

SENATE BILL NO. 269—SENATORS BEERS AND SCHNEIDER

MARCH 22, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Revises provisions relating to parking spaces for handicapped persons. (BDR 43-1272)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.  
Effect on the State: Yes.

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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 parking by person with disabilities; providing for the issuance of letters to certain persons to whom a special license plate, placard or sticker that authorizes parking in spaces designated for the handicapped have been issued; making it unlawful under certain circumstances for persons named in such a letter to allow another person to park a vehicle displaying the plate, placard or sticker; increasing the minimum amount of the fines for unlawfully parking in a space designated for handicapped parking; providing a penalty; 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  
3 permanent disability, the Department may issue special license  
4 plates for a vehicle, including a motorcycle, registered by the  
5 applicant pursuant to this chapter. The application must include a  
6 statement from a licensed physician certifying that the applicant is a  
7 person with a permanent disability. The issuance of a special license  
8 plate to a person with a permanent disability pursuant to this  
9 subsection does not preclude the issuance to such a person of a



1 special parking placard for a vehicle other than a motorcycle or a  
2 special parking sticker for a motorcycle pursuant to subsection 6.

3 2. Every year after the initial issuance of special license plates  
4 to a person with a permanent disability, the Department shall require  
5 the person to renew his special license plates in accordance with the  
6 procedures for renewal of registration pursuant to this chapter. The  
7 Department shall not require a person with a permanent disability to  
8 include with his application for renewal a statement from a licensed  
9 physician certifying that the person is a person with a permanent  
10 disability.

11 3. Upon the application of an organization which provides  
12 transportation for a person with a permanent disability, disability of  
13 moderate duration or temporary disability, the Department may  
14 issue special license plates for a vehicle registered by the  
15 organization pursuant to this chapter, or the Department may issue  
16 special parking placards to the organization pursuant to this section  
17 to be used on vehicles providing transportation to such persons. The  
18 application must include a statement from the organization  
19 certifying that:

20 (a) The vehicle for which the special license plates are issued is  
21 used primarily to transport persons with permanent disabilities,  
22 disabilities of moderate duration or temporary disabilities; or

23 (b) The organization which is issued the special parking  
24 placards will only use such placards on vehicles that actually  
25 transport persons with permanent disabilities, disabilities of  
26 moderate duration or temporary disabilities.

27 4. The Department may charge a fee for special license plates  
28 issued pursuant to this section not to exceed the fee charged for the  
29 issuance of license plates for the same class of vehicle.

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

34 6. Upon the application of a person with a permanent disability  
35 or disability of moderate duration, the Department may issue:

36 (a) A special parking placard for a vehicle other than a  
37 motorcycle. Upon request, the Department may issue one additional  
38 placard to an applicant to whom special license plates have not been  
39 issued pursuant to this section.

40 (b) A special parking sticker for a motorcycle.

41 ➔ The application must include a statement from a licensed  
42 physician certifying that the applicant is a person with a permanent  
43 disability or disability of moderate duration.

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



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

(b) Have an identification number and date of expiration of:

(1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance;

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

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

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

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

(b) Have an identification number and a date of expiration of:

(1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and

(c) Have placed or inscribed on it the seal or other identification of the Department.

9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew his special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with his application for renewal a statement from a licensed physician certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with his application for renewal.

10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or a temporary parking sticker for a motorcycle upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional



1 temporary parking placard to an applicant. The application must  
2 include a certificate from a licensed physician indicating:

3 (a) That the applicant has a temporary disability; and

4 (b) The estimated period of the disability.

5 11. A temporary parking placard issued pursuant to subsection  
6 10 must:

7 (a) Have inscribed on it the international symbol of access  
8 which is at least 3 inches in height, is centered on the placard and is  
9 white on a red background; ~~[and]~~

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

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

15 12. A temporary parking sticker issued pursuant to subsection  
16 10 must ~~[have]~~ :

17 (a) *Have* inscribed on it the international symbol of access  
18 which is at least 3 inches in height, is centered on the sticker and is  
19 white on a red background ~~[ ]~~; *and*

20 (b) *Have an identification number and a date of expiration.*

21 13. A temporary parking placard or temporary parking sticker  
22 is valid only for the period for which a physician has certified the  
23 disability, but in no case longer than 6 months. If the temporary  
24 disability continues after the period for which the physician has  
25 certified the disability, the person with the temporary disability must  
26 renew the temporary parking placard or temporary parking sticker  
27 before the temporary parking placard or temporary parking sticker  
28 expires. The person with the temporary disability shall include with  
29 his application for renewal a statement from a licensed physician  
30 certifying that the applicant continues to be a person with a  
31 temporary disability and the estimated period of the disability.

32 14. A special or temporary parking placard must be displayed  
33 in the vehicle when the vehicle is parked by hanging or attaching the  
34 placard to the rearview mirror of the vehicle. If the vehicle has no  
35 rearview mirror, the placard must be placed on the dashboard of the  
36 vehicle in such a manner that the placard can easily be seen from  
37 outside the vehicle when the vehicle is parked.

38 15. *Upon issuing a special license plate pursuant to*  
39 *subsection 1, a special or temporary parking placard or a special*  
40 *or temporary parking sticker, the Department, or the city or*  
41 *county, if applicable, shall issue a letter to the applicant that sets*  
42 *forth the name and address of the person with a permanent*  
43 *disability, disability of moderate duration or temporary disability*  
44 *to whom the special license plate, special or temporary parking*



1 *placard or special or temporary parking sticker has been issued;*  
2 *and*

3 *(a) If the person receives special license plates, the license*  
4 *plate number designated for the plates; and*

5 *(b) If the person receives a special or temporary parking*  
6 *placard or a special or temporary parking sticker, the*  
7 *identification number and date of expiration indicated on the*  
8 *placard or sticker.*

9 *↪ The letter, or a legible copy thereof, must be kept with the*  
10 *vehicle for which the special license plate has been issued or in*  
11 *which the person to whom the special or temporary parking*  
12 *placard or special or temporary parking sticker has been issued is*  
13 *driving or is a passenger.*

14 **16.** A special or temporary parking sticker must be affixed to  
15 the windscreen of the motorcycle. If the motorcycle has no  
16 windscreen, the sticker must be affixed to any other part of the  
17 motorcycle which may be easily seen when the motorcycle is  
18 parked.

19 ~~[16:]~~ **17.** Special or temporary parking placards, special or  
20 temporary parking stickers, or special license plates issued pursuant  
21 to this section do not authorize parking in any area on a highway  
22 where parking is prohibited by law.

23 ~~[17:]~~ **18.** No person, other than the person certified as being a  
24 person with a permanent disability, disability of moderate duration  
25 or temporary disability, or a person actually transporting such a  
26 person, may use the special license plates or a special or temporary  
27 parking placard, or a special or temporary parking sticker issued  
28 pursuant to this section to obtain any special parking privileges  
29 available pursuant to this section.

30 ~~[18:]~~ **19.** Any person who violates the provisions of subsection  
31 ~~[17:]~~ **18** is guilty of a misdemeanor.

32 ~~[19:]~~ **20.** The Department may review the eligibility of each  
33 holder of a special parking placard, a special parking sticker or  
34 special license plates, or any combination thereof. Upon a  
35 determination of ineligibility by the Department, the holder shall  
36 surrender the special parking placard, special parking sticker or  
37 special license plates, or any combination thereof, to the  
38 Department.

39 ~~[20:]~~ **21.** The Department may adopt such regulations as are  
40 necessary to carry out the provisions of this section.

41 **Sec. 2.** NRS 484.408 is hereby amended to read as follows:

42 484.408 1. Any parking space designated for the  
43 handicapped must be indicated by a sign:

44 (a) Bearing the international symbol of access with or without  
45 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]~~ \$250 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]~~ \$250 for violation" or  
23 similar words indicating that the minimum fine for parking in such a  
24 space is ~~[\$100;]~~ \$250; 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 sign required  
30 pursuant to subsection 1, 2 or 3, whichever is applicable. If a  
31 parking space described in subsection 1, 2 or 3 is located on public  
32 property, the governmental entity having control over that public  
33 property shall erect and maintain or cause to be erected and  
34 maintained any sign required pursuant to subsection 1, 2 or 3,  
35 whichever is applicable.

36 5. A person shall not park a vehicle in a space designated for  
37 the handicapped by a sign that meets the requirements of subsection  
38 1, whether on public or privately owned property, unless he is  
39 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. A person shall not use a plate, sticker or placard set forth in subsection 5 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. *A person with a permanent disability, disability of moderate duration or temporary disability to whom a:*

*(a) Special license plate, or a special or temporary parking sticker, has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle or motorcycle displaying the special license plate or special or temporary parking sticker in a space designated for the handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle or on the motorcycle, or is being picked up or dropped off by the driver of the vehicle or motorcycle, at the time that the vehicle or motorcycle is parked in the space designated for the handicapped.*

*(b) Special or temporary parking placard has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle which displays the special or temporary parking*



*placard in a space designated for the handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle, or is being picked up or dropped off by the driver of the vehicle, at the time that it is parked in the space designated for the handicapped.*

**10.** A person who violates any of the provisions of subsections 5 to ~~[8.]~~ 9, inclusive, is guilty of a misdemeanor and shall be punished:

(a) Upon the first offense, by a fine of ~~[\$100.]~~ \$250.

(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. 3.** Not later than October 1, 2005:

1. The Department of Motor Vehicles shall issue, in accordance with the amendatory provisions of section 1 of this act, a letter to each person to whom the Department has, on or before October 1, 2005, issued pursuant to NRS 484.384:

(a) A special license plate; or

(b) A special or temporary parking placard or a special or temporary parking sticker that has an expiration date of October 1, 2005, or later.

2. The governing body of a city shall issue, in accordance with the amendatory provisions of section 1 of this act, a letter to each person to whom the city has, on or before October 1, 2005, issued pursuant to NRS 484.384 a temporary parking placard or sticker that has an expiration date of October 1, 2005, or later.

3. A board of county commissioners shall issue, in accordance with the amendatory provisions of section 1 of this act, a letter to each person to whom the county has, on or before October 1, 2005, issued pursuant to NRS 484.384 a temporary parking placard or sticker that has an expiration date of October 1, 2005, or later.

**Sec. 4.** 1. This section and section 3 of this act become effective upon passage and approval.

2. Sections 1 and 2 of this act become effective on October 1, 2005.

