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By: Senators Van Hollen and Dorman Introduced and read first time: February 5, 1999 Assigned to: Judicial Proceedings						
Committee Report: Favorable Senate action: Adopted Read second time: March 23, 1999						
	CHAPTER					

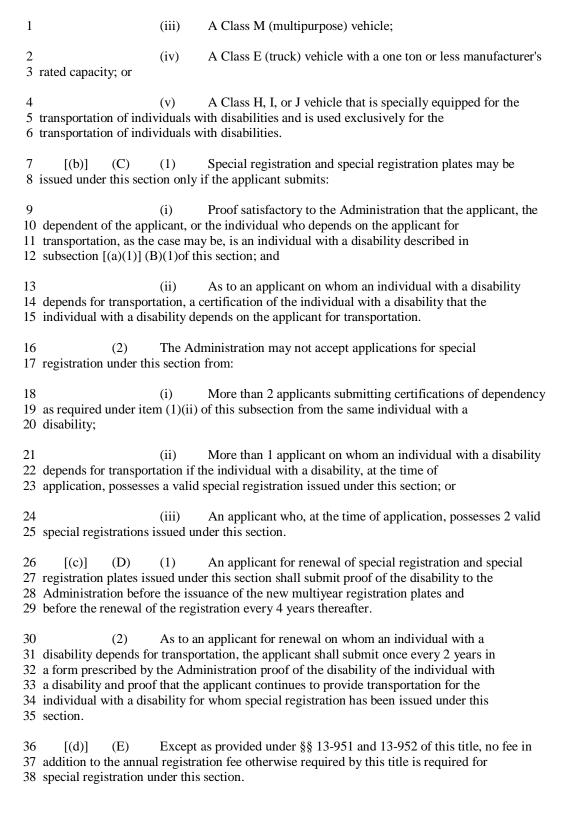
### 1 AN ACT concerning

### 2 Parking Access for Individuals with Disabilities

- 3 FOR the purpose of clarifying and adding certain physical conditions that qualify an
- 4 individual for special registration plates, placards, and temporary placards;
- 5 authorizing certain medical professionals to certify that individuals have certain
- 6 physical conditions necessary to qualify for special registration plates, placards,
- 7 and temporary placards; authorizing an applicant for special registration under
- 8 this Act to self-certify the presence of certain conditions under certain
- 9 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;
- 12 requiring certain boards to develop and maintain certain databases; requiring
- the Motor Vehicle Administration to establish certain automated systems by a
- certain date; limiting the number of placards and special vehicle registration
- plates an individual may receive under certain circumstances; prohibiting a
- person from fraudulently certifying the presence of certain physical conditions;
- 17 defining certain terms; making stylistic changes; clarifying terms; and generally
- relating to special registration plates, placards, and temporary placards for
- individuals with disabilities.
- 20 BY repealing and reenacting, with amendments,
- 21 Article Transportation
- 22 Section 13-616, 13-616.1, and 13-616.2
- 23 Annotated Code of Maryland
- 24 (1998 Replacement Volume and 1998 Supplement)
- 25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 26 MARYLAND, That the Laws of Maryland read as follows:

