

HOUSE BILL 132

Unofficial Copy
R5

1999 Regular Session
9r0818
CF 9r0992

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

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
10 under certain conditions; exempting certain individuals from paying fees to
11 certain parking meters; requiring the Motor Vehicle Administration to create
12 certain parking placards; requiring certain individuals to have certain
13 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
18 person from fraudulently certifying the presence of certain physical conditions;
19 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.

3 (a) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.

5 (2) "LICENSED CHIROPRACTOR" MEANS A CHIROPRACTOR WHO IS
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.

9 (3) "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 (4) "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.

16 (5) "LICENSED PODIATRIST" MEANS A PODIATRIST WHO IS LICENSED BY
17 THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS TO PRACTICE PODIATRY AS
18 DESCRIBED IN § 16-101 OF THE HEALTH OCCUPATIONS ARTICLE.

19 (B) (1) The owner of any vehicle described in paragraph [(2)] (3) of this
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 (i) [Has permanently lost the use of a leg or an arm;

27 (ii) Is so severely and permanently disabled as to be unable to move
28 without a wheelchair or crutches;

29 (iii) So suffers from lung disease that his forced expiratory volume,
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;

34 (II) HAS CARDIOVASCULAR DISEASE LIMITATIONS CLASSIFIED IN
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;

1 (IV) IS UNABLE TO WALK WITHOUT THE USE OF, OR ASSISTANCE
2 FROM, A BRACE, CANE, CRUTCH, ANOTHER PERSON, PROSTHETIC DEVICE, OR OTHER
3 ASSISTIVE DEVICE;

4 (V) REQUIRES A WHEELCHAIR FOR MOBILITY;

5 (VI) HAS LOST, OR LOST THE USE OF, A FOOT OR LEG;

6 (VII) HAS LOST, OR LOST THE USE OF, AN ARM OR A HAND;

7 [(iv)] (VIII) Has a permanent impairment of both eyes so that:

8 1. The central visual acuity is 20/200 or less in the better eye,
9 with corrective glasses; or

10 2. There is a field defect in which the peripheral field has
11 contracted to such an extent that the widest diameter of visual field subtends an
12 angular distance no greater than 20 degrees in the better eye; or

13 [(v)] (IX) Has a [physical] PERMANENT disability[, as certified by a
14 licensed physician, and determined by the Administration, which is permanent, which
15 substantially impairs the person's mobility, and] which is so severe that the person
16 would endure a hardship or be subject to a risk of injury if the privileges accorded a
17 person for whom a vehicle is specially 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 (I) A LICENSED PHYSICIAN MAY CERTIFY CONDITIONS SPECIFIED
22 IN PARAGRAPH (1)(I) THROUGH (IX) OF THIS SUBSECTION;

23 (II) A LICENSED CHIROPRACTOR OR A LICENSED PODIATRIST MAY
24 CERTIFY CONDITIONS SPECIFIED IN PARAGRAPH (1)(III) THROUGH (VII) AND (IX) OF
25 THIS SUBSECTION;

26 (III) A LICENSED OPTOMETRIST MAY CERTIFY THE CONDITION
27 SPECIFIED IN PARAGRAPH (1)(VIII) OF THIS SUBSECTION; AND

28 (IV) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (1) OF
29 THIS SUBSECTION, THE APPLICANT MAY SELF-CERTIFY CONDITIONS SPECIFIED IN
30 PARAGRAPH (1)(VI) AND (VII) OF THIS SUBSECTION BY APPEARING IN PERSON WITH
31 PROPER IDENTIFICATION AT A FULL-SERVICE MOTOR VEHICLE ADMINISTRATION
32 OFFICE DURING NORMAL BUSINESS HOURS.

33 (3) This section applies only to:

34 (i) A Class A (passenger) vehicle;

35 (ii) A Class D (motorcycle) vehicle;

- 1 (iii) A Class M (multipurpose) vehicle;
- 2 (iv) A Class E (truck) vehicle with a one ton or less manufacturer's
3 rated capacity; or
- 4 (v) A Class H, I, or J vehicle that is specially equipped for the
5 transportation of individuals with disabilities and is used exclusively for the
6 transportation of individuals with disabilities.

7 [(b)] (C) (1) Special registration and special registration plates may be
8 issued under this section only if the applicant submits:

9 (i) Proof satisfactory to the Administration that the applicant, the
10 dependent of the applicant, or the individual who depends on the applicant for
11 transportation, as the case may be, is an individual with a disability described in
12 subsection [(a)(1)] (B)(1) of this section; and

13 (ii) As to an applicant on whom an individual with a disability
14 depends for transportation, a certification of the individual with a disability that the
15 individual with a disability depends on the applicant for transportation.

