

SENATE BILL NO. 273—SENATOR SCHNEIDER

MARCH 23, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Makes various changes relating to parking by certain persons with disabilities. (BDR 43-253)

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.

AN ACT relating to motor vehicles; requiring certain persons who have been issued a special license plate or a special or temporary parking placard or parking sticker to park in a space designated for handicapped persons to have in their immediate possession a special parking card issued by the Department of Motor Vehicles or a city or county while they are exercising those special parking privileges; revising the period during which a special parking placard or sticker remains effective; and providing other matters properly relating thereto.

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

Section 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *If, pursuant to NRS 482.384, the Department issues special license plates, or a special parking placard or special parking sticker, or the Department or a city or county issues a temporary parking placard or temporary parking sticker to a person with a disability, the Department, city or county shall issue a special parking card to that person.*

2. The special parking card must display the name and address of the person to whom it is issued and:

(a) If the person receives special license plates, the number of the plates.



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

Sec. 3. 1. *A person who obtains special parking privileges using special license plates or a special parking placard, special parking sticker, temporary parking placard or temporary parking sticker issued pursuant to NRS 482.384 shall:*

(a) Have in his immediate possession at all times while exercising those special parking privileges:

(1) A special parking card issued to him pursuant to section 2 of this act; or

(2) A driver's license issued to him pursuant to NRS 483.349.

(b) Manually surrender the card or license for examination, upon demand, to a justice of the peace, a peace officer, a deputy of the Department, or a volunteer appointed to a traffic enforcement agency pursuant to NRS 484.4085.

2. A person who violates this section is presumed to have violated subsection 17 of NRS 482.384. However, such a person shall not be convicted if he produces in court or the office of the arresting officer a special parking card issued to him pursuant to section 2 of this act or a driver's license issued to him pursuant to NRS 483.349, that was valid at the time of the violation.

Sec. 4. NRS 482.3831 is hereby amended to read as follows:

482.3831 As used in NRS 482.3831 to 482.384, inclusive, *and sections 2 and 3 of this act*, unless the context otherwise requires, the words and terms defined in NRS 482.3833 to 482.3839, inclusive, have the meanings ascribed to them in those sections.

Sec. 5. NRS 482.384 is hereby amended to read as follows:

482.384 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician certifying that the applicant is a person with a permanent disability. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or a special parking sticker for a motorcycle pursuant to subsection 6.

2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew his special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to



1 include with his application for renewal a statement from a licensed
2 physician certifying that the person is a person with a permanent
3 disability.

4 3. Upon the application of an organization which provides
5 transportation for a person with a permanent disability, disability of
6 moderate duration or temporary disability, the Department may
7 issue special license plates for a vehicle registered by the
8 organization pursuant to this chapter, or the Department may issue
9 special parking placards to the organization pursuant to this section
10 to be used on vehicles providing transportation to such persons. The
11 application must include a statement from the organization
12 certifying that:

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

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

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

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

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

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

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

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

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

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

42 (b) Have an identification number and date of expiration of ~~[-~~:

43 ~~— (1) If the special parking placard is issued to a person with a~~
44 ~~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 ~~f;~~
~~———— (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 temporary parking placard to an applicant. The application must include a certificate from a licensed physician indicating:

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

(b) The estimated period of the disability.



11. A temporary parking placard issued pursuant to subsection 10 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 red background; ~~and~~

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

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

12. A temporary parking sticker issued pursuant to subsection 10 must ~~have~~:

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

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

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

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

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

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

17. No person, other than the person certified as being a person with a permanent disability, disability of moderate duration or temporary disability, or a person actually transporting such a person,



1 may use the special license plates or a special or temporary parking
2 placard, or a special or temporary parking sticker issued pursuant to
3 this section to obtain any special parking privileges available
4 pursuant to this section.

5 18. Any person who violates the provisions of subsection 17 is
6 guilty of a misdemeanor.

7 19. The Department may review the eligibility of each holder
8 of a special parking placard, a special parking sticker or special
9 license plates, or any combination thereof. Upon a determination of
10 ineligibility by the Department, the holder shall surrender the
11 special parking placard, special parking sticker or special license
12 plates, or any combination thereof, to the Department.

13 20. The Department may adopt such regulations as are
14 necessary to carry out the provisions of ~~[this section.]~~ *NRS*
15 *482.3831 to 482.384, inclusive, and sections 2 and 3 of this act.*

16 **Sec. 6.** NRS 484.407 is hereby amended to read as follows:

17 484.407 1. Except as otherwise provided in subsection 3, an
18 owner or operator of a motor vehicle displaying a special parking
19 placard, a special parking sticker, a temporary parking placard, a
20 temporary parking sticker or special *license* plates issued pursuant
21 to NRS 482.384, or special *license* plates for a disabled veteran
22 issued pursuant to NRS 482.377, may park the motor vehicle for not
23 more than 4 hours at any one time in a parking zone restricted as to
24 the length of time parking is permitted, without penalty, removal or
25 impoundment of the vehicle if ~~[the]~~ :

26 (a) *The* parking is otherwise consistent with public safety ~~[and~~
27 ~~is]~~ ;