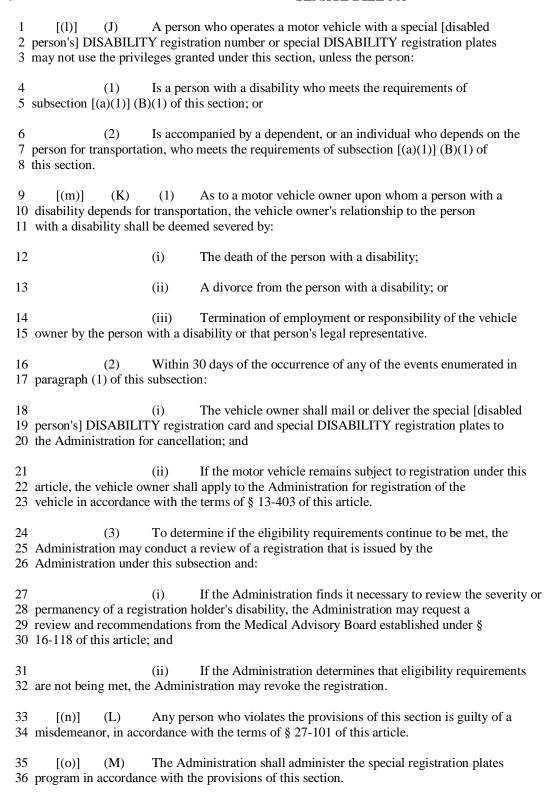
### 1 **Article - Transportation** 2 13-616. (a) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS 3 (1) 4 INDICATED. 5 "LICENSED CHIROPRACTOR" MEANS A CHIROPRACTOR WHO IS (2) 6 LICENSED BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO PRACTICE 7 CHIROPRACTIC OR CHIROPRACTIC WITH THE RIGHT TO PRACTICE PHYSICAL 8 THERAPY AS DESCRIBED IN § 3-301 OF THE HEALTH OCCUPATIONS ARTICLE. "LICENSED OPTOMETRIST" MEANS AN OPTOMETRIST WHO IS 10 LICENSED BY THE STATE BOARD OF EXAMINERS IN OPTOMETRY TO PRACTICE 11 OPTOMETRY AS DESCRIBED IN § 11-101 OF THE HEALTH OCCUPATIONS ARTICLE. 12 "LICENSED PHYSICIAN" MEANS A PHYSICIAN, INCLUDING A DOCTOR 13 OF OSTEOPATHY, WHO IS LICENSED BY THE STATE BOARD OF PHYSICIAN QUALITY 14 ASSURANCE TO PRACTICE MEDICINE AS DESCRIBED IN § 14-101 OF THE HEALTH 15 OCCUPATIONS ARTICLE. "LICENSED PODIATRIST" MEANS A PODIATRIST WHO IS LICENSED BY 16 17 THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS TO PRACTICE PODIATRY AS DESCRIBED IN § 16-101 OF THE HEALTH OCCUPATIONS ARTICLE. 19 (B) The owner of any vehicle described in paragraph [(2)] (3) of this (1) 20 subsection may apply to the Administration for the assignment to that vehicle of a 21 special[, disabled person's] DISABILITY registration number and special DISABILITY 22 registration plates, if A LICENSED PHYSICIAN, LICENSED CHIROPRACTOR, LICENSED 23 OPTOMETRIST, OR LICENSED PODIATRIST CERTIFIES, IN ACCORDANCE WITH 24 PARAGRAPH (2) OF THIS SUBSECTION, THAT the applicant, a dependent of the 25 applicant, or any individual who depends on the applicant for transportation: 26 [Has permanently lost the use of a leg or an arm; (i) 27 Is so severely and permanently disabled as to be unable to move (ii) 28 without a wheelchair or crutches: 29 So suffers from lung disease that his forced expiratory volume, (iii) 30 one second, when measured by spirometry, is less than one liter] HAS LUNG DISEASE 31 TO SUCH AN EXTENT THAT FORCED (RESPIRATORY) EXPIRATORY VOLUME FOR ONE 32 SECOND WHEN MEASURED BY SPIROMETRY IS LESS THAN ONE LITER, OR ARTERIAL 33 OXYGEN TENSION (P02) IS LESS THAN 60 MM/HG ON ROOM AIR AT REST: HAS CARDIOVASCULAR DISEASE LIMITATIONS CLASSIFIED IN 34 (II)35 SEVERITY AS CLASS III OR CLASS IV ACCORDING TO STANDARDS ACCEPTED BY THE 36 AMERICAN HEART ASSOCIATION; 37 (III) IS UNABLE TO WALK 200 FEET WITHOUT STOPPING TO REST;

