

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 814
99TH GENERAL ASSEMBLY

Reported from the Committee on Professional Registration, February 22, 2018, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 814, adopted March 5, 2018.

Taken up for Perfection March 5, 2018. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

5516S.02P

AN ACT

To repeal section 302.174, RSMo, and to enact in lieu thereof one new section relating to driver's licenses for persons who are deaf or hard of hearing.

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

Section A. Section 302.174, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 302.174, to read as follows:

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

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

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

8 (3) "J88"] **DHH**, a notation on a driver's license that indicates the
9 person is a deaf or [hearing-impaired] **hard of hearing** person who uses
10 alternative communication;

11 (3) **"Hard of hearing person", any person who, because of hearing**
12 **loss, has a diminished capacity to discriminate speech when spoken in**
13 **a normal conversational tone.**

14 2. Any resident of this state who is a deaf or [hearing-impaired] **hard of**
15 **hearing** person may apply to the department of revenue to have the notation
16 "[J88] **DHH**" placed on the person's driver's license. The department of revenue,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 by rule, may establish the cost and criteria for placement of the "[J88] DHH"
18 notation, such as requiring an applicant to submit certain medical proof of
19 deafness or hearing [impairment] loss. **The department may also, by rule,**
20 **elect to use the phrase "deaf or hard of hearing" in lieu of the notation**
21 **"DHH" on a driver's license.**

22 **3. The Missouri commission for the deaf and hard of hearing**
23 **shall make an informational video in American Sign Language**
24 **explaining what a "DHH" notation means on a driver's license and**
25 **informing Missourians of their right to receive a license with the "DHH"**
26 **notation under this section. This video shall also be captioned in**
27 **English and converted to QR-Code which shall be posted in a**
28 **conspicuous place at every driver's license office in Missouri.**

29 **4. Any rule or portion of a rule, as that term is defined in section 536.010,**
30 **that is created under the authority delegated in this section shall become effective**
31 **only if it complies with and is subject to all of the provisions of chapter 536 and,**
32 **if applicable, section 536.028. This section and chapter 536 are nonseverable and**
33 **if any of the powers vested with the general assembly pursuant to chapter 536 to**
34 **review, to delay the effective date or to disapprove and annul a rule are**
35 **subsequently held unconstitutional, then the grant of rulemaking authority and**
36 **any rule proposed or adopted after August 28, 2001, shall be invalid and void.**

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