

1 **PERSON WITH A DISABILITY MOTORCYCLE**

2 **PARKING**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Todd E. Kiser**

7 **LONG TITLE**

8 **General Description:**

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

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides that a disability special group license plate, temporary removable
15 windshield placard, or removable windshield placard may be used to allow one
16 motorcycle to share a parking space reserved for persons with a disability if the
17 additional motorcycle rider assists the person with a disability who is parking a
18 motorcycle; and

19 ▶ makes technical changes.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **41-1a-420**, as enacted by Chapter 1, Laws of Utah 2003



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

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

30 **41-1a-420. Disability special group license plates -- Application and qualifications**
31 **-- Rulemaking.**

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

34 (a) a qualifying person with a disability; or

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

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

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

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

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

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

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

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

54 (i) the person with a disability:

55 (A) is using a motorcycle; and

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

58 (ii) the person who shares the parking space assists the person with a disability with the

59 parking accommodation; and

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

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

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

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

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

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

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

78 (i) an identification number;

79 (ii) an expiration date not to exceed;

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

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

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

Legislative Review Note
as of 12-7-04 8:42 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

**Interim Committee Note
as of 12-07-04 1:15 PM**

The Transportation Interim Committee recommended this bill.

Fiscal Note
Bill Number HB0005

Person with a Disability Motorcycle Parking

13-Jan-05

11:11 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst