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Introduced and read first time: February 12, 1999 Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2	Parking Access -	Persons with	Disabilities -	Parking Placards
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- 3 FOR the purpose of repealing certain provisions relating to the authority of the Motor
- 4 Vehicle Administration to assign a special disabled person's registration number
- 5 and special disabled person's registration plates under certain circumstances;
- 6 clarifying and adding certain physical conditions that qualify an individual for
- disability parking placards and temporary parking placards; authorizing certain
- 8 medical professionals to certify that individuals have certain physical conditions
- 9 necessary to qualify for disability parking placards and temporary placards;
- authorizing an applicant for a disability parking placard under this Act to
- self-certify the presence of certain conditions under certain circumstances;
- requiring certain individuals to pay certain parking meter fees under certain
- conditions; requiring certain individuals to have certain identification available
- for inspection by certain individuals at certain times; requiring certain boards to
- develop and maintain certain databases; requiring the Administration to
- establish certain automated systems by a certain date; limiting the number of
- 17 placards an individual may receive; prohibiting a person from fraudulently
- certifying the presence of certain physical conditions; defining certain terms;
- making stylistic and conforming changes; and generally relating to disability
- 20 parking placards and temporary placards for individuals with disabilities.
- 21 BY repealing and reenacting, with amendments,
- 22 Article Transportation
- 23 Section 13-616 and 13-616.2
- 24 Annotated Code of Maryland
- 25 (1998 Replacement Volume and 1998 Supplement)
- 26 BY repealing
- 27 Article Transportation
- 28 Section 13-616.1

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1 2	Annotated Code of Maryland (1998 Replacement Volume and 1998 Supplement)
3	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
5	Article - Transportation
6	13-616.
7 8	(a) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
11	(2) "LICENSED CHIROPRACTOR" MEANS A CHIROPRACTOR WHO IS LICENSED BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO PRACTICE CHIROPRACTIC OR CHIROPRACTIC WITH THE RIGHT TO PRACTICE PHYSICAL THERAPY AS DESCRIBED IN § 3-301 OF THE HEALTH OCCUPATIONS ARTICLE.
	(3) "LICENSED OPTOMETRIST" MEANS AN OPTOMETRIST WHO IS LICENSED BY THE STATE BOARD OF EXAMINERS IN OPTOMETRY TO PRACTICE OPTOMETRY AS DESCRIBED IN § 11-101 OF THE HEALTH OCCUPATIONS ARTICLE.
18	(4) "LICENSED PHYSICIAN" MEANS A PHYSICIAN, INCLUDING A DOCTOR OF OSTEOPATHY, WHO IS LICENSED BY THE STATE BOARD OF PHYSICIAN QUALITY ASSURANCE TO PRACTICE MEDICINE AS DESCRIBED IN § 14-101 OF THE HEALTH OCCUPATIONS ARTICLE.
	(5) "LICENSED PODIATRIST" MEANS A PODIATRIST WHO IS LICENSED BY THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS TO PRACTICE PODIATRY AS DESCRIBED IN § 16-102 OF THE HEALTH OCCUPATIONS ARTICLE.
25 26 27 28 29	(B) (1) [The owner of any vehicle described in paragraph (2) of this subsection] A PERSON may apply to the Administration for the assignment [to that vehicle of a special, disabled person's registration number and special registration plates] OF A DISABILITY PARKING PLACARD, if A LICENSED PHYSICIAN, LICENSED CHIROPRACTOR, LICENSED OPTOMETRIST, OR LICENSED PODIATRIST CERTIFIES, IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THAT the applicant[, a dependent of the applicant, or any individual who depends on the applicant for transportation]:
31	(i) [Has permanently lost the use of a leg or an arm;
32 33	(ii) Is so severely and permanently disabled as to be unable to move without a wheelchair or crutches;
36 37	(iii) So suffers from lung disease that his forced expiratory volume, one second, when measured by spirometry, is less than one liter;] HAS LUNG DISEASE TO SUCH AN EXTENT THAT FORCED (RESPIRATORY) EXPIRATORY VOLUME FOR ONE SECOND WHEN MEASURED BY SPIROMETRY IS LESS THAN ONE LITER, OR ARTERIAL OXYGEN TENSION (P02) IS LESS THAN 60 MM/HG ON ROOM AIR AT REST;

