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ASSEMBLY BILL NO. 24—COMMITTEE ON TRANSPORTATION

PREFILED FEBRUARY 3, 2005

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Referred to Committee on Transportation

SUMMARY—Revises provisions concerning parking spaces designated for the handicapped. (BDR 43-161)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

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AN ACT relating to traffic laws; removing the requirement that certain parking spaces for the handicapped be designated for the exclusive use of vehicles with side-loading wheelchair lifts and the requirements for corresponding signs; and providing other matters relating properly thereto.

**Legislative Counsel's Digest:**

1 Existing federal law provides that parking lots which are required to provide  
2 spaces for handicapped parking must make a certain number of such spaces  
3 accessible for vans. (28 C.F.R. Pt. 36, App. A, § 4.1.2 (5)) Existing state law further  
4 requires that in a parking lot with 60 or more total parking spaces, the van-  
5 accessible spaces must be designated for the exclusive use of vehicles with side-  
6 loading wheelchair lifts. (NRS 484.408)  
7 This bill removes the requirement that van-accessible spaces be designated for  
8 the exclusive use of vehicles with side-loading wheelchair lifts and the  
9 corresponding requirements for signs. Thus, any type of vehicle with a handicapped  
10 parking permit may park in a van-accessible space.

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

1 **Section 1.** NRS 484.408 is hereby amended to read as follows:  
2 484.408 1. Any parking space designated for the  
3 handicapped must be indicated by a sign:  
4 (a) Bearing the international symbol of access with or without  
5 the words "Parking," "Handicapped Parking," "Handicapped



1 "Parking Only" or "Reserved for the Handicapped," or any other  
2 word or combination of words indicating that the space is  
3 designated for the handicapped;

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

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

8 2. ~~In addition to the requirements of subsection 1, a parking~~  
9 ~~space designated for the handicapped which:~~

10 ~~—(a) Is designed for the exclusive use of a vehicle with a side-~~  
11 ~~loading wheelchair lift; and~~

12 ~~—(b) Is located in a parking lot with 60 or more parking spaces,~~  
13 ~~→ must be indicated by a sign using a combination of words to state~~  
14 ~~that the space is for the exclusive use of a vehicle with a side-~~  
15 ~~loading wheelchair lift.~~

16 ~~—3. If a parking space is designed for the use of a vehicle with a~~  
17 ~~side loading wheelchair lift, the space which is immediately~~  
18 ~~adjacent and intended for use in the loading and unloading of a~~  
19 ~~wheelchair into or out of such a vehicle must be indicated by a sign:~~

20 ~~—(a) Stating "No Parking" or similar words which indicate that~~  
21 ~~parking in such a space is prohibited;~~

22 ~~—(b) Stating "Minimum fine of \$100 for violation" or similar~~  
23 ~~words indicating that the minimum fine for parking in such a space~~  
24 ~~is \$100; and~~

25 ~~—(c) The bottom of which must not be less than 4 feet above the~~  
26 ~~ground.~~

27 ~~—4.]~~ An owner of private property upon which is located a  
28 parking space described in subsection 1 ~~[, 2 or 3]~~ shall erect and  
29 maintain or cause to be erected and maintained ~~{any}~~ **the** sign  
30 required pursuant to subsection 1 . ~~[, 2 or 3, whichever is~~  
31 ~~applicable.]~~ If a parking space described in subsection 1 ~~[, 2 or 3]~~ is  
32 located on public property, the governmental entity having control  
33 over that public property shall erect and maintain or cause to be  
34 erected and maintained ~~{any}~~ **the** sign required pursuant to  
35 subsection 1 . ~~[, 2 or 3, whichever is applicable.~~

36 ~~—5.]~~ 3. A person shall not park a vehicle in a space designated  
37 for the handicapped by a sign that meets the requirements of  
38 subsection 1, whether on public or privately owned property, unless  
39 he is eligible to do so and the vehicle displays:

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

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

43 (c) A special or temporary parking sticker issued pursuant to  
44 NRS 482.384;



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

(e) Special license plates for a disabled veteran issued pursuant to NRS 482.377.

~~{6. Except as otherwise provided in this subsection, a person shall not park a vehicle in a space that is reserved for the exclusive use of a vehicle with a side-loading wheelchair lift and is designated for the handicapped by a sign that meets the requirements of subsection 2, whether on public or privately owned property, unless:~~

~~—(a) He is eligible to do so;~~

~~—(b) The vehicle displays the special license plates or placard set forth in subsection 5; and~~

~~—(c) The vehicle is equipped with a side-loading wheelchair lift.~~

~~→ A person who meets the requirements of paragraphs (a) and (b) may park a vehicle that is not equipped with a side-loading wheelchair lift in such a parking space if the space is in a parking lot with fewer than 60 parking spaces.~~

~~—7. A person shall not park in a space which:~~

~~—(a) Is immediately adjacent to a space designed for use by a vehicle with a side-loading wheelchair lift; and~~

~~—(b) Is designated as a space in which parking is prohibited by a sign that meets the requirements of subsection 3,~~

~~→ whether on public or privately owned property.~~

~~—8.]~~ 4. A person shall not use a plate, sticker or placard set forth in subsection ~~{5}~~ 3 to park in a space designated for the handicapped unless he is a person with a permanent disability, disability of moderate duration or temporary disability, a disabled veteran, or the driver of a vehicle in which any such person is a passenger.

~~{9.}~~ 5. A person who violates any of the provisions of ~~{subsections 5 to 8, inclusive,}~~ subsection 3 or 4 is guilty of a misdemeanor and shall be punished:

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

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

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

**Sec. 2.** This act becomes effective upon passage and approval.