16 (2) The Administration may not accept applications for special
17 registration under this section from:

18 (i) More than 2 applicants submitting certifications of dependency
19 as required under item (1)(ii) of this subsection from the same individual with a
20 disability;

21 (ii) More than 1 applicant on whom an individual with a disability
22 depends for transportation if the individual with a disability, at the time of
23 application, possesses a valid special registration issued under this section; or

24 (iii) An applicant who, at the time of application, possesses 2 valid
25 special registrations issued under this section.

26 [(c)] (D) (1) An applicant for renewal of special registration and special
27 registration plates issued under this section shall submit proof of the disability to the
28 Administration before the issuance of the new multiyear registration plates and
29 before the renewal of the registration every 4 years thereafter.

30 (2) As to an applicant for renewal on whom an individual with a
31 disability depends for transportation, the applicant shall submit once every 2 years in
32 a form prescribed by the Administration proof of the disability of the individual with
33 a disability and proof that the applicant continues to provide transportation for the
34 individual with a disability for whom special registration has been issued under this
35 section.

36 [(d)] (E) Except as provided under §§ 13-951 and 13-952 of this title, no fee in
37 addition to the annual registration fee otherwise required by this title is required for
38 special registration under this section.

1 [(e)] (F) A special registration number assigned under this section shall:

2 (1) Consist of the letters, numerals, or both that the Administration
3 specifies; and

4 (2) Be displayed on special registration plates issued for the vehicle,
5 together with the International 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 (2) The person for whom special registration plates are issued under this
18 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 ACCESSIBILITY GUIDELINES;

25 (ii) May park in a parking space equipped with a parking meter
26 only for:

27 1. Except as provided in item (ii)² of this paragraph, twice
28 the maximum time period permitted on the parking meter but not to exceed a
29 maximum of 4 hours; and

30 2. If the parking meter permits parking for more than 4
31 hours, the period permitted on the parking meter; and

1 (iii) Subject to the posted time restriction specified for this parking
2 zone, may park in a designated zone for the handicapped established at any
3 State-owned airport.

4 (3) The provisions of this subsection supersede any local ordinance,
5 except that they do not apply:

6 (i) To zones where stopping, standing, or parking is prohibited to
7 all vehicles;

8 (ii) To zones that are reserved for special types of vehicles; or

9 (iii) Where there is a local ordinance that prohibits parking during
10 heavy traffic periods in morning, afternoon, or evening rush hours, or where parking
11 clearly would present a traffic hazard.

12 (4) (I) A PERSON FOR WHOM SPECIAL REGISTRATION PLATES ARE
13 ISSUED UNDER THIS SECTION OR UNDER A SIMILAR PROVISION OF ANY OTHER
14 STATE OR COUNTRY WHO HAS BEEN CERTIFIED BY A LICENSED PHYSICIAN OR
15 LICENSED CHIROPRACTOR AS BEING UNABLE TO OPERATE A PARKING METER
16 MEETING THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES IS
17 NOT REQUIRED TO PAY ANY PARKING METER FEES OF THIS STATE OR OF ANY
18 POLITICAL SUBDIVISION OF THIS STATE.

19 (II) THE ADMINISTRATION SHALL CREATE A SPECIAL PARKING
20 PLACARD THAT DISTINGUISHES A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF
21 THIS PARAGRAPH FROM OTHER DISABLED INDIVIDUALS WHO MAY HAVE TO PAY
22 PARKING METER FEES UNDER PARAGRAPH (2) OF THIS SUBSECTION.

23 [(g)] (H) When using the parking privileges granted under this section:

24 (1) The person shall have in the person's possession [the application for
25 special registration plates that is approved by the Administration; and]
26 IDENTIFICATION ISSUED BY THE ADMINISTRATION AS PROOF THAT PARKING
27 PRIVILEGES ARE BEING UTILIZED BY A PERSON WITH A DISABILITY AS DEFINED IN
28 SUBSECTION (B)(1) OF THIS SECTION; AND

29 (2) The person shall make the [application for special registration
30 plates] IDENTIFICATION available upon the request of [a]:

31 (I) A police officer, while the officer is discharging the official duties
32 of a police officer; OR

33 (II) ANY OTHER PERSON AUTHORIZED BY A POLITICAL
34 SUBDIVISION TO ENFORCE THIS SECTION, WHILE ACTING WITHIN THE SCOPE OF
35 THIS AUTHORITY.

36 [(h)] (I) A person may not commit any fraud [in applying for special
37 registration under this section] OR MAKE ANY MISREPRESENTATION IN APPLYING
38 FOR DISABILITY REGISTRATION PLATES, USING SPECIAL DISABILITY REGISTRATION

1 PLATES, OR CERTIFYING AN INDIVIDUAL WITH A DISABILITY AS DEFINED IN
2 SUBSECTION (B)(1) OF THIS SECTION FOR SPECIAL DISABILITY REGISTRATION
3 UNDER THIS SECTION.

4 (i) A person may not commit any fraud in using special registration under
5 this section.

6 (j) A person may not make any misrepresentation in applying for special
7 registration under this section.

8 (k) A person may not make any misrepresentation in using special
9 registration under this section.]

10 [(l)] (J) A person who operates a motor vehicle with a special [disabled
11 person's] DISABILITY registration number or special DISABILITY registration plates
12 may not use the privileges granted under this section, unless the person:

13 (1) Is a person with a disability who meets the requirements of
14 subsection [(a)(1)] (B)(1) of this section; or

15 (2) Is accompanied by a dependent, or an individual who depends on the
16 person for transportation, who meets the requirements of subsection [(a)(1)] (B)(1) of
17 this section.

18 [(m)] (K) (1) As to a motor vehicle owner upon whom a person with a
19 disability depends for transportation, the vehicle owner's relationship to the person
20 with a disability shall be deemed severed by:

21 (i) The death of the person with a disability;

22 (ii) A divorce from the person with a disability; or

23 (iii) Termination of employment or responsibility of the vehicle
24 owner by the person with a disability or that person's legal representative.

25 (2) Within 30 days of the occurrence of any of the events enumerated in
26 paragraph (1) of this subsection:

27 (i) The vehicle owner shall mail or deliver the special [disabled
28 person's] DISABILITY registration card and special DISABILITY registration plates to
29 the Administration for cancellation; and

30 (ii) If the motor vehicle remains subject to registration under this
31 article, the vehicle owner shall apply to the Administration for registration of the
32 vehicle in accordance with the terms of § 13-403 of this article.

33 (3) To determine if the eligibility requirements continue to be met, the
34 Administration may conduct a review of a registration that is issued by the
35 Administration under this subsection and:

1 (i) If the Administration finds it necessary to review the severity or
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

5 (ii) If the Administration determines that eligibility requirements
6 are not being met, the Administration may revoke the registration.

7 [(n)] (L) 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 [(o)] (M) The Administration shall administer the special registration plates
10 program in accordance with the provisions of this section.

11 (N) 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) A person may apply to the Administration for a parking [permit for 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 (1) [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

26 (2) HAS A PERMANENT DISABILITY AS DESCRIBED IN § 13-616(B)(1)(VI) OR
27 (VII) OF THIS SUBTITLE AND AS SELF-CERTIFIED AS PROVIDED BY § 13-616(B)(2)(IV)
28 OF THIS SUBTITLE.

29 (b) 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 [(c)] (c) The Administration may establish and charge a fee for the issuance of the
34 permit and for the issuance of a duplicate permit.]

35 (C) (1) THE ADMINISTRATION MAY NOT ISSUE MORE THAN TWO PLACARDS
36 TO A PERSON APPLYING FOR A PLACARD UNDER THIS SECTION.

37 (2) THE ADMINISTRATION MAY NOT ISSUE TO A PERSON ISSUED
38 SPECIAL VEHICLE REGISTRATION PLATES UNDER § 13-616 OF THIS SUBTITLE A

1 COMBINATION OF SPECIAL DISABILITY REGISTRATION PLATES AND PLACARDS
2 EXCEEDING THREE.

3 (d) (1) A [permit] PLACARD issued under this section to an applicant
4 described in subsection (a) of this section expires 2 years from the date of issue.

5 (2) The [permit] PLACARD may be renewed on application with proof of
6 the [handicap or] disability [and payment of the prescribed fee].

7 (e) (1) A parking [permit] PLACARD for a person with a disability shall be
8 issued:

9 (i) Except as provided in item (ii) or item (iii) of this paragraph, in
10 the form of a removable windshield placard capable of being hung from the inside
11 rearview mirror and of a size and design as determined by the Administration;

12 (ii) For a vehicle not equipped with an inside rearview mirror or in
13 which the inside rearview mirror is not visible from the rear of the vehicle, in the
14 form of a windshield placard of a size and design as determined by the
15 Administration; or

16 (iii) For a Class D (motorcycle) vehicle, in the form of a sticker of a
17 size and design as designated by the Administration.