	,	S III OR	CLASS	RDIOVASCULAR DISEASE LIMITATIONS CLASSIFIED IN IV ACCORDING TO STANDARDS ACCEPTED BY THE
4	(1	III)	IS UNAI	BLE TO WALK 200 FEET WITHOUT STOPPING TO REST;
				BLE TO WALK WITHOUT THE USE OF, OR ASSISTANCE ANOTHER PERSON, PROSTHETIC DEVICE, OR OTHER
8	C	V)	REQUIR	EES A WHEELCHAIR FOR MOBILITY;
9	C	VI)	HAS LO	ST, OR LOST THE USE OF, A FOOT OR LEG;
10	C	VII)	HAS LO	ST, OR LOST THE USE OF, BOTH ARMS OR BOTH HANDS:
11	[0	(iv)]	(VIII)	Has a permanent impairment of both eyes so that:
12 13	with corrective glasses;		1.	The central visual acuity is 20/200 or less in the better eye,
		xtent tha	at the wid	There is a field defect in which the peripheral field has lest diameter of visual field subtends an rees in the better eye; or
19 20	licensed physician and substantially impairs th would endure a hardshi	determine persor	ned by the n's mobilisubject to	Has a [physical] PERMANENT disability[, as certified by a nee Administration, which is permanent, which ity, and] which is so severe that the person of a risk of injury if the privileges accorded a negistered under this section were denied.
22	(2)	This sec	tion appl	ies only to:
23	(i	i) .	A Class	A (passenger) vehicle;
24	(i	ii) .	A Class l	D (motorcycle) vehicle;
25	(i	iii) .	A Class l	M (multipurpose) vehicle;
26 27	rated capacity; or	iv) .	A Class l	E (truck) vehicle with a one ton or less manufacturer's
30 31	transportation of individual transportation of individual	duals wi duals wi LIFYIN	ith disabi ith disabi G DISAI	H, I, or J vehicle that is specially equipped for the lities and is used exclusively for the lities.] FOR THE PURPOSES OF THIS BILITIES SPECIFIED IN PARAGRAPH (1) OF THIS D AS FOLLOWS:
33 34	(IN PARAGRAPH (1)(I			NSED PHYSICIAN MAY CERTIFY CONDITIONS SPECIFIED X) OF THIS SUBSECTION:

		` /	A LICENSED CHIROPRACTOR OR A LICENSED PODIATRIST MAY CIFIED IN PARAGRAPH (1)(III) THROUGH (VII) AND (IX) OF
4 5			A LICENSED OPTOMETRIST MAY CERTIFY THE CONDITION (1)(VIII) OF THIS SUBSECTION; AND
8 9	THIS SUBSECTION, PARAGRAPH (1)(VI)	THE AP AND (V	NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (1) OF PLICANT MAY SELF-CERTIFY CONDITIONS SPECIFIED IN VII) OF THIS SUBSECTION BY APPEARING IN PERSON WITH AT A FULL-SERVICE MOTOR VEHICLE ADMINISTRATION BUSINESS HOURS.
11 12	(3) APPLICANT.	ONLY C	ONE DISABILITY PARKING PLACARD MAY BE ISSUED PER
13 14	[(b) (1) Sunder this section only		registration and special registration plates may be issued pplicant submits:
17	dependent of the appli	cant, or	Proof satisfactory to the Administration that the applicant, the the individual who depends on the applicant for be, is an individual with a disability described in n; and
	depends for transporta	tion, a co	As to an applicant on whom an individual with a disability ertification of the individual with a disability that the pends on the applicant for transportation.
22 23	(2) registration under this		ninistration may not accept applications for special from:
	· · · · · · · · · · · · · · · · · · ·		More than 2 applicants submitting certifications of dependency of this subsection from the same individual with a
	depends for transporta	tion if th	More than 1 applicant on whom an individual with a disability ne individual with a disability, at the time of special registration issued under this section; or
30 31	special registrations is		An applicant who, at the time of application, possesses 2 valid der this section.]
34 35	registration plates] DIS submit proof of the dis	SABILIT sability to	cant for renewal of [special registration and special FY PARKING PLACARDS issued under this section shall of the Administration [before the issuance of the new and before the renewal of the registration] every 4
37 38			applicant for renewal on whom an individual with a tation, the applicant shall submit once every 2 years in

