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FILED MAR 19 1987

SENATE FILE 459
BY COMMITTEE ON TRANSPORTATION
(formerly SSB 159)
Approved (p. 198)

Passed Senate, Date 4-7-87 (p. 1121) Passed House, Date _____
Vote: Ayes 47 Nays 6 Vote: Ayes _____ Nays _____
Approved April 27, 1987 (p. 1542)

A BILL FOR

1 An Act relating to handicapped parking spaces, making penalties
2 applicable and providing effective dates.

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

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SF 459

1 Section 1. Section 601E.6, subsection 2, Code 1987, is
2 amended to read as follows:

3 2. A city or other political subdivision which provides
4 on-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 as handicapped parking spaces. A person may
7 also set aside handicapped parking spaces on the person's
8 property provided each parking space is clearly and
9 prominently designated as a handicapped parking space. The
10 use of a handicapped parking space, located on either public
11 or private property, by a motor vehicle not displaying a
12 handicapped identification device, or by a motor vehicle
13 displaying such a device but not being used by a handicapped
14 person, as operator or passenger is a misdemeanor for which a
15 fine may be imposed upon the owner, operator, or lessee of the
16 motor vehicle. The fine for each violation is fifteen
17 dollars. Proof of conviction of three or more violations
18 involving improper use of the same handicapped identification
19 device is grounds for revocation by the department of the
20 holder's privilege to use the device.

21 Sec. 2. Section 601E.6, subsection 3, paragraph a, Code
22 1987, is amended to read as follows:

23 a. Establishing procedure for applying to the department
24 for issuance of a permanent or temporary handicapped
25 identification device, and handicapped identification stickers
26 and handicapped identification cards under this section.

27 Sec. 3. Section 601E.6, Code 1987, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 5. a. A handicapped person issued a
30 handicapped identification device, a handicapped registration
31 plate, or a handicapped identification sticker, shall, upon
32 application to the department, be issued a handicapped
33 identification card which shall indicate the number of the
34 device, plate, or sticker issued to the handicapped person.
35 The handicapped identification card shall be carried by or

1 readily available to the handicapped person, and the
2 handicapped person shall show the handicapped identification
3 card when asked to do so by law enforcement personnel checking
4 handicapped parking spaces. The handicapped identification
5 card shall be acquired by the department and sold at cost, not
6 to exceed five dollars, to handicapped persons upon
7 application.

8 b. Before delivering a handicapped identification device
9 to a handicapped person, the department shall permanently
10 affix to the device a unique number which may be used by the
11 department to identify that individual handicapped person.

12 Sec. 4. Section 601E.6, subsection 5, paragraph b, created
13 under this Act applies to handicapped identification devices
14 issued on or after January 1, 1988. Section 601E.6,
15 subsection 5, created under this Act takes effect January 1,
16 1988.

17 EXPLANATION

18 This bill provides that the fine for illegally parking in a
19 handicapped parking space applies whether located on public or
20 private property. The bill also provides for the issuance of
21 a handicapped identification card to handicapped persons
22 issued handicapped identification devices, including those
23 issued handicapped identification plates or handicapped
24 identification stickers. The card is to be sold at cost, not
25 to exceed five dollars.

26 The bill takes effect July 1 following its enactment.
27 However, the provisions providing for the issuance of
28 handicapped identification cards do not take effect until
29 January 1, 1988.

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See Strong's Law 4/10/87 (p. 1267)

SENATE FILE 459
BY COMMITTEE ON TRANSPORTATION

(AS AMENDED AND PASSED BY THE SENATE APRIL 7, 1987)

_____ - New Language by the Senate

Passed Senate, Date 4/7/87 (p. 1131) Passed House, Date 4-14-87 (p. 1371)
Vote: Ayes 47 Nays 0 Vote: Ayes 95 Nays 0
Approved April 24, 1987 (p. 1542)

A BILL FOR

1 An Act relating to handicapped parking spaces, making penalties
2 applicable and providing an effective date.

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

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1 Section 1. Section 601E.6, subsection 2, Code 1987, is
2 amended to read as follows:

3 2. A city or other political subdivision which provides
4 on-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 as handicapped parking spaces. A person may
7 also set aside handicapped parking spaces on the person's
8 property provided each parking space is clearly and
9 prominently designated as a handicapped parking space. The
10 use of a handicapped parking space, located on either public
11 or private property, by a motor vehicle not displaying a
12 handicapped identification device, or by a motor vehicle
13 displaying such a device but not being used by a handicapped
14 person, as operator or passenger is a misdemeanor for which a
15 fine may be imposed upon the owner, operator, or lessee of the
16 motor vehicle. The fine for each violation is fifteen
17 dollars. Proof of conviction of three or more violations
18 involving improper use of the same handicapped identification
19 device is grounds for revocation by the department of the
20 holder's privilege to use the device.

21 Notwithstanding chapter 805, violations of this subsection
22 which are admitted shall be charged and collected upon a
23 simple notice of fine and no costs or other charges shall be
24 assessed. Violations which are denied shall be charged on the
25 same simple notice of fine and proceed before the court the
26 same as other traffic violations and court costs shall be
27 assessed. A uniform citation and complaint signed by the
28 charging officer may be used for the notice of fine.

