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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2835

03/06/2014 Authored by Masin, Yarusso, Newton, McNamar, Bernardy and others
The bill was read for the first time and referred to the Committee on Transportation Policy
03/20/2014 Adoption of Report: Placed on the General Register
Read Second Time

1.1 A bill for an act
1.2 relating to public safety; traffic regulations; modifying provisions governing
1.3 disability parking; amending Minnesota Statutes 2012, section 168.021,
1.4 subdivisions 1, 3; Minnesota Statutes 2013 Supplement, section 169.346,
1.5 subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 168.021, subdivision 1, is amended to read:

1.8 Subdivision 1. Disability plates; application. (a) When a motor vehicle registered
1.9 under section 168.017, a motorcycle as defined in section 168.002, subdivision 19, a
1.10 one-ton pickup truck as defined in section 168.002, subdivision 21b, or a self-propelled
1.11 recreational vehicle as defined in section 168.002, subdivision 27, is owned or primarily
1.12 operated by a permanently physically disabled person or a custodial parent or guardian of
1.13 a permanently physically disabled minor or legal ward as defined in section 524.5-102,
1.14 subdivision 17, the owner may apply for and secure from the commissioner (1)
1.15 immediately, a temporary permit valid for 30 days if the applicant is eligible for the
1.16 disability plates issued under this section and (2) two disability plates with attached
1.17 emblems, one plate to be attached to the front, and one to the rear of the motor vehicle,
1.18 truck, or recreational vehicle, or, in the case of a motorcycle, one disability plate the
1.19 same size as a regular motorcycle plate.

1.20 (b) The commissioner shall not issue more than one plate to the owner of a
1.21 motorcycle and not more than one set of plates to any owner of another vehicle described
1.22 in paragraph (a) at the same time unless the state Council on Disability approves the
1.23 issuance of a second plate or set of plates to an owner.

2.1 (c) When the owner first applies for the disability plate or plates, the owner must
 2.2 submit a medical statement in a format approved by the commissioner under section
 2.3 169.345, or proof of physical disability provided for in that section.

2.4 (d) No medical statement or proof of disability is required when an owner applies for
 2.5 a plate or plates for one or more vehicles listed in paragraph (a) that are specially modified
 2.6 for and used exclusively by permanently physically disabled persons.

2.7 (e) The owner of a vehicle listed in paragraph (a) may apply for and secure (i)
 2.8 immediately, a permit valid for 30 days, if the applicant is eligible to receive the disability
 2.9 plate or plates issued under this section, and (ii) a disability plate or plates for the vehicle if:

2.10 (1) the owner employs a permanently physically disabled person who would qualify
 2.11 for the disability plate or plates under this section; and

2.12 (2) the owner furnishes the motor vehicle to the physically disabled person for the
 2.13 exclusive use of that person in the course of employment.

2.14 Sec. 2. Minnesota Statutes 2012, section 168.021, subdivision 3, is amended to read:

2.15 Subd. 3. **Penalties for unauthorized use of plates.** (a) A person who uses the
 2.16 disability plate or plates or permit provided under this section on a motor vehicle in
 2.17 violation of this section is guilty of a misdemeanor, and is subject to a fine of \$500. This
 2.18 subdivision does not preclude a person who is not physically disabled from operating a
 2.19 vehicle bearing the disability plates or permit if:

2.20 (1) the person is the owner of the vehicle described in subdivision 1 and permits its
 2.21 operation by a physically disabled person;

2.22 (2) the person operates the vehicle with the consent of the owner who is physically
 2.23 disabled; or

2.24 (3) the person is the owner of the vehicle, is the custodial parent or guardian of a
 2.25 permanently physically disabled minor or legal ward, and operates the vehicle to transport
 2.26 the minor or legal ward.

2.27 (b) A driver who is not disabled is not entitled to the parking privileges provided in
 2.28 this section and in section 169.346 unless parking the vehicle for a physically disabled
 2.29 person.

2.30 Sec. 3. Minnesota Statutes 2013 Supplement, section 169.346, subdivision 2, is
 2.31 amended to read:

2.32 Subd. 2. **Disability parking space signs.** (a) Parking spaces reserved for physically
 2.33 disabled persons must be designated and identified by the posting of signs incorporating
 2.34 the international symbol of access in white on blue, and indicating that: (1) the vehicle

3.1 identification under subdivision 1, clause (4), item (ii), is required; (2) the vehicle must be
3.2 centered to the sign; and (3) violators are subject to a fine of up to \$200. These parking
3.3 spaces are reserved for disabled persons with motor vehicles displaying the required
3.4 certificate, plates, permit valid for 30 days, or insignia.

3.5 (b) For purposes of this subdivision, a parking space that is clearly identified as
3.6 reserved for physically disabled persons by a permanently posted sign that does not
3.7 meet all design standards, is considered designated and reserved for physically disabled
3.8 persons. A sign posted for the purpose of this section must be visible from inside a motor
3.9 vehicle parked in the space, be kept clear of snow or other obstructions which block
3.10 its visibility, and be nonmovable.