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- **HOUSE BILL 853** 1 a form prescribed by the Administration proof of the disability of the individual with 2 a disability and proof that the applicant continues to provide transportation for the 3 individual with a disability for whom special registration has been issued under this 4 section. 5 Except as provided under §§ 13-951 and 13-952 of this title, no fee in (d) 6 addition to the annual registration fee otherwise required by this title is required for special registration under this section.] 8 A [special registration] DISABILITY PARKING PLACARD number [(e)] 9 assigned under this section shall: 10 (1) Consist of the letters, numerals, or both that the Administration 11 specifies; [and] Be displayed on [special registration plates] A DISABILITY PARKING 13 PLACARD issued for the [vehicle] APPLICANT, together with the International 14 Symbol of Access; AND 15 BE DISPLAYED ON SPECIAL IDENTIFICATION ISSUED FOR THE (3) 16 APPLICANT BY THE ADMINISTRATION. 17 [(f)](E) (1) In this subsection "special types of vehicles" means: 18 Emergency vehicles defined under § 11-118 of this article; (i) 19 (ii) Service vehicles defined under § 22-201 of this article; 20 (iii) Class B (for hire) vehicles; 21 (iv) Class C (funeral and ambulance) vehicles; 22 Class H (school) vehicles; (v) 23 Class I (charter bus) vehicles; (vi) Class J (vanpool) vehicles; 24 (vii) Class P (passenger bus) vehicles; 25 (viii) Class Q (limousine) vehicles; and 26 (ix)
- 28 (2) The person [for whom special registration plates are] issued under
- 29 this section or under a similar provision of any other state or country A DISABILITY
- 30 PARKING PLACARD OR A PERSON DRIVING A MOTOR VEHICLE WITH THE PERSON

State or local government vehicles.

31 ISSUED A DISABILITY PARKING PLACARD AS A PASSENGER:

(x)

	may park for unlimite time permitted; and	(i) ed periods	1. in parki	Except as provided in items (ii) and (iii) of this paragraph, ng zones restricted as to the length of parking
4 5	or of any political sub	odivision	2. of this St	Is not required to pay any parking meter fees of this State ate UNLESS THAT SUBDIVISION:
	SPECIFIED AREA A AMERICANS WITH			HAS PROVIDED THAT ALL PARKING METERS WITHIN A ESSIBLE AND IN COMPLIANCE WITH THE ACT (ADA); OR
9 10	PARKING PRIVILE	EGES;	B.	HAS AN ALTERNATIVE PROGRAM FOR DISABILITY
11 12	only for:	(ii)	May par	k in a parking space equipped with a parking meter
	the maximum time pomaximum of 4 hours		1. mitted on	Except as provided in item (ii)2 of this paragraph, twice the parking meter but not to exceed a
16 17	hours, the period period	mitted on	2. the park	If the parking meter permits parking for more than 4 ing meter; and
	zone, may park in a c State-owned airport.	(iii) designated		to the posted time restriction specified for this parking r the handicapped established at any
21 22	(3) except that they do n		visions of	f this subsection supersede any local ordinance,
23 24	all vehicles;	(i)	To zone	s where stopping, standing, or parking is prohibited to
25		(ii)	To zone	s that are reserved for special types of vehicles; or
			ng, aftern	here is a local ordinance that prohibits parking during aoon, or evening rush hours, or where parking
29	(F) (1)	A DISA	BILITY	PARKING PLACARD SHALL BE ISSUED:
32	IN THE FORM OF A	EREARV	VABLE	T AS PROVIDED IN ITEM (II) OR (III) OF THIS PARAGRAPH, WINDSHIELD PLACARD CAPABLE OF BEING HUNG RROR AND OF A SIZE AND DESIGN DETERMINED BY
34 35		(II) HICH TH		VEHICLE NOT EQUIPPED WITH AN INSIDE REARVIEW E REARVIEW MIRROR IS NOT VISIBLE FROM THE

