Unofficial Copy R5 1999 Regular Session 9lr0818 CF 9lr0992

By: Delegates Leopold, Owings, McIntosh, Rosso, Kittleman, Cadden, McKee, Shank, Hubbard, Glassman, and Boschert

Introduced and read first time: January 27, 1999 Assigned to: Commerce and Government Matters

A BILL ENTITLED

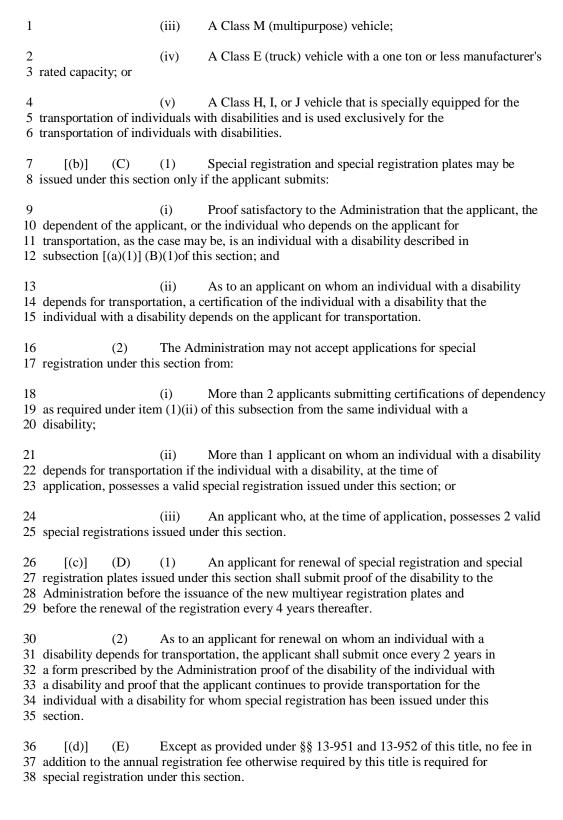
1 AN ACT concerning

)	Parking A	Access for	r 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,
- 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
- 10 under certain conditions; exempting certain individuals from paying fees to
- certain parking meters; requiring the Motor Vehicle Administration to create
- 12 certain parking placards; requiring certain individuals to have certain
- identification available for inspection by certain individuals at certain times;
- 14 requiring certain boards to develop and maintain certain databases; requiring
- 15 the Motor Vehicle Administration to establish certain automated systems by a
- 16 certain date; limiting the number of placards and special vehicle registration
- 17 plates an individual may receive under certain circumstances; prohibiting a
- person from fraudulently certifying the presence of certain physical conditions;
- defining certain terms; making stylistic changes; clarifying terms; and generally
- 20 relating to special registration plates, placards, and temporary placards for
- 21 individuals with disabilities.
- 22 BY repealing and reenacting, with amendments,
- 23 Article Transportation
- 24 Section 13-616, 13-616.1, and 13-616.2
- 25 Annotated Code of Maryland
- 26 (1998 Replacement Volume and 1998 Supplement)
- 27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 28 MARYLAND, That the Laws of Maryland read as follows:

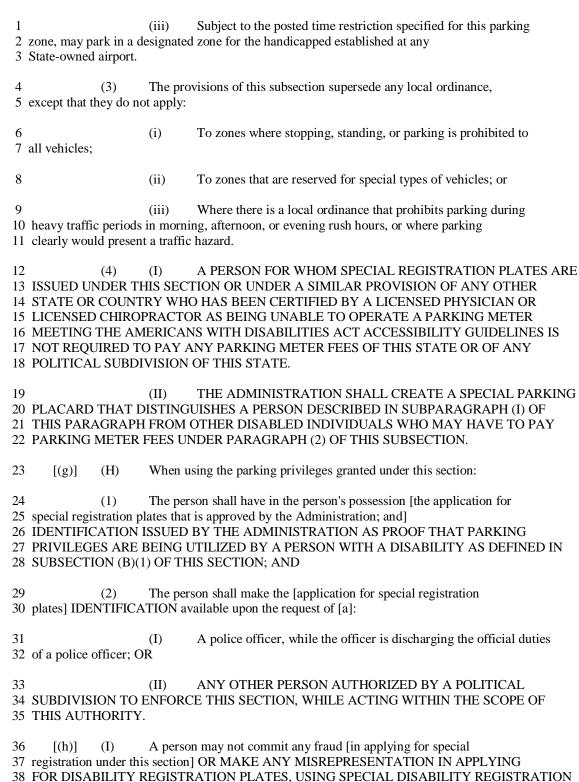
1 **Article - Transportation** 2 13-616. (a) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS 3 (1) 4 INDICATED. 5 "LICENSED CHIROPRACTOR" MEANS A CHIROPRACTOR WHO IS (2) 6 LICENSED BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO PRACTICE 7 CHIROPRACTIC OR CHIROPRACTIC WITH THE RIGHT TO PRACTICE 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;

