
By: **Delegates Mandel, Aumann, Boutin, Goldwater, Hammen, Hubbard,
Lee, Leopold, Madaleno, McComas, McDonough, Montgomery,
Nathan-Pulliam, Pendergrass, and Sophocleus**

Introduced and read first time: February 10, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program - Exemptions - Individuals with**
3 **Disabilities**

4 FOR the purpose of requiring the Motor Vehicle Administration, when issuing a
5 parking placard for a person with a disability who is the registered owner of a
6 motor vehicle, to include the registration number or vehicle identification
7 number of the motor vehicle on the parking placard or on a sticker or form
8 accompanying the parking placard; exempting from the mandatory inspection
9 and testing requirements of the vehicle emissions inspection program a motor
10 vehicle identified on a parking placard issued for a person with a disability, or
11 on a sticker or form accompanying the parking placard, if the owner of the
12 vehicle meets certain disability requirements, the vehicle is driven less than a
13 certain number of miles over certain periods, and the exemption is not
14 prohibited by federal law; specifying qualification criteria for the exemption;
15 making technical corrections; and generally relating to exemptions for certain
16 persons with disabilities from certain vehicle emissions inspection and testing
17 requirements.

18 BY repealing and reenacting, without amendments,
19 Article - Transportation
20 Section 13-616.1(a) and (b)
21 Annotated Code of Maryland
22 (2002 Replacement Volume and 2004 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Transportation
25 Section 13-616.1(e) and 23-206.2(a)
26 Annotated Code of Maryland
27 (2002 Replacement Volume and 2004 Supplement)

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

Article - Transportation

13-616.1.

(a) A person may apply to the Administration for a parking placard on a form provided by the Administration if the applicant, a dependent of the applicant, or any individual who depends on the applicant for transportation:

(1) Has a permanent disability as described in § 13-616(b)(1) of this subtitle and as certified by a licensed physician, licensed chiropractor, licensed optometrist, or licensed podiatrist, as defined in § 13-616(a) of this subtitle; or

(2) Has a permanent disability as described in § 13-616(b)(1)(vi) of this subtitle and as self-certified as provided by § 13-616(b)(2)(iv) of this subtitle.

(b) A parking placard for a person with a disability may be issued to an applicant described in subsection (a) of this section only if the applicant submits proof satisfactory to the Administration that the applicant, the dependent of the applicant, or the individual who depends on the applicant for transportation is a person with a disability as described in § 13-616(b) of this subtitle.

(e) (1) A parking placard for a person with a disability shall be issued:

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

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

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

(2) WHEN ISSUING A PARKING PLACARD UNDER THIS SECTION TO A PERSON WHO IS THE REGISTERED OWNER OF A MOTOR VEHICLE, FOR PURPOSES OF THE EXEMPTION ALLOWED UNDER § 23-206.2 OF THIS ARTICLE, THE ADMINISTRATION SHALL INCLUDE, ON THE PARKING PLACARD OR ON AN ACCOMPANYING FORM OR STICKER, THE REGISTRATION NUMBER OR VEHICLE IDENTIFICATION NUMBER OF ONE MOTOR VEHICLE REGISTERED IN THE NAME OF THE PERSON TO WHOM THE PARKING PLACARD IS ISSUED.

(3) A person to whom a parking placard for a person with a disability is issued shall display the placard described in this section:

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

1 (ii) On a Class D (motorcycle) vehicle as required by the
2 Administration;

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

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

9 23-206.2.

10 (a) (1) A motor vehicle for which special registration plates have been issued
11 under § 13-616 of this article, OR A MOTOR VEHICLE IDENTIFIED ON A PARKING
12 PLACARD OR ON A FORM OR STICKER ACCOMPANYING A PARKING PLACARD ISSUED
13 UNDER § 13-616.1 OF THIS ARTICLE, is exempt from the mandatory inspections
14 required by this subtitle if:

15 (i) All of the owners of the motor vehicle meet the disability
16 requirements of § [13-616(a)(1)] 13-616(B)(1) of this article;

17 (ii) The motor vehicle is driven 5,000 miles or less annually; and

18 (iii) The exemption is not otherwise prohibited by federal law.

19 (2) In order to qualify for an exemption under paragraph (1) of this
20 subsection, all owners of the motor vehicle shall certify the following:

21 (i) That the owner of the motor vehicle meets the disability
22 requirements of § [13-616(a)(1)] 13-616(B)(1) of this article;

23 (ii) That the motor vehicle [has]:

24 1. HAS been issued a special disabled person's registration
25 number and special registration plates under § 13-616 of this article; OR

26 2. A. IS REGISTERED IN THE NAME OF A PERSON FOR
27 WHOM A PARKING PLACARD HAS BEEN ISSUED UNDER § 13-616.1 OF THIS ARTICLE;
28 AND

29 B. IS IDENTIFIED ON THE PARKING PLACARD OR ON A FORM
30 OR STICKER ACCOMPANYING THE PARKING PLACARD;

31 (iii) That the motor vehicle is driven 5,000 miles or less annually;
32 and

33 (iv) The motor vehicle's odometer reading at the time of the
34 certification.

1 (3) The certification required in paragraph (2) of this subsection shall be
2 made on a form provided by the Administration.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2005.