28 (b) *The parking is* done by a person with a permanent disability,
29 disability of moderate duration or temporary disability, a disabled
30 veteran ~~[,]~~ or a person transporting any such person ~~[,]~~ ; *and*

31 (c) *The person, except a disabled veteran or a person*
32 *transporting a disabled veteran, has in his immediate possession a*
33 *special parking card issued to him pursuant to section 2 of this act*
34 *or a driver's license issued to him pursuant to NRS 483.349.*

35 2. An owner or operator of a motor vehicle displaying special
36 plates for a disabled veteran issued pursuant to NRS 482.377 may,
37 without displaying a special license plate, placard or sticker issued
38 pursuant to NRS 482.384, park in a parking space designated for the
39 handicapped if:

40 (a) The parking is done by a disabled veteran; or

41 (b) A disabled veteran is a passenger in the motor vehicle being
42 parked.

43 3. This section does not authorize the parking of a motor
44 vehicle in any privately or municipally owned facility for parking



1 off the highway without paying the required fee for the time during
2 which the vehicle is so parked.

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

4 484.408 1. Any parking space designated for the
5 handicapped must be indicated by a sign:

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

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

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

15 2. In addition to the requirements of subsection 1, a parking
16 space designated for the handicapped which:

17 (a) Is designed for the exclusive use of a vehicle with a side-
18 loading wheelchair lift; and

19 (b) Is located in a parking lot with 60 or more parking spaces,
20 ➡ must be indicated by a sign using a combination of words to state
21 that the space is for the exclusive use of a vehicle with a side-
22 loading wheelchair lift.

23 3. If a parking space is designed for the use of a vehicle with a
24 side-loading wheelchair lift, the space which is immediately
25 adjacent and intended for use in the loading and unloading of a
26 wheelchair into or out of such a vehicle must be indicated by a sign:

27 (a) Stating "No Parking" or similar words which indicate that
28 parking in such a space is prohibited;

29 (b) Stating "Minimum fine of \$100 for violation" or similar
30 words indicating that the minimum fine for parking in such a space
31 is \$100; and

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

34 4. An owner of private property upon which is located a
35 parking space described in subsection 1, 2 or 3 shall erect and
36 maintain or cause to be erected and maintained any sign required
37 pursuant to subsection 1, 2 or 3, whichever is applicable. If a
38 parking space described in subsection 1, 2 or 3 is located on public
39 property, the governmental entity having control over that public
40 property shall erect and maintain or cause to be erected and
41 maintained any sign required pursuant to subsection 1, 2 or 3,
42 whichever is applicable.

43 5. A person shall not park a vehicle in a space designated for
44 the handicapped by a sign that meets the requirements of subsection



1 1, whether on public or privately owned property, unless he is
2 eligible to do so and the vehicle displays:

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

4 (b) A special or temporary parking placard issued pursuant to
5 NRS 482.384;

6 (c) A special or temporary parking sticker issued pursuant to
7 NRS 482.384;

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

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

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

19 (a) He is eligible to do so;

20 (b) The vehicle displays the special license plates , *sticker* or
21 placard set forth in subsection 5; and

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

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

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

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

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

32 ➤ whether on public or privately owned property.

33 8. A person shall not use a plate, sticker or placard set forth in
34 subsection 5 to park in a space designated for the handicapped
35 unless he is ~~he~~ :

36 (a) A person with a permanent disability, disability of moderate
37 duration or temporary disability, a disabled veteran ~~he~~ or the driver
38 of a vehicle in which any such person is a passenger ~~he~~ ; and

39 (b) *Eligible by law to do so.*

40 9. A person who violates any of the provisions of subsections 5
41 to 8, inclusive, is guilty of a misdemeanor and shall be punished:

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

43 (b) Upon the second offense, by a fine of \$250 and not less than
44 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.

10. For the purposes of this section, a person who has been issued a special parking card pursuant to section 2 of this act or a driver's license pursuant to NRS 483.349 is not eligible to park a vehicle pursuant to subsection 5, 6 or 8 unless he:

(a) Has in his immediate possession at all times that his vehicle is parked the special parking card or driver's license; and

(b) Manually surrenders the card or license for examination, upon demand, to a justice of the peace, a peace officer, a deputy of the Department, or a volunteer appointed to a traffic enforcement agency pursuant to NRS 484.4085.

11. A person who violates subsection 5, 6 or 8 only because he is not eligible to park a vehicle pursuant to subsection 10 shall not be convicted if he produces in court or the office of the arresting officer a special parking card issued to him pursuant to section 2 of this act or a driver's license issued to him pursuant to NRS 483.349, that was valid at the time of the violation.

Sec. 8. 1. Not later than December 31, 2005, the Department of Motor Vehicles shall issue a special parking card to each person to whom it has previously issued, pursuant to NRS 482.384:

(a) Special license plates; or

(b) A special parking placard or special parking sticker that has an expiration date of January 1, 2006, or later.

2. The special parking card must comply with the provisions of subsection 2 of section 2 of this act.

Sec. 9. This act becomes effective on January 1, 2006.



