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TRANSPORTATION: Lloyd-Jones, Chair; Jensen and Priebe

~~SENATE FILE~~ 1988

SENATE FILE 2017

BY HOLDEN

Passed Senate, Date 3/31/88 Passed House, Date 3/31/88 (p. 1271)
Vote: Ayes 47 Nays 0 Vote: Ayes 94 Nays 0
Approved May 13, 1988

A BILL FOR

1 An Act relating to handicapped parking and the use, issuance, and
2 display of handicapped identification devices, stickers,
3 signs, and plates, making penalties applicable; and providing
4 an effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2017

2011 Section 1. Section 104A.7, unnumbered paragraph 1, Code
2 1987, is amended to read as follows:

3 Effective January 1, 1982, all public and private buildings
4 and facilities, temporary and permanent, used by the general
5 public, which are not residences and which provide forty-eight
6 or more parking spaces, shall set aside at least ~~six-tenths~~
7 three-tenths of one percent of the parking spaces provided as
8 handicapped parking spaces as defined in section 601E.1.

9 Sec. 2. Section 321.34, subsection 7, Code Supplement
10 1987, is amended to read as follows:

11 7. HANDICAPPED PLATES. The owner of a motor vehicle
12 subject to registration pursuant to section 321.109,
13 subsection 1, light delivery truck, panel delivery truck, or
14 pickup, who is a handicapped person as defined in section
15 601E.1, and whose motor vehicle has been specially modified
16 for use by a handicapped driver, may, upon written application
17 to the department, order special registration plates designed
18 by the department bearing the international symbol of
19 accessibility. The special registration plates shall only be
20 issued if the application is accompanied with a statement from
21 a physician licensed under chapter 148, 150, or 150A, written
22 on the physician's stationery, stating the nature of the
23 applicant's handicap and such additional information as
24 required by rules adopted by the department. ~~The~~ If the
25 ~~application shall-be~~ is approved by the department ~~and the~~
26 special registration plates shall be issued to the applicant
27 in exchange for the previous registration plates issued to the
28 person. The fee for the special plates ~~shall-be~~ is five
29 dollars which ~~shall-be~~ is in addition to the regular annual
30 registration fee. The department shall validate the special
31 plates in the same manner as regular registration plates are
32 validated under this section at the regular annual
33 registration fee. However, the special plates shall not be
34 renewed without the applicant furnishing evidence to the
35 department that the owner of the motor vehicle is still a

1 handicapped or-paraplegic person as defined in section 601E.1
2 and that the motor vehicle is specially modified for use by a
3 handicapped driver. The special registration plates shall be
4 surrendered in exchange for regular registration plates when
5 the owner of the motor vehicle no longer qualifies as a
6 handicapped or-paraplegic person as defined in section 601E.1
7 or when the motor vehicle is no longer specially modified for
8 use by a handicapped driver.

9 Sec. 3. Section 601E.1, Code 1987, is amended by adding
10 the following new subsection:

11 NEW SUBSECTION. 7. "Handicapped parking sign" means a
12 sign which bears the international symbol of accessibility.

13 Sec. 4. Section 601E.6, subsection 1, unnumbered paragraph
14 1, Code Supplement 1987, is amended to read as follows:

15 A handicapped identification device may be displayed in a
16 motor vehicle being used by a handicapped person, either as
17 operator or passenger. The devices shall be of uniform design
18 and fabricated of durable material, suitable for display from
19 within the passenger compartment of a motor vehicle, and
20 readily transferable from one vehicle to another. They shall
21 be acquired by the department and sold at cost, not to exceed
22 five dollars, to handicapped persons upon application on forms
23 prescribed by the department. Except for devices issued to
24 nonhandicapped individuals, government agencies, or private
25 organizations under subsection 3, paragraph "d", the
26 handicapped identification device shall bear a photo of the
27 handicapped person to whom the device is issued, the
28 handicapped person's name and address, the nature of the
29 handicap, and the name of the physician attesting to the
30 handicap. Before delivering a handicapped identification
31 device to a purchaser, the department shall permanently affix
32 to the device a unique number which may be used by the
33 department to identify that individual purchaser.

34 Sec. 5. Section 601E.6, subsection 1, unnumbered paragraph
35 4, Code Supplement 1987, is amended to read as follows:

1 ~~A handicapped identification device or sticker shall only~~
2 ~~be issued if the applicant files with the department~~ A person
3 desiring a handicapped identification device or sticker shall
4 apply to the department upon an application form furnished by
5 the department providing the applicant's name, address, and
6 date of birth, and shall also provide a statement from a
7 physician licensed under chapter 148, 150, or 150A, written on
8 the physician's stationery, stating the nature of the
9 applicant's handicap and such additional information as
10 required by rules adopted by the department under subsection
11 3. This paragraph does not apply to handicapped
12 identification devices issued to nonhandicapped individuals,
13 government agencies, or private organizations under subsection
14 3, paragraph "d".

