

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 57

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-403, IDAHO
2 CODE, TO PROVIDE FOR SPECIAL PLACARDS TO BE ISSUED TOGETHER WITH DIS-
3 ABLED VETERAN LICENSE PLATES; AMENDING SECTION 49-410, IDAHO CODE, TO
4 PROVIDE FOR SPECIAL PLACARDS TO BE ISSUED TOGETHER WITH DISABLED VET-
5 ERAN LICENSE PLATES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN
6 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 49-403, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 49-403. DISABLED VETERAN -- LICENSE PLATES. No fee shall be charged
12 for the registration or reregistration of a motor vehicle owned by a veteran
13 who has established his rights to benefits under the provisions of Public
14 Law 662, 79th Congress, as amended, and Public Law 187, 82nd Congress, as
15 amended. The provisions of this section shall not apply to any vehicle with
16 a registered maximum gross weight over twenty-six thousand (26,000) pounds,
17 nor to any vehicle registered under section 49-434(5), Idaho Code. No fee
18 shall be charged for the registration or reregistration of a motor vehicle
19 owned by a veteran, who is at the time of the registration or reregistration
20 receiving compensation from the veterans administration or in lieu thereof,
21 from any of the armed forces of the United States, for one hundred percent
22 (100%) service-connected disability or for any of the following specific
23 disabilities: Loss or permanent loss of use of one (1) or both feet; loss or
24 permanent loss of use of one (1) or both hands; loss of sight in both eyes or
25 permanent impairment of vision in both eyes to the degree as to constitute
26 virtual blindness. These provisions shall be considered applicable not only
27 as to the vehicle originally purchased under this authorization, but also
28 as to any vehicle subsequently purchased and owned by the same veteran, so
29 long as the privilege shall not extend to more than one (1) vehicle at a time.
30 Special license plates shall be issued for such a vehicle, identified by the
31 inscription "D.V.", and a separate number series shall be used to further
32 identify the license plates so issued. These license plates shall not be
33 issued by the counties but shall be issued by the department. The plates
34 shall be displayed in accordance with the procedure applicable to license
35 plates set forth in section 49-428, Idaho Code. A vehicle displaying plates
36 issued in accordance with the provisions of this section shall be afforded
37 the same privileges specified in section 49-410(7), Idaho Code. Together
38 with a license plate issued pursuant to this section the department shall
39 issue a special placard pursuant to section 49-410(4), Idaho Code.

40 SECTION 2. That Section 49-410, Idaho Code, be, and the same is hereby
41 amended to read as follows:

1 49-410. SPECIAL LICENSE PLATES AND PLACARDS FOR PERSONS WITH A DIS-
 2 ABILITY -- PARKING PRIVILEGES -- PLACARDS FOR CERTAIN TEMPORARILY DISABLED
 3 PERSONS -- ENFORCEMENT. (1) Any person with a disability as defined in sec-
 4 tion 49-117, Idaho Code, or any parent or guardian of a dependent child with
 5 a disability as defined in section 49-117, Idaho Code, without regard to the
 6 age of the dependent child, shall be eligible for the use of special license
 7 plates bearing the international accessible symbol, for any vehicle owned
 8 by such person or owned by a qualified parent or guardian, but excluding any
 9 commercial vehicle with a registered maximum gross weight over twenty-six
 10 thousand (26,000) pounds. The parking privileges granted under the provi-
 11 sions of subsection (7) of this section shall apply to any vehicle displaying
 12 special license plates or placard issued pursuant to this section.

13 (2) Registration and license plate fees for vehicles owned by a per-
 14 son with a disability or qualified parent or guardian of a dependent child
 15 with a disability, shall be as provided, respectively, in sections 49-402,
 16 49-434(1) and 49-450, Idaho Code. Nothing in this section shall be construed
 17 as abrogating provisions of section 49-445, Idaho Code. The use of the spe-
 18 cial placard issued under the provisions of subsection (4) of this section,
 19 shall not exempt the owner of a motor vehicle from otherwise properly regis-
 20 tering and licensing the motor vehicle.

21 (3) Special license plates for persons with a disability and for the
 22 parent or guardian of a dependent child with a disability, shall be the
 23 same size and color as other license plates, and shall have displayed upon
 24 them the registration numbers assigned to the vehicle and to the owner. The
 25 plates shall be numbered in a manner prescribed by the department, but the
 26 plates shall display the international accessible symbol.