18 (2) A person to whom a parking [permit] PLACARD for a person with a
19 disability is issued shall display the placard described in this section:

20 (i) In a Class A (passenger) vehicle or a Class M (multipurpose)
21 vehicle;

22 (ii) On a Class D (motorcycle) vehicle as required by the
23 Administration;

24 (iii) In a Class E (truck) vehicle with a one ton or less
25 manufacturer's rated capacity and specially equipped for the transportation of or
26 operation by an individual with a disability; or

27 (iv) In a Class H, I, or J vehicle that is specially equipped for the
28 transportation of individuals with disabilities and is used exclusively for the
29 transportation of individuals with disabilities.

30 (f) (1) Except as provided in paragraph (3) of this subsection, when
31 displayed by the person to whom a removable windshield placard is issued, the
32 removable windshield placard shall be hung from the inside rearview mirror when
33 the vehicle is parked.

34 (2) A person may not drive a vehicle while a removable windshield
35 placard described under paragraph (1) of this subsection is hanging from the inside
36 rearview mirror.

1 (3) The removable windshield placard shall be placed inside a vehicle
2 that is not equipped with an inside rearview mirror, in a position from which the
3 removable windshield placard can be viewed from the outside of the vehicle through
4 the lower portion of the windshield on the driver's side of the vehicle.

5 (4) When displayed, the person to whom a removable windshield placard
6 is issued under this section or under a similar provision of law of any state or country
7 is accorded the privileges contained in § 13-616[(f)](G) of this subtitle.

8 (g) When using the parking privileges granted under § 13-616[(f)](G) of this
9 subtitle:

10 (1) The person shall have in the person's possession [the application for
11 the parking permit for a person with a disability that is approved by the
12 Administration; and] IDENTIFICATION ISSUED BY THE ADMINISTRATION AS PROOF
13 THAT PARKING PRIVILEGES ARE BEING UTILIZED BY A PERSON WITH A DISABILITY
14 AS DEFINED IN § 13-616(B)(1) OF THIS SUBTITLE; AND

15 (2) The person shall make the [application for the parking permit for a
16 person with a disability] IDENTIFICATION available upon the request of [a]:

17 (I) A police officer, while the officer is discharging the official duties
18 of a police officer; OR

19 (II) ANY OTHER PERSON AUTHORIZED BY A POLITICAL
20 SUBDIVISION TO ENFORCE THIS SECTION, WHILE ACTING WITHIN THE SCOPE OF
21 THIS AUTHORITY.

22 (h) (1) A person may not commit any fraud or make any misrepresentation
23 in CERTIFYING A PERSON'S DISABILITY OR applying for or using a parking [permit]
24 PLACARD for a person with a disability.

25 (2) A person who operates a motor vehicle displaying a parking [permit]
26 PLACARD for a person with a disability may not use the privileges granted under this
27 section, unless the person is:

28 (i) A person with a disability who meets the requirements of §
29 13-616 [(a)(1)] (B)(1) of this subtitle; or

30 (ii) Accompanied by a dependent, or an individual who depends on
31 the person for transportation, who meets the requirements of § 13-616 [(a)(1)] (B)(1)
32 of this subtitle.

33 (3) To determine if the eligibility requirements continue to be met, the
34 Administration may conduct a review of a parking [permit] PLACARD for a person
35 with a disability that is issued by the Administration under this section and:

36 (i) If the Administration finds it necessary to review the severity or
37 permanency of a [permit] PLACARD holder's disability, the Administration may

1 request a review and recommendations from the Medical Advisory Board established
2 under § 16-118 of this article; and

3 (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 (i) Any person who violates the provisions of this section is guilty of a
7 misdemeanor.

8 (j) The Administration shall [administer]:

9 (1) ADMINISTER the removable windshield placard program in
10 accordance with the provisions of this section; AND

11 (2) 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.

15 (K) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD
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 (1) The [person] APPLICANT, A DEPENDENT OF THE APPLICANT, OR
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

27 (2) [The Administration determines] A LICENSED PHYSICIAN AS
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.

33 (b) An application under subsection (a) of this section shall be accompanied
34 by:

35 (1) Proof satisfactory to the Administration that the applicant is a person
36 with a disability under subsection (a) of this section; and

1 (2) The certification of a licensed physician, LICENSED CHIROPRACTOR,
2 LICENSED OPTOMETRIST, OR LICENSED PODIATRIST that the applicant is disabled,
3 including an estimate of the length of time the disability will continue.