15 Sec. 6. Section 601E.6, subsection 2, unnumbered paragraph
16 1, Code Supplement 1987, is amended to read as follows:

17 A city or other political subdivision which provides on-
18 street parking areas or off-street parking facilities shall
19 set aside at least ~~six-tenths~~ three-tenths of one percent of
20 the metered parking spaces as handicapped parking spaces. A
21 Any other person may also set aside handicapped parking spaces
22 on the person's property provided each parking space is
23 clearly and prominently designated as a handicapped parking
24 space. The use of a handicapped parking space, located on
25 either public or private property, by a motor vehicle not
26 displaying a handicapped identification device, or by a motor
27 vehicle displaying such a device but not being used by a
28 handicapped person, as operator or passenger, is a misdemeanor
29 for which a fine may be imposed upon the owner, operator, or
30 lessee of the motor vehicle. The fine for each violation is
31 fifteen dollars. Proof of conviction of three or more
32 violations involving improper use of the same handicapped
33 identification device is grounds for revocation by the
34 department of the holder's privilege to use the device.

35 Sec. 7. Section 601E.6, subsection 3, paragraph d, Code

1 Supplement 1987, is amended to read as follows:

2 d. Establishing procedure and proof requirements for
3 application to the department for issuance of a handicapped
4 identification device to nonhandicapped individuals,
5 government agencies, or private organizations which are
6 engaged in providing transportation services for handicapped
7 persons. The rules shall require that the handicapped
8 identification device issued under this paragraph be displayed
9 only while the vehicle is parked or in transit in connection
10 with a trip providing transportation service for handicapped
11 persons.

12 Sec. 8. Section 601E.9, Code 1987, is amended to read as
13 follows:

14 601E.9 HANDICAPPED PARKING SIGN.

15 The handicapped parking sign shall bear the international
16 symbol of accessibility. If a person who owns or leases real
17 property in a city is required to provide handicapped parking
18 spaces, the city shall provide the signs for the person. If a
19 person who owns or leases real property outside the corporate
20 limits of a city is required to provide handicapped parking
21 spaces, the county in which the property is located shall
22 provide the signs for the person. The signs shall be provided
23 upon request at cost.

24 Sec. 9. Section 4 of this Act applies to handicapped
25 identification devices issued on or after January 1, 1988.

26 EXPLANATION

27 This bill allows issuance of special handicapped
28 identification plates only for motor vehicles which have been
29 specially modified for use by handicapped drivers.

30 This bill also requires a handicapped identification device
31 issued to a handicapped person on or after January 1, 1988, to
32 bear a photo of the handicapped person as well as include the
33 person's name and address, the nature of the handicap, and the
34 name of the attesting physician.

35 The bill lowers the required set-aside handicapped parking

1 for political subdivisions to three-tenths of one percent of
2 the metered parking spaces. The bill also lowers the required
3 set-aside handicapped parking for public buildings and
4 facilities which are not residences and which provide forty-
5 eight or more parking spaces to three-tenths of one percent of
6 the parking spaces.

7 The bill requires that rules be adopted allowing handicap
8 identification devices issued to nonhandicapped individuals,
9 government agencies, and private organizations to be displayed
10 only while a vehicle is parked or in transit in connection
11 with a trip providing transportation service for handicapped
12 persons.

13 The bill also requires counties to issue handicapped
14 parking signs upon request at cost to persons owning or
15 leasing property outside the corporate limits of a city if the
16 persons are required to provide handicapped parking spaces.

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SENATE FILE 2017

S-5201

1 Amend Senate File 2017 as follows:

2 1. Page 1, by striking lines 1 through 8.

3 2. Page 1, by striking lines 15 and 16, and
4 inserting the following: "601E.1, may, upon written
5 application".

6 3. Page 2, lines 2 and 3, by striking the words
7 "and that the motor vehicle is specially modified for
8 use by a handicapped driver".

9 4. Page 2, lines 7 and 8, by striking the words
10 "or when the motor vehicle is no longer specially
11 modified for use by a handicapped driver".

12 5. Page 2, by striking lines 23 through 30 and
13 inserting the following: "prescribed by the
14 department. Before delivering a handicapped
15 identification".

