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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 286

01/17/2017 Authored by Bernardy and Lillie
The bill was read for the first time and referred to the Veterans Affairs Division

1.1 A bill for an act
1.2 relating to transportation; providing for disability parking by vehicles bearing
1.3 special World War II veteran plates; amending Minnesota Statutes 2016, sections
1.4 169.345, subdivisions 1, 2; 169.346, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 169.345, subdivision 1, is amended to read:

1.7 Subdivision 1. Scope of privilege. (a) ~~A vehicle described in section 168.021, subdivision~~
1.8 ~~1, paragraph (a), that prominently displays the certificate authorized by this section or that~~
1.9 ~~bears the disability plate or plates issued under section 168.021~~ An eligible vehicle may be
1.10 parked by or solely for the benefit of a physically disabled person:

1.11 (1) in a designated parking space for disabled persons, as provided in section 169.346;

1.12 (2) in a metered parking space without obligation to pay the meter fee and without time
1.13 restrictions unless time restrictions are separately posted on official signs; and

1.14 (3) without time restrictions in a nonmetered space where parking is otherwise allowed
1.15 for passenger vehicles but restricted to a maximum period of time and that does not
1.16 specifically prohibit the exercise of disabled parking privileges in that space.

1.17 (b) A person may park the vehicle for a physically disabled person in a parking space
1.18 described in paragraph (a), clause (1) or (2), only when actually transporting the physically
1.19 disabled person for the sole benefit of that person and when the parking space is within a
1.20 reasonable distance from the drop-off point.

1.21 ~~(b)~~ (c) For purposes of this subdivision, a certificate is prominently displayed if it is
1.22 displayed so that it may be viewed from the front and rear of the motor vehicle by hanging

2.1 it from the rearview mirror attached to the front windshield of the motor vehicle or, in the  
 2.2 case of a motorcycle, is secured to the vehicle. If there is no rearview mirror or if the  
 2.3 certificate holder's disability precludes placing the certificate on the mirror, the certificate  
 2.4 must be displayed on the dashboard of the vehicle. No part of the certificate may be obscured.

2.5 ~~(e)~~ (d) Notwithstanding paragraph (a), ~~clauses (1), (2), and (3)~~, this section does not  
 2.6 permit parking in areas prohibited by sections 169.32 and 169.34, in designated no parking  
 2.7 spaces, or in parking spaces reserved for specified purposes or vehicles. A local governmental  
 2.8 unit may, by ordinance, prohibit parking on any street or highway to create a fire lane, or  
 2.9 to accommodate heavy traffic during morning and afternoon rush hours and these ordinances  
 2.10 also apply to physically disabled persons.

2.11 (e) The registered owner of a motor vehicle bearing a special World War II veteran plate  
 2.12 issued under section 168.123, subdivision 2, paragraph (c), may park the motor vehicle in  
 2.13 the manner provided under paragraph (a).

2.14 Sec. 2. Minnesota Statutes 2016, section 169.345, subdivision 2, is amended to read:

2.15 Subd. 2. **Definitions.** (a) For the purpose of section 168.021 and this section, the following  
 2.16 terms have the meanings given them in this subdivision.

2.17 (b) "Eligible vehicle" means a motor vehicle that bears, or prominently displays as  
 2.18 provided in subdivision 1, paragraph (c), one of the following:

2.19 (1) a disability plate issued under section 168.021;

2.20 (2) a certificate issued under this section;

2.21 (3) a permit issued under section 168.021 or this section; or

2.22 (4) a certificate, insignia, or plate that is equivalent to one identified in clauses (1) to  
 2.23 (3), issued by another state, a foreign country, or one of its political subdivisions.

2.24 ~~(b)~~ (c) "Health professional" means a licensed physician, licensed physician assistant,  
 2.25 advanced practice registered nurse, or licensed chiropractor.

2.26 ~~(e)~~ (d) "Long-term certificate" means a certificate issued for a period greater than 12  
 2.27 months but not greater than 71 months.

2.28 ~~(d)~~ (e) "Organization certificate" means a certificate issued to an entity other than a  
 2.29 natural person for a period of three years.

2.30 ~~(e)~~ (f) "Permit" refers to a permit that is issued for a period of 30 days, in lieu of the  
 2.31 certificate referred to in subdivision 3, while the application is being processed.

3.1 ~~(f)~~ (g) "Physically disabled person" means a person who:

3.2 (1) because of disability cannot walk without significant risk of falling;

3.3 (2) because of disability cannot walk 200 feet without stopping to rest;

3.4 (3) because of disability cannot walk without the aid of another person, a walker, a cane,  
3.5 crutches, braces, a prosthetic device, or a wheelchair;

3.6 (4) is restricted by a respiratory disease to such an extent that the person's forced  
3.7 (respiratory) expiratory volume for one second, when measured by spirometry, is less than  
3.8 one liter;

3.9 (5) has an arterial oxygen tension (PaO<sub>2</sub>) of less than 60 mm/Hg on room air at rest;

3.10 (6) uses portable oxygen;

3.11 (7) has a cardiac condition to the extent that the person's functional limitations are  
3.12 classified in severity as class III or class IV according to standards set by the American  
3.13 Heart Association;

3.14 (8) has lost an arm or a leg and does not have or cannot use an artificial limb; or

3.15 (9) has a disability that would be aggravated by walking 200 feet under normal  
3.16 environmental conditions to an extent that would be life threatening.

3.17 ~~(g)~~ (h) "Short-term certificate" means a certificate issued for a period greater than six  
3.18 months but not greater than 12 months.

3.19 ~~(h)~~ (i) "Six-year certificate" means a certificate issued for a period of six years.

3.20 ~~(i)~~ (j) "Temporary certificate" means a certificate issued for a period not greater than  
3.21 six months.

3.22 Sec. 3. Minnesota Statutes 2016, section 169.346, subdivision 1, is amended to read:

3.23 Subdivision 1. **Disability parking space prohibitions.** A person shall not:

3.24 (1) park a motor vehicle in or obstruct access to a parking space or associated access  
3.25 aisle designated and reserved for the physically disabled, on either private or public property;

3.26 (2) park a motor vehicle in or obstruct access to an area designated by a local  
3.27 governmental unit as a transfer zone for disabled persons;

3.28 (3) alter a certificate;

4.1 (4) exercise the parking privilege provided in section 169.345, ~~unless:~~ except as provided  
4.2 in that section; or

4.3 ~~(i) that person is a physically disabled person as defined in section 169.345, subdivision~~  
4.4 ~~2, or the person is transporting or parking a motor vehicle for a physically disabled person;~~  
4.5 ~~and~~

4.6 ~~(ii) the motor vehicle visibly displays one of the following: a disability plate issued under~~  
4.7 ~~section 168.021, a certificate issued under section 169.345, a permit valid for 30 days issued~~  
4.8 ~~under section 168.021 or 169.345, or an equivalent certificate, insignia, or plate issued by~~  
4.9 ~~another state, a foreign country, or one of its political subdivisions; or~~

4.10 (5) park a motor vehicle in an area used as a regular route transit stopping point where  
4.11 a transit vehicle that is accessible to the physically disabled regularly stops and a sign that  
4.12 bears the international symbol of access in white on blue is posted. A sign posted under this  
4.13 clause may display other information relating to the regular route transit service. For purposes  
4.14 of this clause, an area used as a regular route transit stopping point consists of the 80 feet  
4.15 immediately preceding the sign described in this clause.