

HOUSE BILL 56

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HB 471/00 - CGM

2001 Regular Session
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(PRE-FILED)

By: **Delegate Zirkin**
Requested: November 14, 2000
Introduced and read first time: January 10, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Parking Access - Persons with Disabilities - Proof of Disability**

3 FOR the purpose of granting a person with a disability to whom special disability
4 registration plates or parking placards have been issued the option to have the
5 Motor Vehicle Administration place a special disability endorsement on the
6 person's driver's license to be used as proof that certain parking privileges are
7 being utilized by a person with a disability; requiring a person using certain
8 disabled persons' parking privileges to provide a specially endorsed driver's
9 license upon the request of certain law enforcement officers or other authorized
10 persons under certain circumstances; and generally relating to parking access
11 for persons with disabilities and the proof of disability.

12 BY repealing and reenacting, without amendments,
13 Article - Transportation
14 Section 13-616(b)(1) and (g)
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2000 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Transportation
19 Section 13-616(h) and 13-616.1(g)
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2000 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Transportation**

25 13-616.

26 (b) (1) The owner of any vehicle described in paragraph (3) of this subsection
27 may apply to the Administration for the assignment to that vehicle of a special

1 disability registration number and special disability registration plates, if a licensed
2 physician, licensed chiropractor, licensed optometrist, or licensed podiatrist certifies,
3 in accordance with paragraph (2) of this subsection, that the applicant, a dependent of
4 the applicant, or any individual who depends on the applicant for transportation:

5 (i) Has lung disease to such an extent that forced (respiratory)
6 expiratory volume for one second when measured by spirometry is less than one liter,
7 or arterial oxygen tension (P02) is less than 60 mm/hg on room air at rest;

8 (ii) Has cardiovascular disease limitations classified in severity as
9 Class III or Class IV according to standards accepted by the American Heart
10 Association;

11 (iii) Is unable to walk 200 feet without stopping to rest;

12 (iv) Is unable to walk without the use of, or assistance from, a brace,
13 cane, crutch, another person, prosthetic device, or other assistive device;

14 (v) Requires a wheelchair for mobility;

15 (vi) Has lost, or lost the use of, a foot or leg;

16 (vii) Has lost, or lost the use of, an arm or a hand;

17 (viii) Has a permanent impairment of both eyes so that:

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

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

23 (ix) Has a permanent disability which is so severe that the person
24 would endure a hardship or be subject to a risk of injury if the privileges accorded a
25 person for whom a vehicle is specially registered under this section were denied.

26 (g) (1) In this subsection "special types of vehicles" means:

27 (i) Emergency vehicles defined under § 11-118 of this article;

28 (ii) Service vehicles defined under § 22-201 of this article;

29 (iii) Class B (for hire) vehicles;

30 (iv) Class C (funeral and ambulance) vehicles;

31 (v) Class H (school) vehicles;

32 (vi) Class I (charter bus) vehicles;

- 1 (vii) Class J (vanpool) vehicles;
2 (viii) Class P (passenger bus) vehicles;
3 (ix) Class Q (limousine) vehicles; and
4 (x) State or local government vehicles.

5 (2) The person for whom special registration plates are issued under this
6 section or under a similar provision of any other state or country:

7 (i) 1. Except as provided in items (ii) and (iii) of this paragraph,
8 may park for unlimited periods in parking zones restricted as to the length of parking
9 time permitted; and

10 2. Is not required to pay any parking meter fees of this State
11 or of any political subdivision of this State where parking meters do not meet the
12 Americans with Disabilities Act;

13 (ii) May park in a parking space equipped with a parking meter
14 only for:

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

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

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

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

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

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

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

31 (h) When using the parking privileges granted under this section:

32 (1) The person shall have in the person's possession [identification
33 issued by the Administration] as proof that parking privileges are being utilized by a
34 person with a disability as defined in subsection (b)(1) of this section:

1 (I) IDENTIFICATION ISSUED BY THE ADMINISTRATION; OR

2 (II) THE PERSON'S DRIVER'S LICENSE CONTAINING A SPECIAL
3 DISABILITY ENDORSEMENT PLACED ON THE LICENSE BY THE ADMINISTRATION; and

4 (2) The person shall make the identification OR SPECIALLY ENDORSED
5 DRIVER'S LICENSE available upon the request of:

6 (i) A police officer, while the officer is discharging the official
7 duties of a police officer; or

8 (ii) Any other person authorized by a political subdivision to enforce
9 this section, while acting within the scope of this authority.

10 13-616.1.

11 (g) When using the parking privileges granted under § 13-616(g) of this
12 subtitle:

13 (1) The person shall have in the person's possession [identification
14 issued by the Administration] as proof that parking privileges are being utilized by a
15 person with a disability as defined in § 13-616(b)(1) of this subtitle:

16 (I) IDENTIFICATION ISSUED BY THE ADMINISTRATION; OR

17 (II) THE PERSON'S DRIVER'S LICENSE CONTAINING A SPECIAL
18 DISABILITY ENDORSEMENT PLACED ON THE LICENSE BY THE ADMINISTRATION; and

19 (2) The person shall make the identification OR SPECIALLY ENDORSED
20 DRIVER'S LICENSE available upon the request of:

21 (i) A police officer, while the officer is discharging the official
22 duties of a police officer; or

23 (ii) Any other person authorized by a political subdivision to enforce
24 this section, while acting within the scope of this authority.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2001.