4 (c) [The Administration may establish and charge a fee for the issuance of the
5 temporary parking permit for a person with a disability and for the issuance of a
6 duplicate placard.

7 (d)] (1) A temporary parking [permit] PLACARD for a person with a
8 disability issued under this section shall be valid for a period of time the LICENSED
9 physician, LICENSED CHIROPRACTOR, LICENSED OPTOMETRIST, OR LICENSED
10 PODIATRIST has determined that the applicant is likely to have the disability, not to
11 exceed 6 months.

12 (2) THE PERSON TO WHOM A TEMPORARY PARKING PLACARD WAS
13 ISSUED UNDER THIS SECTION SHALL RETURN THE PLACARD TO THE
14 ADMINISTRATION WITHIN 5 CALENDAR DAYS OF THE PLACARD'S EXPIRATION.

15 [(e)] (D) (1) A temporary parking [permit] PLACARD for a person with a
16 disability shall be issued in the [form of a temporary removable windshield placard in
17 the] form, size, and design determined by the Administration.

18 (2) A person to whom a temporary [removable windshield] PARKING
19 placard is issued shall display the placard described in this section in a vehicle
20 described in § 13-616.1(e)(2) of this subtitle.

21 (3) This section applies only to vehicles defined in §§ 13-616[(a)(2)]
22 (B)(3) and 13-616.1(e)(2) of this subtitle.

23 [(f)] (E) (1) Except as provided in paragraph (3) of this subsection, when
24 displayed by the person to whom a temporary [removable windshield] PARKING
25 placard is issued, the temporary [removable windshield] PARKING placard shall be
26 hung from the inside rearview mirror when the vehicle is parked.

27 (2) A person may not drive a vehicle while a temporary [removable
28 windshield] PARKING placard described under paragraph (1) of this subsection is
29 hanging from the inside rearview mirror.

30 (3) The temporary [removable windshield] PARKING placard shall be
31 placed inside a vehicle that is not equipped with an inside rearview mirror, in a
32 position from which the temporary [removable windshield] PARKING placard can be
33 viewed from the outside of the vehicle through the lower portion of the windshield on
34 the driver's side of the vehicle.

35 (4) When displayed, the person to whom a temporary [removable
36 windshield] PARKING placard is issued under this section or under a similar
37 provision of law of any state or country is accorded the privileges contained in §
38 13-616[(f)] (G) of this subtitle.

1 [(g)] (F) (1) A person may not commit any fraud or make any
2 misrepresentations in CERTIFYING A PERSON'S DISABILITY OR applying for or using a
3 temporary [removable windshield] PARKING placard.

4 (2) (i) To determine if the eligibility requirements continue to be met,
5 the Administration may conduct a review of a temporary parking [permit] PLACARD
6 that is issued by the Administration under this section.

7 (ii) If the Administration finds it necessary to review the severity of
8 a [permit] PLACARD holder's disability or the current status of the temporary
9 disability, the Administration may request a review and recommendations from the
10 Medical Advisory Board established under § 16-118 of this article.

11 (iii) If the Administration determines that eligibility requirements
12 are not being met, the Administration may revoke the temporary parking [permit]
13 PLACARD.

14 [(h)] (G) Any person who violates the provisions of this section is guilty of a
15 misdemeanor.

16 [(i)] (H) The Administration shall [administer]:

17 (1) ADMINISTER the temporary [removable windshield] PARKING
18 placard program in accordance with the provisions of this section; AND

19 (2) BY JULY 1, 2001, ESTABLISH AN AUTOMATED SYSTEM FOR
20 RECORDING THE ISSUANCE, RENEWAL, AND EXPIRATION OF TEMPORARY PLACARDS
21 IN A TIMELY MANNER TO ENSURE THAT THE OBJECTIVES OF THE TEMPORARY
22 PLACARD PROGRAM ARE ACHIEVED IN AN EFFICIENT AND ORDERLY MANNER.

23 (I) IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, EACH BOARD
24 FOR LICENSED PHYSICIANS, LICENSED CHIROPRACTORS, LICENSED OPTOMETRISTS,
25 OR LICENSED PODIATRISTS SHALL BE RESPONSIBLE FOR THE DEVELOPMENT AND
26 MAINTENANCE OF A DATABASE SYSTEM WITH WHICH THE ADMINISTRATION CAN
27 INTERFACE AND VERIFY LICENSURE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1999.