	(IV) FROM, A BRACE, CANE, C ASSISTIVE DEVICE;		BLE TO WALK WITHOUT THE USE OF, OR ASSISTANCE ANOTHER PERSON, PROSTHETIC DEVICE, OR OTHER
4	(V)	REQUI	RES A WHEELCHAIR FOR MOBILITY;
5	(VI)	HAS LO	OST, OR LOST THE USE OF, A FOOT OR LEG;
6	(VII)	HAS LO	OST, OR LOST THE USE OF, AN ARM OR A HAND;
7	[(iv)]	(VIII)	Has a permanent impairment of both eyes so that:
8 9	with corrective glasses; or	1.	The central visual acuity is 20/200 or less in the better eye,
			There is a field defect in which the peripheral field has dest diameter of visual field subtends an grees in the better eye; or
15 16	licensed physician, and deter substantially impairs the pers would endure a hardship or b	on's mobi e subject	Has a [physical] PERMANENT disability[, as certified by a the Administration, which is permanent, which lity, and] which is so severe that the person to a risk of injury if the privileges accorded a registered under this section were denied.
		IN PARA	POSES OF THIS SECTION, THE QUALIFYING AGRAPH (1) OF THIS SUBSECTION SHALL BE
21 22	(I) IN PARAGRAPH (1)(I) THI		NSED PHYSICIAN MAY CERTIFY CONDITIONS SPECIFIED IX) OF THIS SUBSECTION;
	` /		NSED CHIROPRACTOR OR A LICENSED PODIATRIST MAY O IN PARAGRAPH (1)(III) THROUGH (VII) AND (IX) OF
26 27			NSED OPTOMETRIST MAY CERTIFY THE CONDITION II) OF THIS SUBSECTION; AND
30 31	THIS SUBSECTION, THE APPARAGRAPH (1)(VI) AND	APPLICA (VII) OF N AT A F	ITHSTANDING ANY PROVISION OF PARAGRAPH (1) OF NT MAY SELF-CERTIFY CONDITIONS SPECIFIED IN THIS SUBSECTION BY APPEARING IN PERSON WITH ULL-SERVICE MOTOR VEHICLE ADMINISTRATION ESS HOURS.
33	(3) This se	ction appl	lies only to:
34	(i)	A Class	A (passenger) vehicle;
35	(ii)	A Class	D (motorcycle) vehicle;

