

ASSEMBLY BILL NO. 59—ASSEMBLYMAN PERKINS

PREFILED JANUARY 26, 1999

Referred to Committee on Transportation

SUMMARY—Clarifies that person with disability may obtain special license plate and parking sticker to park motorcycle in space designated for handicapped. (BDR 43-132)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~to be omitted~~ is material to be omitted.

AN ACT relating to motor vehicles; clarifying that a person with a disability may obtain a special license plate and parking sticker to park a motorcycle in a space designated for the handicapped; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 482.384 is hereby amended to read as follows:
2 482.384 1. Upon the application of a person with a disability which
3 limits or impairs the ability to walk, the department may issue special
4 license plates for a vehicle , ***including a motorcycle***, registered by the
5 applicant pursuant to this chapter. Except as otherwise provided in
6 subsection 2, the application must include a statement from a licensed
7 physician certifying that the applicant is a person with a disability which
8 limits or impairs the ability to walk. The issuance of a special license plate
9 pursuant to this subsection does not preclude the issuance of a special
10 parking placard ***for a vehicle other than a motorcycle or a special parking***
11 ***sticker for a motorcycle*** pursuant to subsection 6.
12 2. Every second year after the initial issuance of special license plates
13 to a person who the department determines is not permanently disabled, the
14 department shall require the person, when he applies to renew his special
15 license plates, to include with his application a statement from a licensed
16 physician certifying that the applicant is a person with a disability which
17 limits or impairs the ability to walk. The department shall not require a

1 person who it determines is permanently disabled to include such a
2 statement with his application for renewal.

3 3. Upon the application of an organization which provides
4 transportation for a person with a disability which limits or impairs the
5 ability to walk, the department may issue special license plates for a vehicle
6 registered by the organization pursuant to this chapter. The application
7 must include a statement from the organization certifying that the vehicle is
8 used primarily to transport persons with disabilities which limit or impair
9 the ability to walk.

10 4. The department may charge a fee for special license plates issued
11 pursuant to this section not to exceed the fee charged for the issuance of
12 license plates for the same class of vehicle.

13 5. Special license plates issued pursuant to this section must display the
14 international symbol of access in a color which contrasts with the
15 background and is the same size as the numerals and letters on the plate.

16 6. Upon the application of a person with a disability which limits or
17 impairs the ability to walk, the department may issue ~~the~~ :

18 *(a) A special parking placard ~~the~~ for a vehicle other than a motorcycle.*

19 Upon request, the department may issue one additional placard to an
20 applicant to whom special license plates have not been issued pursuant to
21 this section.

22 *(b) A special parking sticker for a motorcycle.*

23 The application must include a statement from a licensed physician
24 certifying that the applicant is a person with a disability which limits or
25 impairs the ability to walk.

26 7. A special parking placard issued pursuant to subsection 6 must:

27 (a) Have inscribed on it the international symbol of access which is at
28 least 3 inches in height, is centered on the placard and is white on a blue
29 background;

30 (b) Have an identification number and date of expiration;

31 (c) Have placed or inscribed on it the seal or other identification of the
32 department; and

33 (d) Have a form of attachment which enables a person using the placard
34 to display the placard from the rearview mirror of the vehicle.

35 8. *A special parking sticker issued pursuant to subsection 6 must:*

36 *(a) Have inscribed on it the international symbol of access which*
37 *complies with any applicable federal standards, is centered on the sticker*
38 *and is white on a blue background;*

39 *(b) Have an identification number and a date of expiration; and*

40 *(c) Have placed or inscribed on it the seal or other identification of the*
41 *department.*

42 9. The department, or a city or county, may issue, and charge a
43 reasonable fee for, a temporary parking placard *for a vehicle other than a*

1 *motorcycle or a temporary parking sticker for a motorcycle* upon the
2 application of a person with a temporary disability which limits or impairs
3 the ability to walk. Upon request, the department, city or county may issue
4 one additional temporary parking placard to an applicant. The application
5 must include a certificate from a licensed physician indicating:

6 (a) That the applicant has a temporary disability which limits or impairs
7 the ability to walk; and

8 (b) The estimated period of the disability.

9 ~~{9.}~~ 10. A temporary parking placard issued pursuant to subsection ~~{8}~~
10 9 must:

11 (a) Have inscribed on it the international symbol of access which is at
12 least 3 inches in height, is centered on the placard and is white on a red
13 background; and

14 (b) Have a form of attachment which enables a person using the placard
15 to display the placard from the rearview mirror of the vehicle.

16 ~~{10.}~~ 11. *A temporary parking sticker issued pursuant to subsection 9*
17 *must have inscribed on it the international symbol of access which is at*
18 *least 3 inches in height, is centered on the sticker and is white on a red*
19 *background.*

20 12. A temporary parking placard *or temporary parking sticker* is valid
21 only for the period for which a physician has certified the disability, but in
22 no case longer than 6 months.

