

Public Law 93-538

AN ACT

December 22, 1974
[S. 2363]

To amend chapter 39 of title 38, United States Code, relating to automobiles and adaptive equipment for certain disabled veterans and members of the Armed Forces.

Disabled Veterans' and Servicemen's Automobile and Adaptive Equipment Amendments of 1974.

38 USC 1901 note.

"Adaptive equipment."

38 USC 1902.

38 USC 1903.

Special driver training courses.

38 USC 601.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Disabled Veterans' and Servicemen's Automobile and Adaptive Equipment Amendments of 1974".

SEC. 2. Section 1901 of title 38, United States Code, is amended as follows:

(1) by striking out in paragraph (1) all of that part of clause (A) beginning with "World War II," down through the end of such clause, and inserting in lieu thereof "World War II or thereafter:";

(2) by striking out in paragraph (1) all of that part of clause (B) beginning with "World War II," down through the end of such clause, and inserting in lieu thereof "World War II or thereafter:"; and

(3) by amending paragraph (2) to read as follows:

"(2) The term 'adaptive equipment' includes, but is not limited to, power steering, power brakes, power window lifts, power seats, and special equipment necessary to assist the eligible person into and out of the automobile or other conveyance. Such term also includes (A) air-conditioning equipment when such equipment is necessary to the health and safety of the veteran and to the safety of others, regardless of whether the automobile or other conveyance is to be operated by the eligible person or is to be operated for such person by another person; and (B) any modification of the size of the interior space of the automobile or other conveyance if needed because of the physical condition of such person in order for such person to enter or operate the vehicle."

SEC. 3. Section 1902 of such title is amended as follows:

(1) by inserting in subsection (a) "(including all State, local, and other taxes)" after "conveyance" the second time it appears;

(2) by striking out in subsection (a) "\$2,800," and inserting in lieu thereof "\$3,300,"; and

(3) by inserting in subsection (c) (2) "previously or" after "may".

SEC. 4. (a) Section 1903 of such title is amended by adding at the end thereof the following new subsection:

"(e) (1) The Administrator shall provide, directly or by contract, for the conduct of special driver training courses at every hospital and, where appropriate, at regional offices and other medical facilities, of the Veterans' Administration to instruct such eligible person to operate the type of automobile or other conveyance such person wishes to obtain with assistance under this chapter, and may make such courses available to any veteran or member of the Armed Forces, eligible for care under chapter 17 of this title, who is determined by the Administrator to need the special training provided in such courses even though such veteran or member is not eligible for the assistance provided under this chapter.

“(2) The Administrator is authorized to obtain insurance on automobiles and other conveyances (not owned by the Government) used in conducting the special driver training courses provided under this subsection and to obtain, at Government expense, personal liability and property damage insurance for all persons taking such courses without regard to whether such persons are taking the course on an in-patient or out-patient basis.”.

(b) The catchline of such section is amended by adding at the end thereof a semicolon and “**special training courses**”.

(c) The table of sections at the beginning of chapter 39 of such title is amended by striking out

“1903. Limitations on assistance.”

and inserting in lieu thereof

“1903. Limitations on assistance; special training courses.”.

SEC. 5. (a) Chapter 39 of such title is further amended by adding at the end thereof the following new section:

“§ 1904. Research and development; coordination with other Federal programs

“(a) In carrying out prosthetic and orthopedic appliance research under section 216 and medical research under section 4101 of this title, the Administrator, through the Chief Medical Director, shall provide for special emphasis on the research and development of adaptive equipment and adapted conveyances (including vans) meeting standards of safety and quality prescribed under subsection (d) of section 1903, including support for the production and distribution of devices and conveyances so developed.

“(b) In carrying out subsection (a) of this section, the Administrator, through the Chief Medical Director, shall consult and cooperate with the Secretary of Health, Education, and Welfare and the Commissioner of the Rehabilitation Services Administration, Department of Health, Education, and Welfare, in connection with programs carried out under section 3(b) of the Rehabilitation Act of 1973 (Public Law 93-112; 87 Stat. 357) (relating to the development and support, and the stimulation of the development and utilization, including production and distribution of new and existing devices, of innovative methods of applying advanced medical technology, scientific achievement, and psychological and social knowledge to solve rehabilitation problems), section 202(b)(2) of such Act (relating to the establishment and support of Rehabilitation Engineering Research Centers), and section 405 of such Act (relating to the Secretarial responsibilities for planning, analysis, promoting utilization of scientific advances, and information clearinghouse activities).”.

(b) The table of sections at the beginning of such chapter 39 is amended by inserting at the end thereof:

“1904. Research and development; coordination with other Federal programs.”.

SEC. 6. The provisions of this Act shall become effective on the first day of the second calendar month following the date of enactment, except that clause (3) of section 3 shall take effect on January 11, 1971.

Approved December 22, 1974.

Insurance.

38 USC 1904.

29 USC 702.

29 USC 762.

29 USC 785.

Effective date,
38 USC 1901
note.