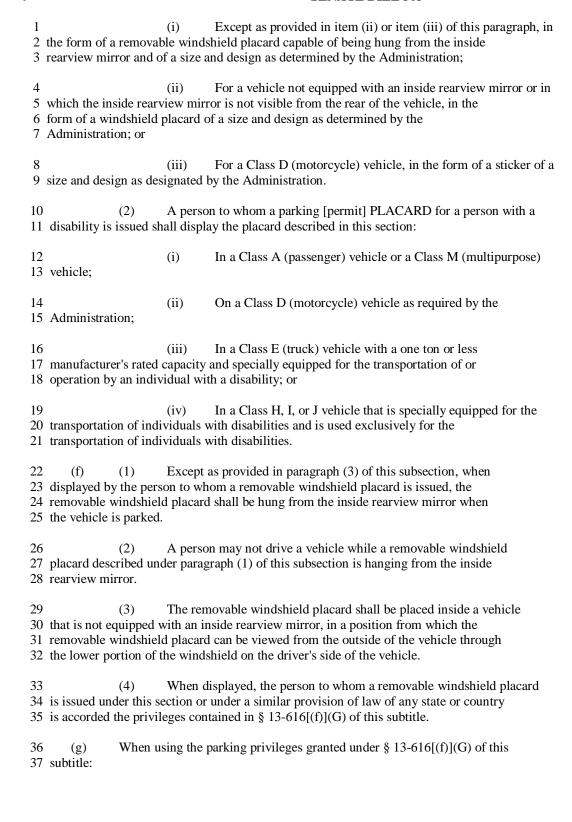


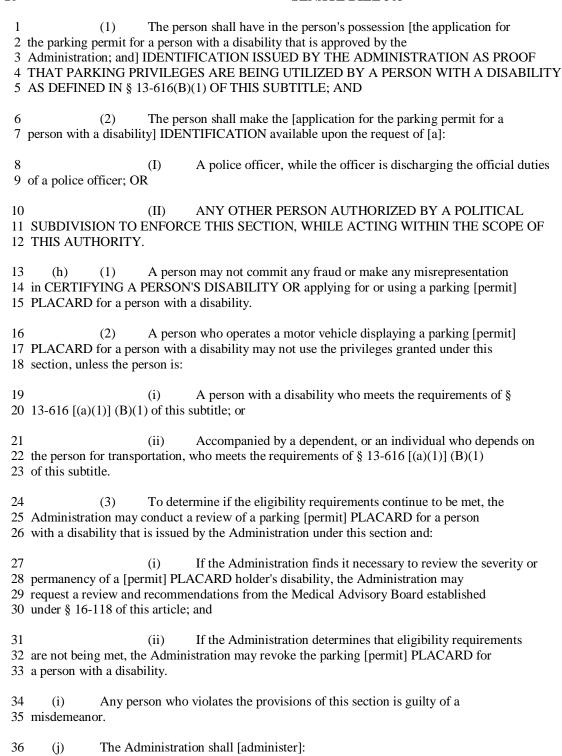
1	[(e)]	(F)	A speci	al registration number assigned under this section shall:		
2 3	specifies; ar	(1) nd	Consist	of the letters, numerals, or both that the Administration		
4 5	together wit	(2) th the Inte		layed on special registration plates issued for the vehicle, Symbol of Access.		
6	[(f)]	(G)	(1)	In this subsection "special types of vehicles" means:		
7			(i)	Emergency vehicles defined under § 11-118 of this article;		
8			(ii)	Service vehicles defined under § 22-201 of this article;		
9			(iii)	Class B (for hire) vehicles;		
10			(iv)	Class C (funeral and ambulance) vehicles;		
11			(v)	Class H (school) vehicles;		
12			(vi)	Class I (charter bus) vehicles;		
13			(vii)	Class J (vanpool) vehicles;		
14			(viii)	Class P (passenger bus) vehicles;		
15			(ix)	Class Q (limousine) vehicles; and		
16			(x)	State or local government vehicles.		
17 18	7 (2) The person for whom special registration plates are issued under this 8 section or under a similar provision of any other state or country:					
	19 (i) 1. Except as provided in items (ii) and (iii) of this paragraph 20 may park for unlimited periods in parking zones restricted as to the length of parking 21 time permitted; and					
	22 2. Is not required to pay any parking meter fees of this State 23 or of any political subdivision of this State WHERE PARKING METERS DO NOT MEET 24 THE AMERICANS WITH DISABILITIES ACT;					
25 26	only for:		(ii)	May park in a parking space equipped with a parking meter		
	the maximum			1. Except as provided in item (ii)2 of this paragraph, twice mitted on the parking meter but not to exceed a		
30 31	hours, the J	period pe	rmitted or	2. If the parking meter permits parking for more than 4 in the parking meter; and		

	zone, may park in a State-owned airport		Subject to the posted time restriction specified for this parking zone for the handicapped established at any
4 5	(3) except that they do i		visions of this subsection supersede any local ordinance,
6 7	all vehicles;	(i)	To zones where stopping, standing, or parking is prohibited to
8		(ii)	To zones that are reserved for special types of vehicles; or
	heavy traffic period clearly would prese		Where there is a local ordinance that prohibits parking during ng, afternoon, or evening rush hours, or where parking hazard.
12	[(g)] (H)	When us	sing the parking privileges granted under this section:
15 16	special registration IDENTIFICATION	plates that ISSUED BEING U	son shall have in the person's possession [the application for is approved by the Administration; and] BY THE ADMINISTRATION AS PROOF THAT PARKING TILIZED BY A PERSON WITH A DISABILITY AS DEFINED IN IS SECTION; AND
18 19	* *		son shall make the [application for special registration railable upon the request of [a]:
20 21	of a police officer;	(I) OR	A police officer, while the officer is discharging the official duties
			ANY OTHER PERSON AUTHORIZED BY A POLITICAL TE THIS SECTION, WHILE ACTING WITHIN THE SCOPE OF
27 28 29	registration under the FOR DISABILITY PLATES, OR CER	nis section] REGISTR TIFYING (1) OF TH	n may not commit any fraud [in applying for special   OR MAKE ANY MISREPRESENTATION IN APPLYING !ATION PLATES, USING SPECIAL DISABILITY REGISTRATION AN INDIVIDUAL WITH A DISABILITY AS DEFINED IN IS SECTION FOR SPECIAL DISABILITY REGISTRATION
31 32	[(i) A pers	on may no	t commit any fraud in using special registration under
33 34	(j) A pers registration under the		t make any misrepresentation in applying for special
35 36	(k) A pers registration under the		t make any misrepresentation in using special ]

