

ASSEMBLY BILL NO. 59—ASSEMBLYMAN PERKINS

PREFILED JANUARY 26, 1999

Referred to Committee on Transportation

SUMMARY—Clarifies provisions governing parking for handicapped persons and limits operation and requires registration of certain low-speed vehicles. (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 ~~omitted material~~ 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; requiring the registration of certain low-speed vehicles; limiting highways upon which a low-speed vehicle may be operated; 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

1 limits or impairs the ability to walk. The department shall not require a
2 person who it determines is permanently disabled to include such a
3 statement with his application for renewal.

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

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

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

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

19 *(a) A special parking placard ~~the~~ for a vehicle other than a motorcycle.*
20 Upon request, the department may issue one additional placard to an
21 applicant to whom special license plates have not been issued pursuant to
22 this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (b) The estimated period of the disability.

11 ~~19.1~~ **10.** A temporary parking placard issued pursuant to subsection ~~18~~
12 **9** must:

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

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

18 ~~110.1~~ **11.** *A temporary parking sticker issued pursuant to subsection 9*
19 *must have inscribed on it the international symbol of access which is at*
20 *least 3 inches in height, is centered on the sticker and is white on a red*
21 *background.*

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

25 ~~111.1~~ **13.** A special or temporary parking placard must be displayed in
26 the vehicle when the vehicle is parked by hanging or attaching the placard to
27 the rearview mirror of the vehicle. If the vehicle has no rearview mirror, the
28 placard must be placed on the dashboard of the vehicle in such a manner
29 that the placard can easily be seen from outside the vehicle when the vehicle
30 is parked.

31 ~~112.1~~ **14.** *A special or temporary parking sticker must be affixed to the*
32 *windscreen of the motorcycle. If the motorcycle has no windscreen, the*
33 *sticker must be affixed to any other part of the motorcycle which may be*
34 *easily seen when the motorcycle is parked.*

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

39 ~~113.1~~ **16.** No person, other than the person certified as being a person
40 with a disability which limits or impairs the ability to walk, or a person
41 actually transporting such a person, may use the special license plates or a
42 special or temporary parking placard , *or a special or temporary parking*

1 *sticker* issued pursuant to this section to obtain any special parking
2 privileges available pursuant to this section.

3 ~~{14.}~~ 17. Any person who violates the provisions of subsection ~~{13.}~~ 16
4 is guilty of a misdemeanor.

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

12 ~~{16.}~~ 19. The department may adopt such regulations as are necessary
13 to carry out the provisions of this section.

14 **Sec. 2.** NRS 482.480 is hereby amended to read as follows:

15 482.480 There must be paid to the department for the registration or
16 the transfer or reinstatement of the registration of motor vehicles, trailers
17 and semitrailers, fees according to the following schedule:

18 1. Except as otherwise provided in this section, for each stock
19 passenger car and each reconstructed or specially constructed passenger car
20 registered to a person, regardless of weight or number of passenger
21 capacity, a fee for registration of \$33.

22 2. Except as otherwise provided in subsection 3:

23 (a) For each of the fifth and sixth such cars registered to a person for
24 which special license plates have been issued pursuant to NRS 482.380,
25 482.381, 482.3812, 482.3814 or 482.3816, a fee for registration of \$16.50.

26 (b) For each of the seventh and eighth such cars registered to a person
27 for which special license plates have been issued pursuant to NRS 482.380,
28 482.381, 482.3812, 482.3814 or 482.3816, a fee for registration of \$12.

29 (c) For each of the ninth or more such cars registered to a person for
30 which special license plates have been issued pursuant to NRS 482.380,
31 482.381, 482.3812, 482.3814 or 482.3816, a fee for registration of \$8.

32 3. The fees specified in subsection 2 do not apply:

33 (a) Unless the person registering the cars presents to the department at
34 the time of registration the registrations of all of the cars registered to him.

35 (b) To cars that are part of a fleet.

36 4. For every motorcycle, a fee for registration of \$33 and for each
37 motorcycle other than a trimobile, an additional fee of \$6 for motorcycle
38 safety. The additional fee must be deposited in the state highway fund for
39 credit to the account for the program for the education of motorcycle riders.

40 5. For each transfer of registration, a fee of \$6 in addition to any other
41 fees.

