~~
33 ~~disability to be transported by the vehicle to continue to qualify for the~~
34 ~~special license plate, unless the person with a disability has a permanent~~
35 ~~disability~~ The Office of Motor Vehicle shall require recertification of the
36 condition of the person with a disability by a certifying authority one (1)

1 time every four (4) years.

2 (ii) Recertification shall not be required for a
3 disability that is permanent in nature.

4 (B) The photo identification card required in this
5 subsection must be renewed every four (4) years.

6 (4)(A) An organization that owns or leases a motor vehicle
7 described in § 27-15-303 that is used in the business of transporting persons
8 with disabilities may apply to the Office of Motor Vehicle for issuance of
9 one (1) special license plate to be affixed to the vehicle for each vehicle
10 used in the business.

11 (B) ~~The requirements of a photo identification card and~~
12 ~~physician recertification in this subsection~~ recertification provisions of
13 subdivisions (a)(3)(A)-(B) of this section shall not apply to an applicant in
14 the business of transporting persons with disabilities as described in this
15 subsection.

16
17 /s/Torres

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20 **APPROVED: 2/18/25**
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