23 ~~{11.}~~ 13. A special or temporary parking placard must be displayed in
24 the vehicle when the vehicle is parked by hanging or attaching the placard
25 to the rearview mirror of the vehicle. If the vehicle has no rearview mirror,
26 the placard must be placed on the dashboard of the vehicle in such a
27 manner that the placard can easily be seen from outside the vehicle when
28 the vehicle is parked.

29 ~~{12.}~~ 14. *A special or temporary parking sticker must be affixed to the*
30 *windscreen of the motorcycle. If the motorcycle has no windscreen, the*
31 *sticker must be affixed to any other part of the motorcycle which may be*
32 *easily seen when the motorcycle is parked.*

33 15. Special or temporary parking placards , *special or temporary*
34 *parking stickers*, or special license plates issued pursuant to this section do
35 not authorize parking in any area on a highway where parking is prohibited
36 by law.

37 ~~{13.}~~ 16. No person, other than the person certified as being a person
38 with a disability which limits or impairs the ability to walk, or a person
39 actually transporting such a person, may use the special license plates or a
40 special or temporary parking placard , *or a special or temporary parking*
41 *sticker* issued pursuant to this section to obtain any special parking

42 privileges available pursuant to this section.

1 ~~{14.}~~ 17. Any person who violates the provisions of subsection ~~{13}~~ 16
2 is guilty of a misdemeanor.

3 ~~{15.}~~ 18. The department may review the eligibility of each holder of a
4 special parking placard , *a special parking sticker* or special license plates,
5 or ~~{both a special parking placard and special license plates.}~~ *any*
6 *combination thereof*. Upon a determination of ineligibility by the
7 department, the holder shall surrender the special parking placard , *special*
8 *parking sticker* or special license plates, or ~~{both,}~~ *any combination*
9 *thereof*, to the department.

10 ~~{16.}~~ 19. The department may adopt such regulations as are necessary
11 to carry out the provisions of this section.

12 **Sec. 2.** NRS 484.407 is hereby amended to read as follows:

13 484.407 1. Except as otherwise provided in subsection 2, an owner or
14 operator of a motor vehicle displaying a special parking placard, *a special*
15 *parking sticker*, a temporary parking placard , *a temporary parking sticker*
16 or special plates issued pursuant to NRS 482.384, or special plates for a
17 disabled veteran issued pursuant to NRS 482.377, may park the motor
18 vehicle for not more than 4 hours at any one time in a parking zone
19 restricted as to the length of time parking is permitted, without penalty,
20 removal or impoundment of the vehicle , if the parking is otherwise
21 consistent with public safety and is done by a person with a disability which
22 limits or impairs the ability to walk, a disabled veteran or a person
23 transporting such a person.

24 2. This section does not authorize the parking of a motor vehicle in any
25 privately or municipally owned facility for parking off the highway without
26 paying the required fee for the time during which the vehicle is so parked.

27 **Sec. 3.** NRS 484.408 is hereby amended to read as follows:

28 484.408 1. Any parking space designated for the handicapped must
29 be indicated by a sign:

30 (a) Bearing the international symbol of access with or without the words
31 "Parking," "Handicapped Parking," "Handicapped Parking Only," or
32 "Reserved for the Handicapped," or any other word or combination of
33 words indicating that the space is designated for the handicapped;

34 (b) Stating "Minimum fine of \$100 for use by others" or equivalent
35 words; and

36 (c) The bottom of which must be not less than 4 feet above the ground.

37 2. A person shall not park a vehicle in a space designated for the
38 handicapped by a sign that meets the requirements of subsection 1, whether
39 on public or privately owned property, unless he is eligible to do so and the
40 vehicle displays:

41 (a) Special license plates issued pursuant to NRS 482.384;

42 (b) A special or temporary parking placard issued pursuant to NRS
43 482.384;

1 (c) *A special or temporary parking sticker issued pursuant to NRS*
2 *482.384;*

3 (d) Special license plates , *a special or temporary parking sticker*, or a
4 special or temporary parking placard displaying the international symbol of
5 access issued by another state or a foreign country; or

6 ~~(d)~~ (e) Special license plates for a disabled veteran and a special
7 parking placard issued pursuant to NRS 482.384.

8 3. A person shall not use such a plate , *sticker* or placard for a vehicle
9 to park in a space designated for the handicapped unless he is a person with
10 a disability which limits or impairs the ability to walk, a disabled veteran or
11 the driver of a vehicle in which such a person is a passenger.

12 4. A person who violates any provision of this section is guilty of a
13 misdemeanor and shall be punished:

14 (a) Upon the first offense, by a fine of \$100.

15 (b) Upon the second offense, by a fine of \$250 and not less than 8 hours,
16 but not more than 50 hours, of community service.

17 (c) Upon the third or subsequent offense, by a fine of not less than \$500,
18 but not more than \$1,000 and not less than 25 hours, but not more than 100
19 hours, of community service.

20 **Sec. 4.** Section 3 of this act becomes effective at 12:01 a.m. on
21 October 1, 1999.