

PERSON WITH A DISABILITY MOTORCYCLE

PARKING

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Todd E. Kiser

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code to authorize the use of person with a disability parking placards to allow assistance to persons with a disability parking a motorcycle.

Highlighted Provisions:

This bill:

- ▶ provides that a disability special group license plate, temporary removable windshield placard, or removable windshield placard may be used to allow one motorcycle to share a parking space reserved for persons with a disability if the additional motorcycle rider assists the person with a disability who is parking a motorcycle; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-420, as enacted by Chapter 1, Laws of Utah 2003

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-1a-420** is amended to read:

41-1a-420. Disability special group license plates -- Application and qualifications -- Rulemaking.

(1) The division shall issue a disability special group license plate, a temporary removable windshield placard, or a removable windshield placard to:

(a) a qualifying person with a disability; or

(b) the registered owner of a vehicle that an organization uses primarily for the transportation of persons with disabilities that limit or impair the ability to walk.

(2) (a) The initial application of a person with a disability shall be accompanied by the certification of a licensed physician:

(i) that the applicant meets the definition of a person with a disability that limits or impairs the ability to walk as defined in the federal Uniform System for Parking for Persons with Disabilities, 23 C.F.R. Ch. 11, Subch. B, Pt. 1235.2 (1991); and

(ii) containing the period of time that the physician determines the applicant will have the disability, not to exceed six months in the case of a temporary disability.

(b) The division shall issue a person with a disability special group license plate or a removable windshield placard to a person with a permanent disability.

(c) The issuance of a person with a disability special group license plate does not preclude the issuance to the same applicant of a removable windshield placard.

(d) On request of an applicant [~~the division shall issue one additional placard to a person~~] with a disability special group license plate, temporary removable windshield placard, or a removable windshield placard the division shall issue one additional placard.

(e) A disability special group license plate, temporary removable windshield placard, or removable windshield placard may be used to allow one motorcycle to share a parking space reserved for persons with a disability if:

(i) the person with a disability:

(A) is using a motorcycle; and

(B) displays on the motorcycle a disability special group license plate, temporary removable windshield placard, or a removable windshield placard;

(ii) the person who shares the parking space assists the person with a disability with the parking accommodation; and

(iii) the parking space is sufficient size to accommodate both motorcycles without interfering with other parking spaces or traffic movement.

(3) (a) The temporary removable windshield placard or removable windshield placard shall be hung from the front windshield rearview mirror when the vehicle is parked in a parking space reserved for persons with disabilities so that it is visible from the front and rear of the vehicle.

(b) If a motorcycle is being used, the temporary removable windshield placard or removable windshield placard shall be displayed in plain sight on or near the handle bars of the motorcycle.

(4) The commission shall make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to:

(a) establish qualifying criteria for persons to receive, renew, or surrender special group license plates, a temporary removable windshield placard, or a removable windshield placard in accordance with this section;

(b) establish the maximum number of numerals or characters for disability special group license plates; and

(c) require all temporary removable windshield placards and removable windshield placards to include:

(i) an identification number;

(ii) an expiration date not to exceed:

(A) six months for a temporary removable windshield placard; and

(B) two years for a removable windshield placard; and

(iii) the seal or other identifying mark of the division.