

House Bill 293

By: Representative Marin of the 96th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to prestige license plates and plates for certain persons and vehicles, so as to provide
3 for special parking permits issued to persons with disabilities to include a photograph of the
4 person issued the permit; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
9 prestige license plates and plates for certain persons and vehicles, is amended by revising
10 Code Section 40-2-74.1, relating to temporary, permanent, and special permanent parking
11 permits for persons with disabilities, as follows:

12 "40-2-74.1.

13 (a) The department shall issue parking permits for persons with disabilities and may
14 delegate to county tag agents the responsibility for issuance of such permits to residents of
15 the county served by the tag agent. The department shall receive applications for and issue
16 parking permits by mail to persons with disabilities upon presentation of an affidavit of a

licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed chiropractor stating that such person is a disabled person, the specific disability that limits or impairs the person's ability to walk, and that he or she is a person with disabilities as specified in paragraph (5) of Code Section 40-6-221. Permits shall be in such form as the department prescribes but shall be of sufficient size and sufficiently distinctively marked to be easily visible when placed on or affixed to the driver's side of the dashboard or hung from the rearview mirror of the parked vehicle. Permits shall be made of a substrate as determined by the commissioner and shall be of sufficient quality to ensure that the coloring of the permit and the ink used thereon will resist fading for a period of at least four years. Permits shall be issued to individuals, and the name of ~~the~~ such individual, a recent photograph of such individual, and an identification number shall appear on the permit. The individual to whom a permit is issued may use the permit for any vehicle he or she is operating or in which he or she is a passenger. Permits shall also be issued to institutions when the primary purpose of a vehicle operated by the institution is to transport individuals with disabilities. The name of the institution, the license number of the particular vehicle, and an identification number shall appear on the permit. The institution shall use such permit only for a vehicle which is operated by the institution and which is used primarily to transport individuals with disabilities.

(b) The department shall issue a temporary permit to any temporarily disabled person upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed chiropractor stating that such person is a temporarily disabled person, the specific disability that limits or impairs the person's ability to walk, that he or she is a person with disabilities as specified in paragraph (5) of Code Section 40-6-221, and a date until which such person is likely to remain disabled. The temporary permit shall show prominently on its face a recent photograph of the person issued such temporary permit and an expiration date the

44 same as the date specified by such doctor for the likely termination of the disability, which
45 date shall not be more than 180 days after the date the permit is issued. The expiration date
46 shall be printed with permanent ink and in boldface type of sufficient size to be legible
47 when the permit is displayed on the driver's side of the dashboard or hung from the
48 rearview mirror.

49 (c) The department shall issue a permanent permit to any permanently disabled person
50 upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of
51 osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or
52 licensed chiropractor stating that such person is a permanently disabled person. The
53 affidavit shall further state the specific disability that limits or impairs the person's ability
54 to walk or that he or she is a person with disabilities as specified in paragraph (5) of Code
55 Section 40-6-221. Permits issued to a permanently disabled person shall include a recent
56 photograph of the person to whom such permit was issued. The department shall also issue
57 a permanent permit to an institution which operates vehicles used primarily for the
58 transportation of individuals with disabilities upon presentation of a certification from the
59 institution regarding use of its vehicles. The institution shall receive permits only for the
60 number of vehicles so used and shall affix the permits to the driver's side of the dashboards
61 of such vehicles. The permanent permit shall be predominantly blue in color and shall
62 show prominently on its face an expiration date four years from the date it is issued. The
63 expiration date shall be machine printed, not handwritten, in boldface type of sufficient size
64 to be legible when the permit is displayed on the driver's side of the dashboard or hung
65 from the rearview mirror.

66 (d) Any individual to whom a specially designated disabled veteran's license plate has
67 been issued pursuant to Code Sections 40-2-69 through 40-2-72 and any individual to
68 whom a specially designated disabled person's license plate has been issued pursuant to
69 Code Section 40-2-74 shall be authorized to park the passenger motor vehicle on which the
70 specially designated license plate is attached in a parking place for persons with disabilities

71 without the necessity of obtaining a parking permit for persons with disabilities pursuant
72 to this Code section.

73 (e) The department shall issue a special permanent permit to any person who:

74 (1) Because of a physical disability drives a motor vehicle which has been equipped with
75 hand controls for the operation of the vehicle's brakes and accelerator; or

76 (2) Is physically disabled due to the loss of, or loss of use of, both upper extremities.

77 This special permanent permit shall be gold in color, include a recent photograph of the
78 person issued such permit, and ~~shall~~ show prominently on its face an expiration date four
79 years from the date it is issued. The expiration date shall be printed in a size of print that
80 is legible when the permit is displayed on the driver's side of the dashboard or hung from
81 the rearview mirror. Such a special permit shall be used in the same manner as, and shall
82 be subject to the provisions of this Code section relating to, other permanent parking
83 permits for persons with disabilities and shall also be used as provided in Code Section
84 10-1-164.1. In addition to any other required printing, the following shall be printed upon
85 this special gold permit:

86 'Code Section 10-1-164.1 of the Official Code of Georgia Annotated requires that any
87 owner or operator of a gasoline station that sells full-service gasoline at one price and
88 self-service at a lower price shall provide the service of dispensing gasoline at the
89 self-service price for the holder of this special permit when such holder requests such
90 service and is the operator of the vehicle and is not accompanied by another person 16
91 years of age or older who is not mobility impaired or blind.'

92 (f) The department and county tag agents shall not charge or collect any fee for issuing
93 parking permits for persons with disabilities under this Code section.

94 (g) Any special disabled person decal issued under the former provisions of this Code
95 section shall be valid until its expiration date but shall not be reissued.

96 (h) For purposes of this Code section, an active duty military physician shall be entitled
97 to submit an affidavit in support of the application of active duty or retired military

98 personnel for parking permits for persons with disabilities whether or not such physician
99 is licensed to practice in Georgia. Such affidavit shall state that the applicant is in active
100 military service and is stationed in Georgia pursuant to military orders or is retired from
101 the military and is a resident of Georgia and that such person is a disabled person, the
102 specific disability that limits or impairs the person's ability to walk, and that he or she is
103 a person with disabilities as specified in paragraph (5) of Code Section 40-6-221.

104 (i) For purposes of this Code section, the department shall accept, in lieu of an affidavit,
105 a signed and dated statement from the doctor which includes the same information as
106 required in an affidavit written upon security paper as defined in paragraph (38.5) of Code
107 Section 26-4-5."

108 **SECTION 2.**

109 All laws and parts of laws in conflict with this Act are repealed.