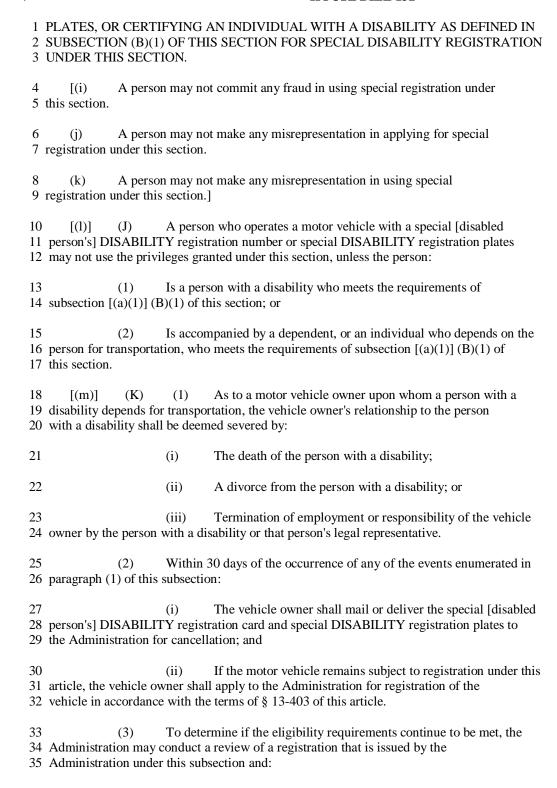
	(IV) FROM, A BRACE, CANE, C ASSISTIVE DEVICE;		BLE TO WALK WITHOUT THE USE OF, OR ASSISTANCE ANOTHER PERSON, PROSTHETIC DEVICE, OR OTHER			
4	(V)	REQUI	RES A WHEELCHAIR FOR MOBILITY;			
5	(VI)	HAS LO	OST, OR LOST THE USE OF, A FOOT OR LEG;			
6	(VII)	HAS LO	OST, OR LOST THE USE OF, AN ARM OR A HAND;			
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 idest diameter of visual field subtends an grees in the better eye; or			
15 16	licensed physician, and detern 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.			
18 (2) FOR THE PURPOSES OF THIS SECTION, THE QUALIFYING 19 DISABILITIES SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE 20 CERTIFIED AS FOLLOWS:						
21 22	(I) IN PARAGRAPH (1)(I) THE		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 I 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 specia	al registration number assigned under this section shall:	
2 3	specifies; a	(1) nd	Consist	of the letters, numerals, or both that the Administration	
4 5	together wi	(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:				
	9 (i) 1. Except as provided in items (ii) and (iii) of this paragraph may park for unlimited periods in parking zones restricted as to the length of parking 1 time permitted; and				
	2. Is not required to pay any parking meter fees of this Stat 3 or of any political subdivision of this State WHERE PARKING METERS DO NOT MEET 4 THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES;				
25 26	only for:		(ii)	May park in a parking space equipped with a parking meter	
	the maxim 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	period per	mitted or	2. If the parking meter permits parking for more than 4 the parking meter; and	