16 6. Page 2, line 33, by inserting after the word
17 "purchaser." the following: "A temporary handicapped
18 identification device shall have the expiration date
19 permanently affixed to the device. Expiration dates
20 and identification numbers affixed to handicapped
21 identification devices shall be of sufficient size to
22 be readable from outside the vehicle."

23 7. Page 3, line 19, by striking the words "six-
24 tenths three-tenths" and inserting the following:
25 "six-tenths".

26 8. Page 3, line 20, by inserting before the word
27 "as" the following: "and six-tenths of one percent of
28 the marked parking spaces".

29 9. Page 3, line 26, by inserting after the word
30 "passenger," the following: "or by a motor vehicle in
31 violation of the rules adopted by the department under
32 subsection 3, paragraph "e",".

33 10. Page 3, line 31, by inserting after the word
34 "dollars" the following: "unless the violation
35 involves the use of a handicapped registration plate
36 or a handicapped identification sticker affixed to a
37 registration plate, in which case the fine is twenty-
38 five dollars".

39 11. Page 3, line 34, by inserting after the word
40 "device." the following: "Proof of conviction of any
41 violation involving improper use of a handicapped
42 identification device is grounds for revocation by the
43 department of the holder's privilege to use the device
44 if the handicapped identification device is a
45 handicapped registration plate issued under section
46 321.34, subsection 7, or a handicapped identification
47 sticker affixed to a registration plate."

48 12. Page 3, by inserting after line 34 the
49 following:

50 "Sec. 777. Section 601E.6, subsection 3, paragraph

S-5201 Page 2

1 a, Code Supplement 1987, is amended to read as
2 follows:

3 a. Establishing procedure for applying to the
4 department for issuance of a permanent or temporary
5 handicapped identification device and handicapped
6 identification stickers under this section. Temporary
7 handicapped identification devices and stickers shall
8 be of a distinctively different color from permanent
9 handicapped identification devices and stickers."

10 13. By striking page 3, line 35 through page 4,
11 line 11 and inserting the following:

12 "Sec. ____ . Section 601E.6, subsection 3, Code
13 Supplement 1987, is amended by adding the following
14 new lettered paragraph:

15 NEW LETTERED PARAGRAPH. e. The rules shall
16 require that the handicapped identification device be
17 displayed only while the vehicle is parked or in
18 transit in connection with a trip providing
19 transportation service for handicapped persons. This
20 paragraph does not apply to handicapped identification
21 stickers attached to registration plates issued to
22 disabled veterans under section 321.166, subsection 6,
23 or handicapped registration plates."

24 14. Page 4, line 24, by inserting after the
25 figure "4" the following: "and section 777".

26 15. Page 4, line 24, by striking the word
27 "applies" and inserting the following: "apply".

28 16. Title page, line 3, by inserting after the
29 word "plates," the following: "providing a penalty
30 and".

31 17. Renumber sections and correct internal
32 references as necessary.

S-5201

Filed March 2, 1988

Adopted 4/21 (p. 42)

BY COMMITTEE ON TRANSPORTATION
C. JOSEPH COLEMAN, Chairperson

*See Transportation 3/22
Amend per 5906 & Do Pass 3/25 of 1988*

SENATE FILE 2017
BY HOLDEN

(AS AMENDED AND PASSED BY THE SENATE MARCH 21, 1988)

- _____ - New Language by the Senate
- * - Language Stricken by the Senate

Passed Senate, Date 4/8/88 (p. 1354) Passed House, Date 3/31/88 (p. 1271)
 Vote: Ayes 46 Nays 0 Vote: Ayes 90 Nays 0
 Approved May 13, 1988

*That in to recommend (p. 1354)
with 4/5 (p. 1354)
Proposed House 4/11/88 (p. 1663)
72-0*

A BILL FOR

1 An Act relating to handicapped parking and the use, issuance, and
 2 display of handicapped identification devices, stickers,
 3 signs, and plates, providing a penalty and making penalties
 4 applicable; and providing an effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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* 1 Section 1. Section 321.34, subsection 7, Code Supplement
2 1987, is amended to read as follows:

3 7. HANDICAPPED PLATES. The owner of a motor vehicle
4 subject to registration pursuant to section 321.109,
5 subsection 1, light delivery truck, panel delivery truck, or
6 pickup, who is a handicapped person as defined in section
7 601E.1, may, upon written application to the department, order
8 special registration plates designed by the department bearing
9 the international symbol of accessibility. The special
10 registration plates shall only be issued if the application is
11 accompanied with a statement from a physician licensed under
12 chapter 148, 150, or 150A, written on the physician's
13 stationery, stating the nature of the applicant's handicap and
14 such additional information as required by rules adopted by
15 the department. ~~The~~ If the application ~~shall-be~~ is approved
16 by the department and the special registration plates shall be
17 issued to the applicant in exchange for the previous
18 registration plates issued to the person. The fee for the
19 special plates ~~shall-be~~ is five dollars which ~~shall-be~~ is in
20 addition to the regular annual registration fee. The
21 department shall validate the special plates in the same
22 manner as regular registration plates are validated under this
23 section at the regular annual registration fee. However, the
24 special plates shall not be renewed without the applicant
25 furnishing evidence to the department that the owner of the
26 motor vehicle is still a handicapped ~~or-paraplegic~~ person as
* 27 defined in section 601E.1. The special registration plates
28 shall be surrendered in exchange for regular registration
29 plates when the owner of the motor vehicle no longer qualifies
30 as a handicapped ~~or-paraplegic~~ person as defined in section
* 31 601E.1.

32 Sec. 2. Section 601E.1, Code 1987, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 7. "Handicapped parking sign" means a
35 sign which bears the international symbol of accessibility.

1 Sec. 3. Section 601E.6, subsection 1, unnumbered paragraph
2 1, Code Supplement 1987, is amended to read as follows:

3 A handicapped identification device may be displayed in a
4 motor vehicle being used by a handicapped person, either as
5 operator or passenger. The devices shall be of uniform design
6 and fabricated of durable material, suitable for display from
7 within the passenger compartment of a motor vehicle, and
8 readily transferable from one vehicle to another. They shall
9 be acquired by the department and sold at cost, not to exceed
10 five dollars, to handicapped persons upon application on forms
11 prescribed by the department. Before delivering a handicapped
12 identification device to a purchaser, the department shall
13 permanently affix to the device a unique number which may be
14 used by the department to identify that individual purchaser.
15 A temporary handicapped identification device shall have the
16 expiration date permanently affixed to the device. Expiration
17 dates and identification numbers affixed to handicapped
18 identification devices shall be of sufficient size to be
19 readable from outside the vehicle.

20 Sec. 4. Section 601E.6, subsection 1, unnumbered paragraph
21 4, Code Supplement 1987, is amended to read as follows:

22 ~~A handicapped identification device or sticker shall only~~
23 ~~be issued if the applicant files with the department~~ A person
24 desiring a handicapped identification device or sticker shall
25 apply to the department upon an application form furnished by
26 the department providing the applicant's name, address, and
27 date of birth, and shall also provide a statement from a
28 physician licensed under chapter 148, 150, or 150A, written on
29 the physician's stationery, stating the nature of the
30 applicant's handicap and such additional information as
31 required by rules adopted by the department under subsection
32 3. This paragraph does not apply to handicapped
33 identification devices issued to nonhandicapped individuals,
34 government agencies, or private organizations under subsection
35 3, paragraph "d".

1 Sec. 5. Section 601E.6, subsection 2, unnumbered paragraph
2 1, Code Supplement 1987, is amended to read as follows:

3 A city or other political subdivision which provides on-
4 street parking areas or off-street parking facilities shall
5 set aside at least six-tenths of one percent of the metered
6 parking spaces and six-tenths of one percent of the marked
7 parking spaces as handicapped parking spaces. A Any other
8 person may also set aside handicapped parking spaces on the
9 person's property provided each parking space is clearly and
10 prominently designated as a handicapped parking space. The
11 use of a handicapped parking space, located on either public
12 or private property, by a motor vehicle not displaying a
13 handicapped identification device, or by a motor vehicle
14 displaying such a device but not being used by a handicapped
15 person, as operator or passenger, or by a motor vehicle in
16 violation of the rules adopted by the department under
17 subsection 3, paragraph "e", is a misdemeanor for which a fine
18 may be imposed upon the owner, operator, or lessee of the
19 motor vehicle. The fine for each violation is fifteen dollars
20 unless the violation involves the use of a handicapped
21 registration plate or a handicapped identification sticker
22 affixed to a registration plate, in which case the fine is
23 twenty-five dollars. Proof of conviction of three or more
24 violations involving improper use of the same handicapped
25 identification device is grounds for revocation by the
26 department of the holder's privilege to use the device. Proof
27 of conviction of any violation involving improper use of a
28 handicapped identification device is grounds for revocation by
29 the department of the holder's privilege to use the device if
30 the handicapped identification device is a handicapped
31 registration plate issued under section 321.34, subsection 7,
32 or a handicapped identification sticker affixed to a
33 registration plate.

34 Sec. 6. Section 601E.6, subsection 3, paragraph a, Code
35 Supplement 1987, is amended to read as follows:

1 a. Establishing procedure for applying to the department
2 for issuance of a permanent or temporary handicapped
3 identification device and handicapped identification stickers
4 under this section. Temporary handicapped identification
5 devices and stickers shall be of a distinctively different
6 color from permanent handicapped identification devices and
7 stickers.

8 Sec. 7. Section 601E.6, subsection 3, Code Supplement
9 1987, is amended by adding the following new lettered
10 paragraph:

11 NEW LETTERED PARAGRAPH. e. The rules shall require that
12 the handicapped identification device be displayed only while
13 the vehicle is parked or in transit in connection with a trip
14 providing transportation service for handicapped persons.
15 This paragraph does not apply to handicapped identification
16 stickers attached to registration plates issued to disabled
17 veterans under section 321.166, subsection 6, or handicapped
18 registration plates.

19 Sec. 8. Section 601E.9, Code 1987, is amended to read as
20 follows:

21 601E.9 HANDICAPPED PARKING SIGN.

22 The handicapped parking sign shall bear the international
23 symbol of accessibility. If a person who owns or leases real
24 property in a city is required to provide handicapped parking
25 spaces, the city shall provide the signs for the person. If a
26 person who owns or leases real property outside the corporate
27 limits of a city is required to provide handicapped parking
28 spaces, the county in which the property is located shall
29 provide the signs for the person. The signs shall be provided
30 upon request at cost.

31 Sec. 9. Section 4 and section 6 of this Act apply to
32 handicapped identification devices issued on or after January
33 1, 1988.

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SENATE FILE 2017

H-6121

- 1 Amend the committee on transportation amendment, H-
 2 5906, to Senate File 2017, as amended, passed, and
 3 reprinted by the Senate, as follows:
 4 1. Page 1, by striking lines 3 through 10.
 5 2. Page 1, by inserting before line 11 the
 6 following:
 7 "____. Page 3, by striking lines 19 through 33 and
 8 inserting the following: "motor vehicle. The fine
 9 for each violation is fifteen twenty-five dollars.
 10 Proof of conviction of three or more violations
 11 involving improper use of the-same a handicapped
 12 identification device, handicapped registration plate
 13 issued under section 321.34, subsection 7, or a
 14 handicapped identification sticker affixed to a
 15 registration plate is grounds for revocation by the
 16 department of the holder's privilege to use the
 17 device."
 18 3. Page 1, by striking lines 32 through 36 and
 19 inserting the following: "fine is fifteen twenty-five
 20 dollars."

H-6121 FILED MARCH 30, 1988 BY FEY of Scott

Adopted 3/30/88 (p. 7)

SENATE FILE 2017

H-6159

- 1 Amend Senate File 2017 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 27, by striking the figure
 4 "601E.1" and inserting the following: "601E.1, unless
 5 the applicant has previously provided satisfactory
 6 evidence to the department that the owner of the
 7 vehicle is permanently handicapped in which case the
 8 furnishing of additional evidence shall not be
 9 required for renewal".
 10 2. Page 4, by inserting before line 8 the
 11 following:
 12 "Sec. ____ Section 601E.6, subsection 3, paragraph
 13 b, Code Supplement 1987, is amended to read as
 14 follows:
 15 b. Requiring persons who seek permanent
 16 handicapped identification devices or handicapped
 17 identification stickers to furnish evidence upon
 18 initial application that they are permanently
 19 handicapped; and requiring persons who seek temporary
 20 handicapped identification devices to furnish evidence
 21 upon initial application that they are physically
 22 handicapped and, in addition, to furnish evidence at
 23 three-month intervals that they remain physically
 24 handicapped. A person who has provided satisfactory
 25 evidence to the department that the person is
 26 permanently handicapped shall not be required to
 27 furnish evidence of being handicapped at a later
 28 date."

By HAMMOND of Story

H-6159 FILED MARCH 31, 1988

SENATE FILE 2017

H-5906

1 Amend Senate File 2017 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 18 and 19 and
4 inserting the following: "registration plates issued
5 to the person. The ~~fee-for-the~~ special plates shall
6 be ~~five-dollars-which-shall-be~~ issued without imposing
7 any fee in".

8 2. Page 2, lines 9 and 10, by striking the words
9 "cost, not to exceed five dollars," and inserting the
10 following: "~~cost, not to exceed five dollars,~~".