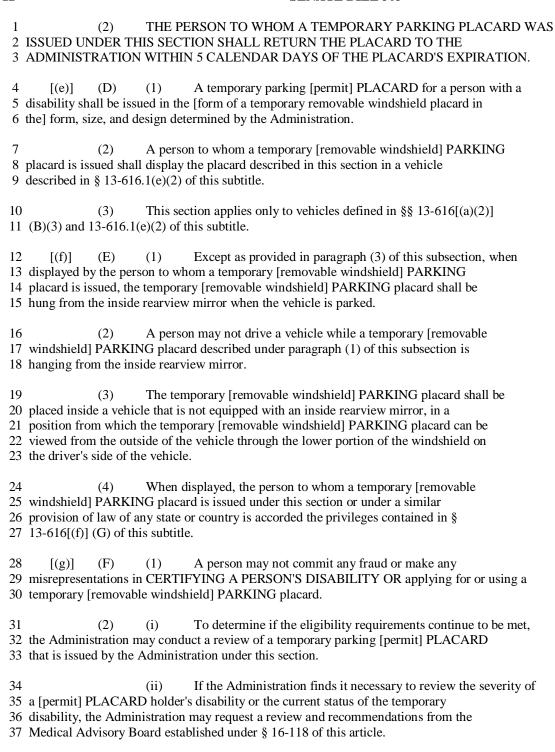


- 1 (N) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD
- 2 FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS,
- 3 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND
- 4 MAINTENANCE OF A DATABASE SYSTEM WITH WHICH THE ADMINISTRATION CAN
- 5 INTERFACE AND VERIFY LICENSURE.
- 6 13-616.1.
- 7 (a) A person may apply to the Administration for a parking [permit for a
- 8 person with a disability] PLACARD on a form provided by the Administration if the
- 9 applicant, A DEPENDANT OF THE APPLICANT, OR ANY INDIVIDUAL WHO DEPENDS ON
- 10 THE APPLICANT FOR TRANSPORTATION:
- 11 (1) [has] HAS a permanent [physical] disability as described in §
- 12 13-616 [(a)(1)] (B)(1) of this subtitle AND as certified by a LICENSED physician,
- 13 LICENSED CHIROPRACTOR, LICENSED OPTOMETRIST, OR LICENSED PODIATRIST, AS
- 14 DEFINED IN § 13-616(A) OF THIS SUBTITLE [and determined by the Administration];
- 15 OR
- 16 (2) HAS A PERMANENT DISABILITY AS DESCRIBED IN § 13-616(B)(1)(VI) OR
- 17 (VII) OF THIS SUBTITLE AND AS SELF-CERTIFIED AS PROVIDED BY § 13-616(B)(2)(IV)
- 18 OF THIS SUBTITLE.
- 19 (b) A parking [permit] PLACARD for a person with a disability may be issued
- 20 to an applicant described in subsection (a) of this section only if the applicant submits
- 21 proof satisfactory to the Administration that the applicant is a person with a
- 22 disability as described in § 13-616[(a)] (B) of this subtitle.
- 23 [(c) The Administration may establish and charge a fee for the issuance of the
- 24 permit and for the issuance of a duplicate permit.]
- 25 (C) (1) THE ADMINISTRATION MAY NOT ISSUE MORE THAN TWO PLACARDS
- 26 TO A PERSON APPLYING FOR A PLACARD UNDER THIS SECTION.
- 27 (2) THE ADMINISTRATION MAY NOT ISSUE TO A PERSON ISSUED
- 28 SPECIAL VEHICLE REGISTRATION PLATES UNDER § 13-616 OF THIS SUBTITLE A
- 29 COMBINATION OF SPECIAL DISABILITY REGISTRATION PLATES AND PLACARDS
- 30 EXCEEDING THREE.
- 31 (d) (1) A [permit] PLACARD issued under this section to an applicant
- 32 described in subsection (a) of this section expires 2 years from the date of issue.
- 33 (2) The [permit] PLACARD may be renewed on application with proof of
- 34 the [handicap or] disability [and payment of the prescribed fee].
- 35 (e) (1) A parking [permit] PLACARD for a person with a disability shall be
- 36 issued:





- 1 (1) ADMINISTER the removable windshield placard program in 2 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 PLACARDS IN A TIMELY
- 5 MANNER TO ENSURE THAT THE OBJECTIVES OF THE PLACARD PROGRAM ARE
- 6 ACHIEVED IN AN EFFICIENT AND ORDERLY MANNER.
- 7 (K) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD
- 8 FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS,
- 9 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND
- 10 MAINTENANCE OF A DATABASE SYSTEM, WITH WHICH THE ADMINISTRATION CAN
- 11 INTERFACE AND VERIFY LICENSURE.
- 12 13-616.2.
- 13 (a) A person may apply to the Administration for a temporary parking
- 14 [permit] PLACARD on a form provided by the Administration if:
- 15 (1) The [person] APPLICANT, A DEPENDENT OF THE APPLICANT, OR
- 16 ANY INDIVIDUAL WHO DEPENDS ON THE APPLICANT FOR TRANSPORTATION has a
- 17 disability, as [certified by a licensed physician] DESCRIBED IN § 13-616(B)(1) OF THIS
- 18 SUBTITLE; and
- 19 (2) [The Administration determines] A LICENSED PHYSICIAN AS
- 20 DEFINED IN § 13-616(A) OF THIS SUBTITLE CERTIFIES that the disability is not
- 21 permanent but would substantially impair the applicant's mobility or limit or impair
- 22 the applicant's ability to walk for at least 3 weeks, and is so severe that the applicant
- 23 would endure a hardship or be subject to risk of injury if the temporary parking
- 24 [permit] PLACARD were denied.
- 25 (b) An application under subsection (a) of this section shall be accompanied
- 26 by:
- 27 (1) Proof satisfactory to the Administration that the applicant is a person
- 28 with a disability under subsection (a) of this section; and
- 29 (2) The certification of a licensed physician, LICENSED CHIROPRACTOR,
- 30 LICENSED OPTOMETRIST, OR LICENSED PODIATRIST that the applicant is disabled,
- 31 including an estimate of the length of time the disability will continue.
- 32 (c) [The Administration may establish and charge a fee for the issuance of the
- 33 temporary parking permit for a person with a disability and for the issuance of a
- 34 duplicate placard.
- 35 (d)] (1) A temporary parking [permit] PLACARD for a person with a
- 36 disability issued under this section shall be valid for a period of time the LICENSED
- 37 physician, LICENSED CHIROPRACTOR, LICENSED OPTOMETRIST, OR LICENSED
- 38 PODIATRIST has determined that the applicant is likely to have the disability, not to
- 39 exceed 6 months.



- 1 (iii) If the Administration determines that eligibility requirements 2 are not being met, the Administration may revoke the temporary parking [permit] 3 PLACARD.
- 4 [(h)] (G) Any person who violates the provisions of this section is guilty of a 5 misdemeanor.
- 6 [(i)] (H) The Administration shall [administer]:
- 7 (1) ADMINISTER the temporary [removable windshield] PARKING 8 placard program in accordance with the provisions of this section; AND
- 9 (2) BY JULY 1, 2001, ESTABLISH AN AUTOMATED SYSTEM FOR
- 10 RECORDING THE ISSUANCE, RENEWAL, AND EXPIRATION OF TEMPORARY PLACARDS
- 11 IN A TIMELY MANNER TO ENSURE THAT THE OBJECTIVES OF THE TEMPORARY
- 12 PLACARD PROGRAM ARE ACHIEVED IN AN EFFICIENT AND ORDERLY MANNER.
- 13 (I) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD
- 14 FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS,
- 15 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND
- 16 MAINTENANCE OF A DATABASE SYSTEM WITH WHICH THE ADMINISTRATION CAN
- 17 INTERFACE AND VERIFY LICENSURE.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 19 October 1, 1999.