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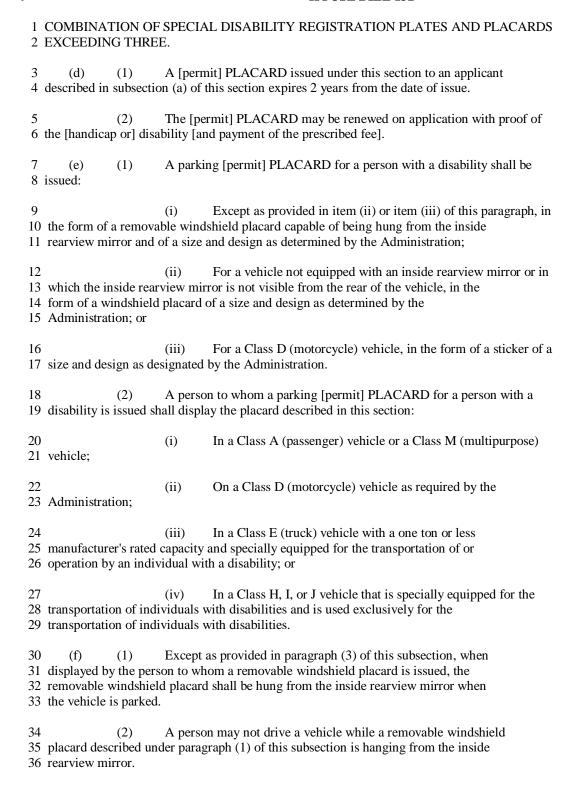
HOUSE BILL 132 1 If the Administration finds it necessary to review the severity or (i) 2 permanency of a registration holder's disability, the Administration may request a 3 review and recommendations from the Medical Advisory Board established under § 4 16-118 of this article; and If the Administration determines that eligibility requirements (ii) 6 are not being met, the Administration may revoke the registration. 7 Any person who violates the provisions of this section is guilty of a 8 misdemeanor, in accordance with the terms of § 27-101 of this article. 9 The Administration shall administer the special registration plates [(0)](M) program in accordance with the provisions of this section. 11 IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD 12 FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS, 13 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND 14 MAINTENANCE OF A DATABASE SYSTEM WITH WHICH THE ADMINISTRATION CAN 15 INTERFACE AND VERIFY LICENSURE. 16 13-616.1. 17 A person may apply to the Administration for a parking [permit for a (a) 18 person with a disability] PLACARD on a form provided by the Administration if the 19 applicant, A DEPENDANT OF THE APPLICANT, OR ANY INDIVIDUAL WHO DEPENDS ON 20 THE APPLICANT FOR TRANSPORTATION: 21 [has] HAS a permanent [physical] disability as described in § 22 13-616 [(a)(1)] (B)(1) of this subtitle AND as certified by a LICENSED physician, 23 LICENSED CHIROPRACTOR, LICENSED OPTOMETRIST, OR LICENSED PODIATRIST, AS 24 DEFINED IN § 13-616(A) OF THIS SUBTITLE [and determined by the Administration]; 25 OR HAS A PERMANENT DISABILITY AS DESCRIBED IN § 13-616(B)(1)(VI) OR 26 (2) 27 (VII) OF THIS SUBTITLE AND AS SELF-CERTIFIED AS PROVIDED BY § 13-616(B)(2)(IV) 28 OF THIS SUBTITLE. 29 A parking [permit] PLACARD for a person with a disability may be issued 30 to an applicant described in subsection (a) of this section only if the applicant submits 31 proof satisfactory to the Administration that the applicant is a person with a 32 disability as described in § 13-616[(a)] (B) of this subtitle. 33 The Administration may establish and charge a fee for the issuance of the 34 permit and for the issuance of a duplicate permit.]