27 International Accessible Symbol

28 (4) The department shall issue a special placard bearing the interna-
 29 tional accessible symbol and other information the department may require,
 30 to:

- 31 (a) Any qualified person with a disability who does not own a motor ve-
 32 hicle;
- 33 (b) Any qualified person with a disability who owns a motor vehicle,
 34 without regard to weight or use of the vehicle;
- 35 (c) Any parent or guardian of a dependent child with a disability who
 36 owns a motor vehicle without regard to weight or use of the vehicle;
- 37 (d) Any business entity ~~which~~ that is engaged in transportation of per-
 38 sons with a disability, which business shall not be required to submit
 39 a physician's certification. In addition to other application require-
 40 ments, a business applicant shall sign a declaration that he is engaged
 41 in the transportation of persons with a disability. A business entity
 42 may include, but not be limited to, hospitals, nursing homes, federal,
 43 state and local governmental agencies and taxicabs; and
- 44 (e) Any recipient of a disabled veteran license plate pursuant to sec-
 45 tion 49-403, Idaho Code.

46 (5) Any person or business issued a special placard shall affix the spe-
 47 cial placard to a motor vehicle in a conspicuous place designated by the de-
 48 partment. The placard shall bear distinguishing marks, letters or numerals
 49 indicating the vehicle is utilized by a permanently disabled person. When

1 the placard is affixed to a motor vehicle and the motor vehicle is transport-
2 ing a person with a disability, special parking privileges are granted as
3 provided in subsection (7) of this section.

4 (6) Application for special license plates, a special placard, or
5 both as applicable and at the option of the applicant, shall be made upon
6 a form furnished by the department and shall include a written certifica-
7 tion by a licensed physician, licensed physician assistant, or licensed
8 advanced practice professional nurse verifying that the applicant's stated
9 impairment qualifies as a disability according to the provisions of section
10 49-117, Idaho Code.

11 (7) Any motor vehicle displaying special license plates for a person
12 with a disability, without regard to the state of residence or displaying the
13 special placard provided in subsections (4) and (8) of this section, shall be
14 allowed to park for unlimited periods of time in parking zones or areas ~~which~~
15 that are otherwise restricted as to the length of time parking is permitted,
16 to park in spaces and zones designated for persons with a disability, and to
17 park in any public parking space with metered parking without being required
18 to pay any parking meter fee. The provisions of this subsection shall not be
19 applicable to those zones or areas in which the stopping, parking, or stand-
20 ing of all vehicles is prohibited or which are reserved for special types of
21 vehicles, to areas where vehicular parking is prohibited for periods in ex-
22 cess of forty-eight (48) hours, or to areas where parking is prohibited for
23 certain periods of time in order to allow snow removal, street construction
24 or maintenance or for other emergency purposes. Nothing herein shall pro-
25 hibit the designation of parking spaces for use by disabled persons for un-
26 limited periods of time.

27 (8) Any person who shall submit satisfactory proof to the department
28 that he is so temporarily disabled as defined in section 49-117(7) (b), Idaho
29 Code, shall be entitled to receive for one (1) motor vehicle only, a special
30 placard to be affixed to a motor vehicle in a conspicuous place designated
31 by the department, bearing distinguishing marks, letters or numerals indi-
32 cating that the vehicle is utilized by a temporarily disabled person. This
33 special temporary placard shall be valid between one (1) and six (6) months
34 depending on the written authorization of the licensed physician, licensed
35 physician assistant, or licensed advanced practice professional nurse and
36 as specified by the department on the placard.

37 (9) Any use of the plate or placard by any person other than those meet-
38 ing the definition of disability under section 49-117(7) (b), Idaho Code, or
39 as otherwise authorized by this section, to obtain parking shall constitute
40 an infraction punishable by a fine of one hundred dollars (\$100).

41 (10) Any person who unlawfully possesses, sells, copies, duplicates,
42 distributes, or manufactures or aids and abets in the unlawful possession,
43 sale, copying, duplicating, distributing or manufacturing of a special
44 plate or placard is guilty of a misdemeanor punishable by a fine not to exceed
45 one thousand dollars (\$1,000), or by imprisonment in the county jail for a
46 period not to exceed thirty (30) days or by both. The court shall also impose
47 as a term of the sentence a period not to exceed forty (40) hours of commu-
48 nity service provided to a nonprofit organization which serves people with
49 disabilities. The unlawfully obtained special plate or placard shall be
50 subject to confiscation by law enforcement officials. Following conviction

1 or dismissal, the special plate or placard confiscated by law enforcement
2 shall be sent to the department.

3 Law enforcement officials and/or their designees as authorized by a
4 city or county shall enforce the provisions of subsections (1) through (9)
5 of this section and are empowered, using reasonable discretion, to check
6 personal identification to determine if the user of the plate or placard is
7 authorized to use accessible parking privileges. Any fines collected shall
8 be retained by the city or county whose law enforcement official issued the
9 citation.

10 SECTION 3. An emergency existing therefor, which emergency is hereby
11 declared to exist, this act shall be in full force and effect on and after
12 July 1, 2023.