

1 ACCESSIBLE PARKING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nelson T. Abbott

Senate Sponsor: David P. Hinkins

3 LONG TITLE

4 General Description:

5 This bill amends who may certify an individual as qualifying for a disability placard or
6 license plate.

7 Highlighted Provisions:

8 This bill:

9 ▶ allows a physical therapist to certify that an individual has a disability that qualifies the
10 individual for a disability parking placard or license plate.

11 Money Appropriated in this Bill:

12 None

13 Other Special Clauses:

14 None

15 Utah Code Sections Affected:

16 AMENDS:

17 41-1a-420, as last amended by Laws of Utah 2023, Chapter 67

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

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

21 41-1a-420 . Disability special group license plates -- Application and
22 qualifications -- Rulemaking.

23 (1) As used in this section:

24 (a) "Advanced practice registered nurse" means a person licensed to practice as an
25 advanced practice registered nurse in this state under Title 58, Chapter 31b, Nurse
26 Practice Act.

27 (b) "Nurse practitioner" means an advanced practice registered nurse specializing as a
28 nurse practitioner.

- 29 (c) "Physical therapist" means a person licensed to practice as a physical therapist in this
 30 state under Title 58, Chapter 24b, Physical Therapy Practice Act.
- 31 ~~(e)~~ (d) "Physician" means a person licensed to practice as a physician or osteopath in
 32 this state under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter
 33 68, Utah Osteopathic Medical Practice Act.
- 34 ~~(d)~~ (e) "Physician assistant" means an individual licensed to practice as a physician
 35 assistant in the state under Title 58, Chapter 70a, Utah Physician Assistant Act.
- 36 ~~(e)~~ (f) "Temporary wheelchair user placard" means a removable windshield placard that
 37 is issued to a qualifying person, as provided in this section, who has a walking
 38 disability that is not permanent.
- 39 ~~(f)~~ (g) "Walking disability" means a physical disability that requires the use of a
 40 walking-assistive device or wheelchair or similar low-powered motorized or
 41 mechanically propelled vehicle that is designed to specifically assist a person who
 42 has a limited or impaired ability to walk.
- 43 ~~(g)~~ (h) "Wheelchair user placard" means a removable windshield placard that is issued
 44 to a qualifying person, as provided in this section, who has a walking disability.
- 45 (2) (a) The division shall issue a disability special group license plate, a temporary
 46 removable windshield placard, or a removable windshield placard to an applicant
 47 who is either:
 48 (i) a qualifying person with a disability; or
 49 (ii) the registered owner of a vehicle that an organization uses primarily for the
 50 transportation of persons with disabilities that limit or impair the ability to walk.
- 51 (b) The division shall issue a temporary wheelchair user placard or a wheelchair user
 52 placard to an applicant who is either:
 53 (i) a qualifying person with a walking disability; or
 54 (ii) the registered owner of a vehicle that an organization uses primarily for the
 55 transportation of persons with walking disabilities.
- 56 (c) The division shall require that an applicant under Subsection (2)(b) certifies that the
 57 person travels in a vehicle equipped with a wheelchair lift or a vehicle carrying the
 58 person's walking-assistive device or wheelchair and requires a van accessible parking
 59 space.
- 60 (3) (a) The person with a disability shall ensure that the initial application contains the
 61 certification of a physician, physician assistant, physical therapist, or nurse
 62 practitioner that:

- 63 (i) the applicant meets the definition of a person with a disability that limits or
64 impairs the ability to walk as defined in the federal Uniform System for Parking
65 for Persons with Disabilities, 23 C.F.R. Ch. II, Subch. B, Pt. 1235.2 (1991);
66 (ii) if the person is applying for a temporary wheelchair user placard or a wheelchair
67 user placard, the applicant has a walking disability; and
68 (iii) specifies the period of time that the physician, physician assistant, physical
69 therapist, or nurse practitioner determines the applicant will have the disability,
70 not to exceed six months in the case of a temporary disability or a temporary
71 walking disability.
- 72 (b) The division shall issue a disability special group license plate, a removable
73 windshield placard, or a wheelchair user placard, as applicable, to a person with a
74 permanent disability.
- 75 (c) The issuance of a person with a disability special group license plate does not
76 preclude the issuance to the same applicant of a removable windshield placard or
77 wheelchair user placard.
- 78 (d) (i) On request of an applicant with a disability special group license plate, a
79 temporary removable windshield placard, or a removable windshield placard, the
80 division shall issue one additional placard.
81 (ii) On request of a qualified applicant with a disability special group license plate,
82 the division shall issue up to two temporary wheelchair user placards or two
83 wheelchair user placards.
84 (iii) On request of a qualified applicant with a temporary wheelchair user placard or a
85 wheelchair user placard, the division shall issue one additional placard.
- 86 (e) The division shall ensure that a temporary wheelchair user placard and a wheelchair
87 user placard have the following visible features:
88 (i) a large "W" next to the internationally recognized disabled persons symbol; and
89 (ii) the words "Wheelchair User" printed on a portion of the placard.
- 90 (f) The division shall ensure that the following statement is included on a removable
91 windshield placard issued on or after January 1, 2024: "Under state law, a disability
92 placard may only be used by, or for the transportation of, the person to whom the
93 disability placard is issued. A person who misuses another person's disability placard
94 for parking privileges is guilty of a class C misdemeanor."
- 95 (g) A disability special group license plate, temporary removable windshield placard, or
96 removable windshield placard may be used to allow one motorcycle to share a

- 97 parking space reserved for persons with a disability if:
- 98 (i) the person with a disability:
- 99 (A) is using a motorcycle; and
- 100 (B) displays on the motorcycle a disability special group license plate, temporary
- 101 removable windshield placard, or a removable windshield placard;
- 102 (ii) the person who shares the parking space assists the person with a disability with
- 103 the parking accommodation; and
- 104 (iii) the parking space is sufficient size to accommodate both motorcycles without
- 105 interfering with other parking spaces or traffic movement.
- 106 (4) (a) When a vehicle is parked in a parking space reserved for persons with disabilities,
- 107 a temporary removable windshield placard, a removable windshield placard, a
- 108 temporary wheelchair user placard, or a wheelchair user placard shall be displayed so
- 109 that the placard is visible from the front of the vehicle.
- 110 (b) If a motorcycle is being used, the temporary removable windshield placard or
- 111 removable windshield placard shall be displayed in plain sight on or near the handle
- 112 bars of the motorcycle.
- 113 (5) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
- 114 Administrative Rulemaking Act, to:
- 115 (a) establish qualifying criteria for persons to receive, renew, or surrender a disability
- 116 special group license plate, a temporary removable windshield placard, a removable
- 117 windshield placard, a temporary wheelchair user placard, or a wheelchair user
- 118 placard in accordance with this section;
- 119 (b) establish the maximum number of numerals or characters for a disability special
- 120 group license plate;
- 121 (c) require all temporary removable windshield placards, removable windshield
- 122 placards, temporary wheelchair user placards, and wheelchair user placards to
- 123 include:
- 124 (i) an identification number;
- 125 (ii) an expiration date not to exceed:
- 126 (A) six months for a temporary removable windshield placard; and
- 127 (B) two years for a removable windshield placard; and
- 128 (iii) the seal or other identifying mark of the division; and
- 129 (d) establish standards for the statement required in Subsection (3)(f).
- 130 (6) The commission shall insert the following on motor vehicle registration certificates:

131 "State law prohibits persons who do not lawfully possess a disability placard or disability
132 special group license plate from parking in an accessible parking space designated for persons
133 with disabilities. Persons who possess a disability placard or disability special group license
134 plate are discouraged from parking in an accessible parking space designated as van accessible
135 unless they have a temporary wheelchair user placard or a wheelchair user placard."

136 Section 2. **Effective date.**

137 This bill takes effect on May 1, 2024.