

FIRST REGULAR SESSION

# SENATE BILL NO. 275

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIMS.

Read 1st time January 11, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1024S.011

## AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to hearing impaired drivers.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 302, RSMo, is amended by adding thereto one new section, to be known as section 302.174, to read as follows:

**302.174. 1. As used in this section, the following terms mean:**

**(1) "Deaf person", any person who, because of hearing loss, is not able to discriminate speech when spoken in a normal conversation tone regardless of the use of amplification devices;**

**(2) "Hearing impaired person", any person who, because of hearing loss, has a diminished capacity to discriminate speech when spoken in a normal conversational tone;**

**(3) "J88", a notation on a driver's license that indicates the person is a deaf or hearing impaired person who uses alternative communication.**

**2. Any resident of this state who is a deaf or hearing impaired person may apply to the department of revenue to have the notation "J88" placed on the person's driver's license. The department of revenue, by rule, may establish the cost and criteria for placement of the "J88" notation, such as requiring an applicant to submit certain medical proof of deafness or hearing impairment.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are**

**nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.**

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