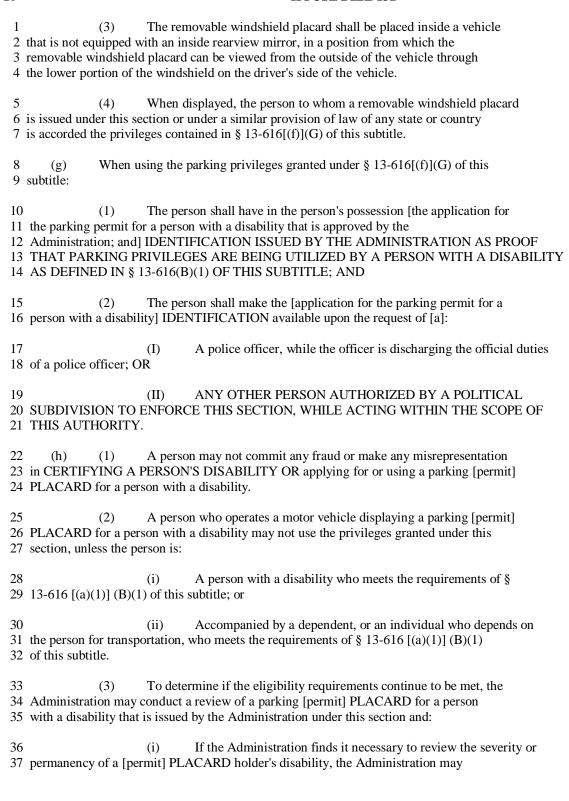
THE ADMINISTRATION MAY NOT ISSUE MORE THAN TWO PLACARDS

THE ADMINISTRATION MAY NOT ISSUE TO A PERSON ISSUED

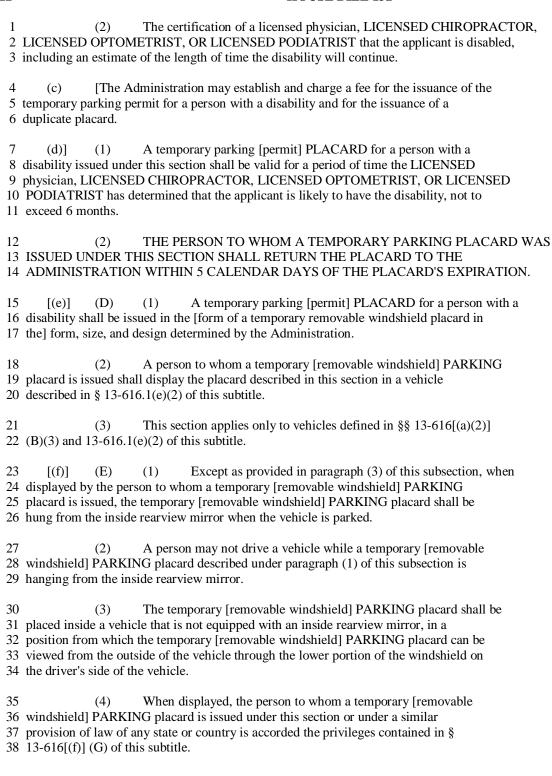
36 TO A PERSON APPLYING FOR A PLACARD UNDER THIS SECTION.

38 SPECIAL VEHICLE REGISTRATION PLATES UNDER § 13-616 OF THIS SUBTITLE A





1 request a review and recommendations from the Medical Advisory Board established 2 under § 16-118 of this article; and (ii) If the Administration determines that eligibility requirements 4 are not being met, the Administration may revoke the parking [permit] PLACARD for 5 a person with a disability. 6 Any person who violates the provisions of this section is guilty of a (i) 7 misdemeanor. 8 (j) The Administration shall [administer]: 9 ADMINISTER the removable windshield placard program in 10 accordance with the provisions of this section; AND 11 BY JULY 1, 2001, ESTABLISH AN AUTOMATED SYSTEM FOR 12 RECORDING THE ISSUANCE, RENEWAL, AND EXPIRATION OF PLACARDS IN A TIMELY 13 MANNER TO ENSURE THAT THE OBJECTIVES OF THE PLACARD PROGRAM ARE 14 ACHIEVED IN AN EFFICIENT AND ORDERLY MANNER. IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD 15 (K) 16 FOR LICENSED PHYSICIANS. LICENSED CHIROPRACTORS. LICENSED OPTOMETRISTS. 17 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND 18 MAINTENANCE OF A DATABASE SYSTEM, WITH WHICH THE ADMINISTRATION CAN 19 INTERFACE AND VERIFY LICENSURE. 20 13-616.2. 21 (a) A person may apply to the Administration for a temporary parking 22 [permit] PLACARD on a form provided by the Administration if: 23 The [person] APPLICANT, A DEPENDENT OF THE APPLICANT, OR (1) 24 ANY INDIVIDUAL WHO DEPENDS ON THE APPLICANT FOR TRANSPORTATION has a 25 disability, as [certified by a licensed physician] DESCRIBED IN § 13-616(B)(1) OF THIS 26 SUBTITLE; and [The Administration determines] A LICENSED PHYSICIAN AS 27 (2) 28 DEFINED IN § 13-616(A) OF THIS SUBTITLE CERTIFIES that the disability is not 29 permanent but would substantially impair the applicant's mobility or limit or impair 30 the applicant's ability to walk for at least 3 weeks, and is so severe that the applicant 31 would endure a hardship or be subject to risk of injury if the temporary parking 32 [permit] PLACARD were denied. An application under subsection (a) of this section shall be accompanied 33 (b) 34 by: Proof satisfactory to the Administration that the applicant is a person (1) 36 with a disability under subsection (a) of this section; and



29 October 1, 1999.