11 3. Page 4, by inserting after line 30 the
12 following:

13 "Sec. _____. Section 601E.10, Code 1987, is amended
14 by adding the following new subsection:

15 NEW SUBSECTION. 3. A handicapped parking sign
16 shall be displayed designating the handicapped parking
17 space. The handicapped parking sign shall be affixed
18 to a pole or affixed vertically on another object so
19 that it is readily visible to a driver of a motor
20 vehicle approaching the handicapped parking space. A
21 handicapped parking space designated only by the
22 international symbol of accessibility being painted or
23 otherwise placed horizontally on the parking space
24 does not meet the requirements of this subsection."

25 4. Page 4, by inserting before line 31 the
26 following:

27 "Sec. _____. Section 805.8, subsection 2, paragraph
28 s, Code Supplement 1987, is amended to read as
29 follows:

30 s. For a violation of section 601E.6, regulating
31 the use of handicapped parking spaces, the scheduled
32 fine is fifteen dollars unless the violation involves
33 the use of a handicapped registration plate or a
34 handicapped identification sticker affixed to a
35 registration plate, in which case the scheduled fine
36 is twenty-five dollars."

37 5. Page 4, line 33, by striking the figure "1988"
38 and inserting the following: "1989".

By COMMITTEE ON TRANSPORTATION
KOENIGS of Mitchell

H-5906 FILED MARCH 25, 1988

Dep't of 3/21 (p. 1271)

SENATE FILE 2017

H-6091

1 Amend the Committee on Transportation amendment, H-
2 5906, to Senate File 2017, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 1, line 9, by inserting before the word
5 "cost" the following: "sold at".

6 2. Page 1, line 10, by inserting before the word
7 "cost" the following: "~~sold-at~~ provided without".

H-6091 FILED MARCH 30, 1988 BY FEY of Scott

Dep't of 3/21 (p. 1270)

APRIL 7, 1988

HOUSE AMENDMENT TO
SENATE FILE 2017

S-5800

1 Amend Senate File 2017 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 3, by striking lines 19 through 33 and
4 inserting the following: "motor vehicle. The fine
5 for each violation is fifteen twenty-five dollars.
6 Proof of conviction of three or more violations
7 involving improper use of the same a handicapped
8 identification device, handicapped registration plate
9 issued under section 321.34, subsection 7, or a
10 handicapped identification sticker affixed to a
11 registration plate is grounds for revocation by the
12 department of the holder's privilege to use the
13 device."

14 2. Page 4, by inserting after line 30 the
15 following:

16 "Sec. ____ . Section 601E.10, Code 1987, is amended
17 by adding the following new subsection:

18 NEW SUBSECTION. 3. A handicapped parking sign
19 shall be displayed designating the handicapped parking
20 space. The handicapped parking sign shall be affixed
21 to a pole or affixed vertically on another object so
22 that it is readily visible to a driver of a motor
23 vehicle approaching the handicapped parking space. A
24 handicapped parking space designate only by the
25 international symbol of accessibility being painted or
26 otherwise placed horizontally on the parking space
27 does not meet the requirements of this subsection."

28 3. Page 4, by inserting before line 31 the
29 following:

30 "Sec. ____ . Section 805.8, subsection 2, paragraph
31 s, Code Supplement 1987, is amended to read as
32 follows:

33 s. For a violation of section 601E.6, regulating
34 the use of handicapped parking spaces, the scheduled
35 fine is fifteen twenty-five dollars."

36 4. Page 4, line 33, by striking the figure "1988"
37 and inserting the following: "1989".

S-5800

Filed April 6, 1988

RECEIVED FROM THE HOUSE

Senate committee submitted 5/20/88 4/6/88

SENATE FILE 2017

5829

1 Amend the House amendment, S-5800, to Senate File
2 2017, as amended, passed, and reprinted by the Senate,
3 as follows:

1 1. Page 1, by inserting after line 2 the
2 following:

3 "____. Page 1, line 27, by striking the figure
4 "601E.1" and inserting the following: "601E.1, unless
5 the applicant has previously provided satisfactory
6 evidence to the department that the owner of the
7 vehicle is permanently handicapped in which case the
8 furnishing of additional evidence shall not be
9 required for renewal."