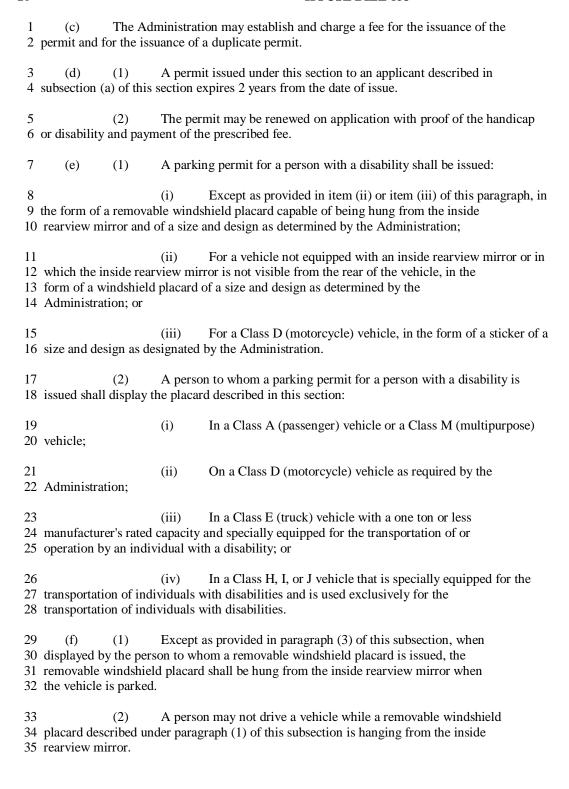
- 1 REAR OF THE VEHICLE, IN THE FORM OF A WINDSHIELD PLACARD OF A SIZE AND
- 2 DESIGN DETERMINED BY THE ADMINISTRATION; OR
- 3 (III) FOR A CLASS D (MOTORCYCLE) VEHICLE, IN THE FORM OF A
- 4 STICKER OF A SIZE AND DESIGN DETERMINED BY THE ADMINISTRATION.
- 5 (2) A PERSON TO WHOM A DISABILITY PARKING PLACARD IS ISSUED
- 6 SHALL DISPLAY THE PLACARD DESCRIBED IN THIS SECTION:
- 7 (I) IN A CLASS A (PASSENGER) VEHICLE OR A CLASS M
- 8 (MULTIPURPOSE) VEHICLE;
- 9 (II) ON A CLASS D (MOTORCYCLE) VEHICLE AS REQUIRED BY THE
- 10 ADMINISTRATION;
- 11 (III) IN A CLASS E (TRUCK) VEHICLE WITH A 1 TON OR LESS
- 12 MANUFACTURER'S RATED CAPACITY AND SPECIALLY EQUIPPED FOR THE
- 13 TRANSPORTATION OF OR OPERATION BY AN INDIVIDUAL WITH A DISABILITY; OR
- 14 (IV) IN A CLASS H, I, OR J VEHICLE THAT IS SPECIALLY EQUIPPED
- 15 FOR THE TRANSPORTATION OF INDIVIDUALS WITH DISABILITIES AND IS USED
- 16 EXCLUSIVELY FOR THE TRANSPORTATION OF INDIVIDUALS WITH DISABILITIES.
- 17 (G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,
- 18 WHEN DISPLAYED BY THE PERSON TO WHOM A DISABILITY PARKING PLACARD IS
- 19 ISSUED, THE PLACARD SHALL BE HUNG FROM THE INSIDE REARVIEW MIRROR WHEN
- 20 THE VEHICLE IS PARKED.
- 21 (2) A PERSON MAY NOT DRIVE A VEHICLE WHILE A DISABILITY PARKING
- 22 PLACARD DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS HANGING
- 23 FROM THE INSIDE REARVIEW MIRROR.
- 24 (3) IN A VEHICLE THAT IS NOT EQUIPPED WITH AN INSIDE REARVIEW
- 25 MIRROR, THE DISABILITY PARKING PLACARD SHALL BE PLACED IN A POSITION FROM
- 26 WHICH THE REMOVABLE WINDSHIELD PLACARD CAN BE VIEWED FROM THE
- 27 OUTSIDE OF THE VEHICLE THROUGH THE LOWER PORTION OF THE WINDSHIELD ON
- 28 THE DRIVER'S SIDE OF THE VEHICLE.
- 29 [(g)] (H) When using the parking privileges granted under this section:
- 30 (1) The person shall have in the person's possession [the application for
- 31 special registration plates that is approved by the Administration; and]
- 32 IDENTIFICATION ISSUED BY THE ADMINISTRATION AS PROOF THAT PARKING
- 33 PRIVILEGES ARE BEING UTILIZED BY A PERSON WITH A DISABILITY AS DEFINED IN
- 34 SUBSECTION (B)(1) OF THIS SECTION; AND
- 35 (2) The person shall make the [application for special registration
- 36 plates | IDENTIFICATION available upon the request of:

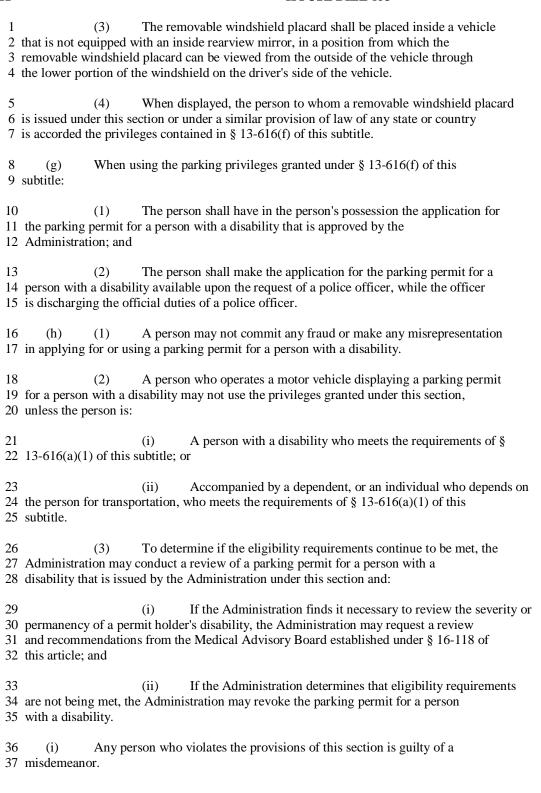
1 2	duties of a police office		[a] A police officer, while the officer is discharging the official
	SUBDIVISION TO E	(II) ENFORCI	ANY OTHER PERSON AUTHORIZED BY A POLITICAL ETHIS SECTION, WHILE ACTING WITHIN THE SCOPE OF
8 9 10	FOR A DISABILITY CERTIFYING AN IN	section] PARKIN DIVIDU	n may not commit any fraud [in applying for special OR MAKE ANY MISREPRESENTATION IN APPLYING NG PLACARD, USING A DISABILITY PARKING PLACARD, OR AL WITH A DISABILITY AS DEFINED IN SUBSECTION (B)(1) PECIAL DISABILITY PARKING PLACARD UNDER THIS
12 13	[(i) A personation A personation.	n may not	t commit any fraud in using special registration under
14 15	(j) A person registration under this		t make any misrepresentation in applying for special
16 17	(k) A person registration under this		t make any misrepresentation in using special
		or special	erates a motor vehicle with a special disabled person's registration plates may not use the privileges granted terson:
21 22	(1) subsection (a)(1) of the		on with a disability who meets the requirements of n; or
	` ,		apanied by a dependent, or an individual who depends on the meets the requirements of subsection (a)(1) of this
	() ()	ation, the	notor vehicle owner upon whom a person with a disability vehicle owner's relationship to the person with a ered by:
29		(i)	The death of the person with a disability;
30		(ii)	A divorce from the person with a disability; or
31 32	owner by the person	(iii) with a dis	Termination of employment or responsibility of the vehicle sability or that person's legal representative.
33 34	(2) paragraph (1) of this		00 days of the occurrence of any of the events enumerated in n:

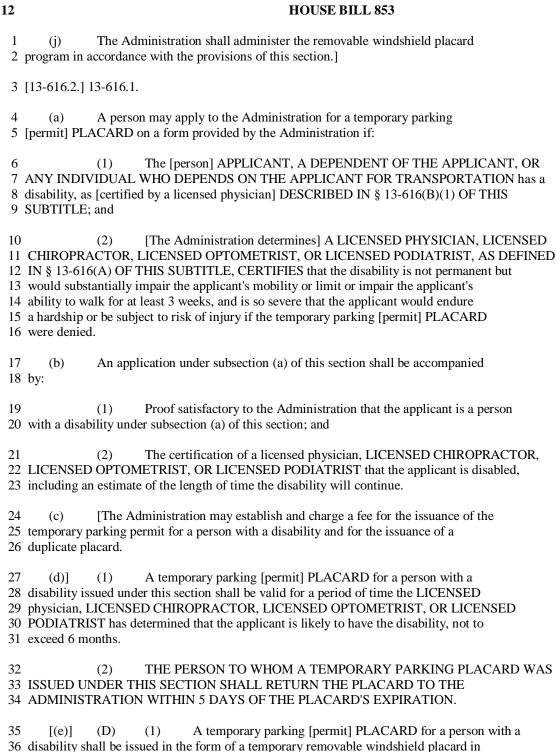
	(i) The vehicle owner shall mail or deliver the special disabled person's registration card and special registration plates to the Administration for cancellation; and
	(ii) If the motor vehicle remains subject to registration under this article, the vehicle owner shall apply to the Administration for registration of the vehicle in accordance with the terms of § 13-403 of this article.
	(3) To determine if the eligibility requirements continue to be met, the Administration may conduct a review of a registration that is issued by the Administration under this subsection and:
12	(i) If the Administration finds it necessary to review the severity or permanency of a registration holder's disability, the Administration may request a review and recommendations from the Medical Advisory Board established under § 16-118 of this article; and
14 15	(ii) If the Administration determines that eligibility requirements are not being met, the Administration may revoke the registration.]
16 17	[(n)] (J) Any person who violates the provisions of this section is guilty of a misdemeanor, in accordance with the terms of § 27-101 of this article.
	[(o)] (K) The Administration shall administer the [special registration plates] DISABILITY PARKING PLACARD program in accordance with the provisions of this section.
23	(L) THE ADMINISTRATION SHALL BY JULY 1, 2001, ESTABLISH AN AUTOMATED SYSTEM FOR RECORDING THE ISSUANCE, RENEWAL, AND EXPIRATION OF PLACARDS IN A TIMELY MANNER TO ENSURE THAT THE OBJECTIVES OF THE PLACARD PROGRAM ARE ACHIEVED IN AN EFFICIENT AND ORDERLY MANNER.
27 28	(M) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS, OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND MAINTENANCE OF A DATABASE SYSTEM WITH WHICH THE ADMINISTRATION CAN INTERFACE AND VERIFY LICENSURE.
30	[13-616.1.
33	(a) A person may apply to the Administration for a parking permit for a person with a disability on a form provided by the Administration if the applicant has a permanent physical disability as described in § 13-616(a)(1) of this subtitle as certified by a physician and determined by the Administration.

35 (b) A parking permit for a person with a disability may be issued to an 36 applicant described in subsection (a) of this section only if the applicant submits proof 37 satisfactory to the Administration that the applicant is a person with a disability as

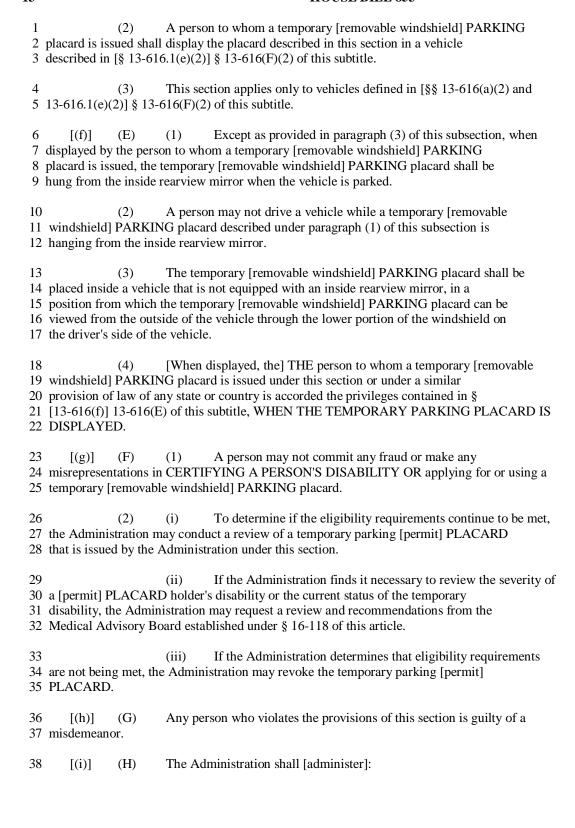
38 described in § 13-616(a) of this subtitle.







37 the form, size, and design determined by the Administration.



- 1 (1) ADMINISTER the temporary removable windshield placard 2 program in accordance with the provisions of this section; AND
- 3 (2) BY JULY 1, 2001, ESTABLISH AN AUTOMATED SYSTEM FOR
- 4 RECORDING THE ISSUANCE, RENEWAL, AND EXPIRATION OF TEMPORARY PARKING
- 5 PLACARDS IN A TIMELY MANNER TO ENSURE THAT THE OBJECTIVES OF THE
- 6 TEMPORARY PARKING PLACARD PROGRAM ARE ACHIEVED IN AN EFFICIENT AND
- 7 ORDERLY MANNER.
- 8 (I) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD
- 9 FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS,
- 10 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND
- 11 MAINTENANCE OF A DATABASE SYSTEM WITH WHICH THE ADMINISTRATION CAN
- 12 INTERFACE AND VERIFY LICENSURE.
- 13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 14 October 1, 1999.