

advise the commissioner about programs of the division of services for the blind and visually handicapped. The advisory council is limited to 15 members, a majority of whom must be blind or visually handicapped.

Sec. 2. Minnesota Statutes 1992, section 268A.02, subdivision 2, is amended to read:

Subd. 2. ~~CONSUMER REHABILITATION ADVISORY COUNCIL. To~~ assure that consumer concerns are a major consideration in the department's programs, policies, and decision-making process, the commissioner shall establish and appoint a consumer advisory council on vocational rehabilitation which shall be composed of no more than 13 members. A majority of the members of the council shall be persons with a disability who are current or former recipients of vocational rehabilitation services or who represent consumer/advocacy organizations that regularly serve vocational rehabilitation clients. If a qualified person is available to so serve, one person shall be appointed to the council to represent each of the following: business, labor, education, medicine, and the private not-for-profit rehabilitation industry. The remaining members shall be public members. Under the direction of the commissioner, the council shall organize itself and elect a chair and other officers as it deems appropriate. The council shall meet at the call of the chair or the commissioner as often as necessary. The terms, compensation, and removal of members of the council shall be as provided in section 15.059. The council shall not expire as provided by section 15.059, subdivision 5. The commissioner shall establish a state rehabilitation advisory council consistent with the federal Rehabilitation Act of 1973, Public Law Number 93-112, as amended through December 31, 1992. Members of the advisory council shall be compensated as provided in section 15.059, subdivision 3. Members of the consumer advisory council appointed prior to July 1, 1993, shall serve on the rehabilitation advisory council until the end of their appointed terms.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 6, 1993

Signed by the governor May 7, 1993, 2:50 p.m.

#### CHAPTER 98—S.F.No. 561

*An act relating to traffic regulations; directing commissioner of public safety to issue temporary permit immediately to applicant for special disabled license plates or parking certificate; providing penalty for unauthorized use of temporary permit; amending Minnesota Statutes 1992, sections 168.021, subdivisions 1, 1a, and 3; 169.345, subdivisions 3 and 4; and 169.346, subdivisions 1, 2, and 3.*

New language is indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1992, section 168.021, subdivision 1, is amended to read:

Subdivision 1. **SPECIAL PLATES; APPLICATION.** (a) When a motor vehicle registered under section 168.017, a motorcycle, or a self-propelled recreational vehicle is owned or primarily operated by a permanently physically disabled person or a custodial parent or guardian of a permanently physically disabled minor, the owner may apply for and secure from the registrar of motor vehicles (1) immediately, a temporary permit valid for 30 days, if the applicant is eligible for the special plates issued under this paragraph, and (2) two license plates with attached emblems, one plate to be attached to the front, and one to the rear of the vehicle. Application for the plates must be made at the time of renewal or first application for registration. When the owner first applies for the plates, the owner must submit a physician's statement on a form developed by the commissioner under section 169.345, or proof of physical disability provided for in that section.

(b) The owner of a motor vehicle may apply for and secure (i) immediately, a temporary permit valid for 30 days, if the person is eligible to receive the special plates issued under this paragraph, and (ii) a set of special plates for a motor vehicle if:

(1) the owner employs a permanently physically disabled person who would qualify for special plates under this section; and

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

Sec. 2. Minnesota Statutes 1992, section 168.021, subdivision 1a, is amended to read:

Subd. 1a. **SCOPE OF PRIVILEGE.** If a physically disabled person parks a vehicle displaying license plates described in this section, or a temporary permit valid for 30 days and issued to an eligible person awaiting receipt of the license plates described in this section, or any person parks the vehicle for a physically disabled person, that person shall be entitled to park the vehicle as provided in section 169.345.

Sec. 3. Minnesota Statutes 1992, section 168.021, subdivision 3, is amended to read:

Subd. 3. **PENALTIES FOR UNAUTHORIZED USE OF PLATES.** (a) A person who uses the plates or temporary permit provided under this section on a motor vehicle in violation of this section is guilty of a misdemeanor, and is subject to a fine of \$500. This subdivision does not preclude a person who is not physically disabled from operating a vehicle bearing the plates or temporary permit if:

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(1) the person is the owner of the vehicle and permits its operation by a physically disabled person;

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

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

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

Sec. 4. Minnesota Statutes 1992, section 169.345, subdivision 3, is amended to read:

Subd. 3. **IDENTIFYING CERTIFICATE.** (a) The division of driver and vehicle services in the department of public safety shall issue (1) immediately, a temporary permit valid for 30 days, if the person is eligible for the certificate issued under this paragraph, and (2) a special identifying certificate for a motor vehicle when a physically disabled applicant submits proof of physical disability under subdivision 2a. The commissioner shall design separate certificates for persons with permanent and temporary disabilities that can be readily distinguished from each other from outside a vehicle at a distance of 25 feet. The certificate is valid for the duration of the person's disability, as specified in the physician's or chiropractor's statement, up to a maximum of six years. A person with a disability of longer duration will be required to renew the certificate for additional periods of time, up to six years each, as specified in the physician's or chiropractor's statement.

(b) When the commissioner is satisfied that a motor vehicle is used primarily for the purpose of transporting physically disabled persons, the division may issue without charge (1) immediately, a temporary permit valid for 30 days, if the operator is eligible for the certificate issued under this paragraph, and (2) a special identifying certificate for the vehicle. The operator of a vehicle displaying the certificate or temporary permit has the parking privileges provided in subdivision 1 while the vehicle is in use for transporting physically disabled persons. The certificate issued to a person transporting physically disabled persons must be renewed every third year. On application and renewal, the person must present evidence that the vehicle continues to be used for transporting physically disabled persons.

(c) A certificate must be made of plastic or similar durable material, must be distinct from certificates issued before January 1, 1988, and must bear its expiration date prominently on its face. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under paragraph (a). Each certificate must have printed on the back a summary of the parking privileges and restrictions that apply to each vehicle

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in which it is used. The commissioner may charge a fee of \$5 for issuance or renewal of a certificate or temporary permit, and a fee of \$5 for a duplicate to replace a lost, stolen, or damaged certificate or temporary permit. The commissioner shall not charge a fee for issuing a certificate to a person who has paid a fee for issuance of a temporary permit.

Sec. 5. Minnesota Statutes 1992, section 169.345, subdivision 4, is amended to read:

Subd. 4. **UNAUTHORIZED USE; REVOCATION; PENALTY.** If a peace officer finds that the certificate or temporary permit is being improperly used, the officer shall report the violation to the division of driver and vehicle services in the department of public safety and the commissioner of public safety may revoke the certificate or temporary permit. A person who uses the certificate or temporary permit in violation of this section is guilty of a misdemeanor and is subject to a fine of \$500.

Sec. 6. Minnesota Statutes 1992, section 169.346, subdivision 1, is amended to read:

Subdivision 1. **PARKING CRITERIA.** A person shall not:

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

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

(3) exercise the parking privilege provided in section 169.345, unless:

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

(ii) the vehicle visibly displays one of the following: a license plate issued under section 168.021, a certificate issued under section 169.345, a temporary permit valid for 30 days issued under section 168.021 or 169.345, or an equivalent certificate, insignia, or license plate issued by another state, a foreign country, or one of its political subdivisions.

Sec. 7. Minnesota Statutes 1992, section 169.346, subdivision 2, is amended to read:

Subd. 2. **SIGNS; PARKING SPACES FREE OF OBSTRUCTIONS; PENALTY.** (a) Parking spaces reserved for physically disabled persons must be designated and identified by the posting of signs incorporating the international symbol of access in white on blue and indicating that violators are subject to a fine of up to \$200. These parking spaces are reserved for disabled persons with vehicles displaying the required certificate, license plates, temporary permit valid for 30 days, or insignia. Signs sold after August 1, 1991, must conform to

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the design requirements in this paragraph. For purposes of this subdivision, a parking space that is clearly identified as reserved for physically disabled persons by a permanently posted sign that does not meet all design standards, is considered designated and reserved for physically disabled persons. A sign posted for the purpose of this section must be visible from inside a vehicle parked in the space, be kept clear of snow or other obstructions which block its visibility, and be nonmovable or only movable by authorized persons.

(b) The owner or manager of the property on which the designated parking space is located shall ensure that the space is kept free of obstruction. If the owner or manager allows the space to be blocked by snow, merchandise, or similar obstructions for 24 hours after receiving a warning from a peace officer, the owner or manager is guilty of a misdemeanor and subject to a fine of up to \$500.

Sec. 8. Minnesota Statutes 1992, section 169.346, subdivision 3, is amended to read:

Subd. 3. **PENALTY; ENFORCEMENT.** A person who violates subdivision 1 is guilty of a misdemeanor and shall be fined not less than \$100 or more than \$200. This subdivision shall be enforced in the same manner as parking ordinances or regulations in the governmental subdivision in which the violation occurs. Law enforcement officers have the authority to tag vehicles parked on either private or public property in violation of subdivision 1. A physically disabled person, or a person parking a vehicle for a disabled person, who is charged with violating subdivision 1 because the person parked in a parking space for physically disabled persons without the required certificate ~~or~~ license plates, or temporary permit shall not be convicted if the person produces in court or before the court appearance the required certificate, temporary permit, or evidence that the person has been issued license plates under section 168.021, and demonstrates entitlement to the certificate ~~or~~ plates, or temporary permit at the time of arrest or tagging.

Presented to the governor May 6, 1993

Signed by the governor May 7, 1993, 2:47 p.m.

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#### CHAPTER 99—S.F.No. 699

*An act relating to health; utilization review of health care; providing for chiropractic review; amending Minnesota Statutes 1992, section 62M.09, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1992, section 62M.09, is amended by adding a subdivision to read:

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