1 2. Page 1, by inserting before line 14 the
2 following:

3 "____. Page 4, by inserting before line 8 the
4 following:

5 "Sec. ____ . Section 601E.6, subsection 3, paragraph
6 b, Code Supplement 1987, is amended to read as
7 follows:

8 b. Requiring persons who seek permanent
9 handicapped identification devices or handicapped
10 identification stickers to furnish evidence upon
11 initial application that they are permanently
12 handicapped; and requiring persons who seek temporary
13 handicapped identification devices to furnish evidence
14 upon initial application that they are physically
15 handicapped and, in addition, to furnish evidence at
16 three-month intervals that they remain physically
17 handicapped. A person who has provided satisfactory
18 evidence to the department that the person is
19 permanently handicapped shall not be required to
20 furnish evidence of being handicapped at a later
21 date."

5829

led April 6, 1988

Adopted 4/8 (1354)

BY EDGAR H. HOLDEN

SENATE AMENDMENT TO HOUSE AMENDMENT TO
SENATE FILE 2017

H-6345

1 Amend the House amendment, S-5800, to Senate File
2 2017, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by inserting after line 2 the
5 following:
6 "____. Page 1, line 27, by striking the figure
7 "601E.1" and inserting the following: "601E.1, unless
8 the applicant has previously provided satisfactory
9 evidence to the department that the owner of the
10 vehicle is permanently handicapped in which case the
11 furnishing of additional evidence shall not be
12 required for renewal."
13 2. Page 1, by inserting before line 14 the
14 following:
15 "____. Page 4, by inserting before line 8 the
16 following:
17 "Sec. ____ . Section 601E.6, subsection 3, paragraph
18 b, Code Supplement 1987, is amended to read as
19 follows:
20 b. Requiring persons who seek permanent
21 handicapped identification devices or handicapped
22 identification stickers to furnish evidence upon
23 initial application that they are permanently
24 handicapped; and requiring persons who seek temporary
25 handicapped identification devices to furnish evidence
26 upon initial application that they are physically
27 handicapped and, in addition, to furnish evidence at
28 three-month intervals that they remain physically
29 handicapped. A person who has provided satisfactory
30 evidence to the department that the person is
31 permanently handicapped shall not be required to
32 furnish evidence of being handicapped at a later
33 date."

RECEIVED FROM THE SENATE

H-6345 FILED APRIL 8, 1988

House concurred 4/11 (p. 1663)

SENATE FILE 2017

AN ACT

RELATING TO HANDICAPPED PARKING AND THE USE, ISSUANCE, AND DISPLAY OF HANDICAPPED IDENTIFICATION DEVICES, STICKERS, SIGNS, AND PLATES, PROVIDING A PENALTY AND MAKING PENALTIES APPLICABLE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.34, subsection 7, Code Supplement 1987, is amended to read as follows:

7. HANDICAPPED PLATES. The owner of a motor vehicle subject to registration pursuant to section 321.109, subsection 1, light delivery truck, panel delivery truck, or pickup, who is a handicapped person as defined in section 601E.1, may, upon written application to the department, order special registration plates designed by the department bearing the international symbol of accessibility. The special registration plates shall only be issued if the application is accompanied with a statement from a physician licensed under chapter 148, 150, or 150A, written on the physician's stationery, stating the nature of the applicant's handicap and such additional information as required by rules adopted by the department. ~~The~~ If the application ~~shall be~~ is approved by the department and the special registration plates shall be issued to the applicant in exchange for the previous registration plates issued to the person. The fee for the special plates ~~shall be~~ is five dollars which ~~shall be~~ is in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this

section at the regular annual registration fee. However, the special plates shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle is still a handicapped or-paraplegic person as defined in section 601E.1, unless the applicant has previously provided satisfactory evidence to the department that the owner of the vehicle is permanently handicapped in which case the furnishing of additional evidence shall not be required for renewal. The special registration plates shall be surrendered in exchange for regular registration plates when the owner of the motor vehicle no longer qualifies as a handicapped or-paraplegic person as defined in section 601E.1.

Sec. 2. Section 601E.1, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 7. "Handicapped parking sign" means a sign which bears the international symbol of accessibility.

Sec. 3. Section 601E.6, subsection 1, unnumbered paragraph 1, Code Supplement 1987, is amended to read as follows:

A handicapped identification device may be displayed in a motor vehicle being used by a handicapped person, either as operator or passenger. The devices shall be of uniform design and fabricated of durable material, suitable for display from within the passenger compartment of a motor vehicle, and readily transferable from one vehicle to another. They shall be acquired by the department and sold at cost, not to exceed five dollars, to handicapped persons upon application on forms prescribed by the department. Before delivering a handicapped identification device to a purchaser, the department shall permanently affix to the device a unique number which may be used by the department to identify that individual purchaser. A temporary handicapped identification device shall have the expiration date permanently affixed to the device. Expiration dates and identification numbers affixed to handicapped identification devices shall be of sufficient size to be readable from outside the vehicle.