6. To reinstate the registration of a motor vehicle suspended pursuant to NRS 485.317:

(a) A fee of \$250 for a registered owner who failed to have insurance on the date specified in the form for verification that was mailed by the department pursuant to subsection 2 of NRS 485.317; or

(b) A fee of \$50 for a registered owner of a dormant vehicle who canceled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first canceling the registration for the vehicle in accordance with subsection 3 of NRS 485.320, both of which must be deposited in the account for verification of insurance which is hereby created in the state highway fund. Money in the account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.

7. For every travel trailer, a fee for registration of \$27.

8. For every permit for the operation of a golf cart, an annual fee of \$10.

9. For every low-speed vehicle, as that term is defined in section 4 of this act, a fee for registration of \$33.

Sec. 3. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33.

2. Except as otherwise provided in subsection 3:

(a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50.

(b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12.

(c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8.

3. The fees specified in subsection 2 do not apply:

(a) Unless the person registering the cars presents to the department at the time of registration the registrations of all of the cars registered to him.

(b) To cars that are part of a fleet.

4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the state highway fund for credit to the account for the program for the education of motorcycle riders.

5. For each transfer of registration, a fee of \$6 in addition to any other fees.

6. To reinstate the registration of a motor vehicle suspended pursuant to NRS 485.317:

(a) A fee of \$250 for a registered owner who failed to have insurance on the date specified in the form for verification that was mailed by the department pursuant to subsection 2 of NRS 485.317; or

(b) A fee of \$50 for a registered owner of a dormant vehicle who canceled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first canceling the registration for the vehicle in accordance with subsection 3 of NRS 485.320, both of which must be deposited in the account for verification of insurance which is hereby created in the state highway fund. Money in the account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.

7. For every travel trailer, a fee for registration of \$27.

8. For every permit for the operation of a golf cart, an annual fee of \$10.

9. For every low-speed vehicle, as that term is defined in section 4 of this act, a fee for registration of \$33.

Sec. 4. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

1. As used in this section, "low-speed vehicle" means a motor vehicle:

(a) Designed to carry not more than four persons;

(b) Designed to operate at a maximum speed of at least 20 but not more than 25 miles per hour;

(c) Having at least four wheels in contact with the ground;

(d) Having an unladen weight of less than 1,800 pounds; and

(e) Complying with the standards for safety of such a vehicle set forth in Federal Motor Safety Standard No. 500 at 49 CFR § 571.500.

2. If registered, a low-speed vehicle may be operated upon a highway where the posted speed limit is 35 miles per hour or less. A person shall not operate a low-speed vehicle upon a highway where the posted speed limit is greater than 35 miles per hour, except to cross such a highway at an intersection.

Sec. 5. NRS 484.407 is hereby amended to read as follows:

484.407 1. Except as otherwise provided in subsection 2, an owner or operator of a motor vehicle displaying a special parking placard, *a special parking sticker*, a temporary parking placard, *a temporary parking sticker* or special plates issued pursuant to NRS 482.384, or special plates for a disabled veteran issued pursuant to NRS 482.377, may park the motor vehicle for not more than 4 hours at any one time in a parking zone restricted as to the length of time parking is permitted, without penalty, removal or impoundment of the vehicle, if the parking is otherwise

1 consistent with public safety and is done by a person with a disability which
2 limits or impairs the ability to walk, a disabled veteran or a person
3 transporting such a person.

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

7 **Sec. 6.** NRS 484.408 is hereby amended to read as follows:

8 484.408 1. Any parking space designated for the handicapped must
9 be indicated by a sign:

10 (a) Bearing the international symbol of access with or without the words
11 "Parking," "Handicapped Parking," "Handicapped Parking Only," or
12 "Reserved for the Handicapped," or any other word or combination of
13 words indicating that the space is designated for the handicapped;

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

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

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

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

22 (b) A special or temporary parking placard issued pursuant to NRS
23 482.384;

24 (c) *A special or temporary parking sticker issued pursuant to NRS*
25 *482.384;*

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

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

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

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

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

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

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

- 1 **Sec. 7.** 1. This section and sections 2 and 4 of this act become
- 2 effective on July 1, 1999.
- 3 2. Sections 1 and 5 of this act become effective on October 1, 1999.
- 4 3. Section 6 of this act becomes effective at 12:01 a.m. on October 1,
- 5 1999.
- 6 4. Section 3 of this act becomes effective at 12:01 a.m. on January 1,
- 7 2001.
- 8 5. Section 2 of this act expires by limitation on January 1, 2001.

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