Sec. 4. Section 601E.6, subsection 1, unnumbered paragraph 4, Code Supplement 1987, is amended to read as follows:

~~A handicapped identification device or sticker shall only be issued if the applicant files with the department~~ A person desiring a handicapped identification device or sticker shall apply to the department upon an application form furnished by the department providing the applicant's name, address, and date of birth, and shall also provide a statement from a physician licensed under chapter 148, 150, or 150A, written on the physician's stationery, stating the nature of the applicant's handicap and such additional information as required by rules adopted by the department under subsection 3. This paragraph does not apply to handicapped identification devices issued to nonhandicapped individuals, government agencies, or private organizations under subsection 3, paragraph "d".

Sec. 5. Section 601E.6, subsection 2, unnumbered paragraph 1, Code Supplement 1987, is amended to read as follows:

A city or other political subdivision which provides on-street parking areas or off-street parking facilities shall set aside at least six-tenths of one percent of the metered parking spaces and six-tenths of one percent of the marked parking spaces as handicapped parking spaces. A Any other person may also set aside handicapped parking spaces on the person's property provided each parking space is clearly and prominently designated as a handicapped parking space. The use of a handicapped parking space, located on either public or private property, by a motor vehicle not displaying a handicapped identification device, or by a motor vehicle displaying such a device but not being used by a handicapped person, as operator or passenger, or by a motor vehicle in violation of the rules adopted by the department under subsection 3, paragraph "e", is a misdemeanor for which a fine may be imposed upon the owner, operator, or lessee of the motor vehicle. The fine for each violation is fifteen twenty-

five dollars. Proof of conviction of three or more violations involving improper use of the same a handicapped identification device, handicapped registration plate issued under section 321.34, subsection 7, or a handicapped identification sticker affixed to a registration plate is grounds for revocation by the department of the holder's privilege to use the device.

Sec. 6. Section 601E.6, subsection 3, paragraph a, Code Supplement 1987, is amended to read as follows:

a. Establishing procedure for applying to the department for issuance of a permanent or temporary handicapped identification device and handicapped identification stickers under this section. Temporary handicapped identification devices and stickers shall be of a distinctively different color from permanent handicapped identification devices and stickers.

Sec. 7. Section 601E.6, subsection 3, paragraph b, Code Supplement 1987, is amended to read as follows:

b. Requiring persons who seek permanent handicapped identification devices or handicapped identification stickers to furnish evidence upon initial application that they are permanently handicapped; and requiring persons who seek temporary handicapped identification devices to furnish evidence upon initial application that they are physically handicapped and, in addition, to furnish evidence at three-month intervals that they remain physically handicapped. A person who has provided satisfactory evidence to the department that the person is permanently handicapped shall not be required to furnish evidence of being handicapped at a later date.

Sec. 8. Section 601E.6, subsection 3, Code Supplement 1987, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. e. The rules shall require that the handicapped identification device be displayed only while

the vehicle is parked or in transit in connection with a trip providing transportation service for handicapped persons. This paragraph does not apply to handicapped identification stickers attached to registration plates issued to disabled veterans under section 321.166, subsection 6, or handicapped registration plates.

Sec. 9. Section 601E.9, Code 1987, is amended to read as follows:

601E.9 HANDICAPPED PARKING SIGN.

The handicapped parking sign shall bear the international symbol of accessibility. If a person who owns or leases real property in a city is required to provide handicapped parking spaces, the city shall provide the signs for the person. If a person who owns or leases real property outside the corporate limits of a city is required to provide handicapped parking spaces, the county in which the property is located shall provide the signs for the person. The signs shall be provided upon request at cost.

Sec. 10. Section 601E.10, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 3. A handicapped parking sign shall be displayed designating the handicapped parking space. The handicapped parking sign shall be affixed to a pole or affixed vertically on another object so that it is readily visible to a driver of a motor vehicle approaching the handicapped parking space. A handicapped parking space designated only by the international symbol of accessibility being painted or otherwise placed horizontally on the parking space does not meet the requirements of this subsection.

Sec. 11. Section 805.8, subsection 2, paragraph s, Code Supplement 1987, is amended to read as follows:

s. For a violation of section 601E.6, regulating the use of handicapped parking spaces, the scheduled fine is fifteen twenty-five dollars.

Sec. 12. Section 3 and section 6 of this Act apply to handicapped identification devices issued on or after January 1, 1989.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2017, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved  1988

TERRY E. BRANSTAD
Governor

SF 2017