29 Sec. 2. This Act, being deemed of immediate importance,
30 takes effect upon its enactment.

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SENATE FILE 459

S-3273

- 1 Amend Senate File 459 as follows:
- 2 1. By striking page 1, line 21 through page 2,
- 3 line 16 and inserting the following:
- 4 "Sec. ____ . This Act , being deemed of immediate
- 5 importance, takes effect upon its enactment."
- 6 2. Title page, line 2, by striking the words
- 7 "effective dates" and inserting the words "an ef-
- 8 fective date".

S-3273

Filed March 25, 1987

BY DONALD V. DOYLE

Adopted 4/7/87 (p. 1131)

SENATE FILE 459

S-3328

- 1 Amend Senate File 459 as follows:
- 2 1. Page 1, by inserting after line 20 the
- 3 following:
- 4 "Notwithstanding section 805.6, violations of this
- 5 subsection can be charged and collected upon a simple
- 6 notice of fine, similar to the manner allowed under
- 7 section 321.236, subsection 1, and a uniform citation
- 8 and complaint signed by the charging officer may be
- 9 used for this purpose."

S-3328

Filed March 30, 1987

BY RICHARD F. DRAKE

CHARLES BRUNER

DONALD V. DOYLE

WILLIAM W. DIELEMAN

Revised 4/7/87 (p. 1131)

SENATE FILE 459

S-3425

- 1 Amend Senate File 459 as follows:
- 2 1. Page 1, by inserting after line 20 the
- 3 following:
- 4 "Notwithstanding chapter 805, violations of this
- 5 subsection which are admitted shall be charged and
- 6 collected upon a simple notice of fine and no costs or
- 7 other charges shall be assessed. Violations which are
- 8 denied shall be charged on the same simple notice of
- 9 fine and proceed before the court the same as other
- 10 traffic violations and court costs shall be assessed.
- 11 A uniform citation and complaint signed by the
- 12 charging officer may be used for the notice of fine."

S-3425

Filed April 6, 1987

BY RICHARD F. DRAKE

DONALD V. DOYLE

Adopted 4/7/87 (p. 1131)

SSB # 159
Transportation

New
SF 459

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL
REQUESTED BY DOYLE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to handicapped parking spaces and providing a
2 penalty and effective dates.

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

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1 Section 1. Section 601E.6, subsection 2, Code 1987, is
2 amended to read as follows:

3 2. A city or other political subdivision which provides
4 on-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 as handicapped parking spaces. A person may
7 also set aside handicapped parking spaces on the person's
8 property provided each parking space is clearly and
9 prominently designated as a handicapped parking space. The
10 use of a handicapped parking space, located on either public
11 or private property, by a motor vehicle not displaying a
12 handicapped identification device, or by a motor vehicle
13 displaying such a device but not being used by a handicapped
14 person, as operator or passenger is a misdemeanor for which a
15 fine may be imposed upon the owner, operator, or lessee of the
16 motor vehicle. The fine for each violation is fifteen twenty-
17 five dollars. Proof of conviction of three or more violations
18 involving improper use of the same handicapped identification
19 device is grounds for revocation by the department of the
20 holder's privilege to use the device.

21 Sec. 2. Section 601E.6, subsection 3, paragraph a, Code
22 1987, is amended to read as follows:

23 a. Establishing procedure for applying to the department
24 for issuance of a permanent or temporary handicapped
25 identification device, and handicapped identification stickers
26 and handicapped identification cards under this section.

27 Sec. 3. Section 601E.6, Code 1987, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 5. a. A handicapped person issued a
30 handicapped identification device, a handicapped registration
31 plate, or a handicapped identification sticker, shall, upon
32 application to the department, be issued a handicapped
33 identification card which shall indicate the number of the
34 device, plate, or sticker issued to the handicapped person.
35 The handicapped identification card shall be carried by or

1 readily available to the handicapped person, and the
2 handicapped person shall show the handicapped identification
3 card when asked to do so by law enforcement personnel checking
4 handicapped parking spaces. The handicapped identification
5 card shall be acquired by the department and sold at cost, not
6 to exceed five dollars, to handicapped persons upon
7 application.

8 b. Before delivering a handicapped identification device
9 to a handicapped person, the department shall permanently
10 affix to the device a unique number which may be used by the
11 department to identify that individual handicapped person.

12 Sec. 4. Section 805.8, subsection 2, paragraph s, Code
13 1987, is amended to read as follows:

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

17 Sec. 5. Section 601E.6, subsection 5, paragraph b, created
18 under this Act applies to handicapped identification devices
19 issued on or after January 1, 1988. Section 601E.6,
20 subsection 5, paragraph "a", created under this Act takes
21 effect January 1, 1988.

22 EXPLANATION

23 This bill raises the fine for illegally parking in a
24 handicapped parking space, whether located on public or
25 private property, from fifteen dollars to twenty-five dollars.
26 The bill also provides for the issuance of a handicapped
27 identification card to handicapped persons issued handicapped
28 identification devices, including those issued handicapped
29 identification plates or handicapped identification stickers.
30 The card is to be sold at cost, not to exceed five dollars.

31 The bill takes effect July 1 following its enactment.
32 However, the provisions providing for the issuance of
33 handicapped identification cards do not take effect until
34 January 1, 1988.

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SENATE FILE 459

charging officer may be used for the notice of fine.

Sec. 2. This Act, being deemed of immediate importance, takes effect upon its enactment.

AN ACT

RELATING TO HANDICAPPED PARKING SPACES, MAKING PENALTIES APPLICABLE AND PROVIDING AN EFFECTIVE DATE.

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

JO ANN ZIMMERMAN
President of the Senate

Section 1. Section 601E.6, subsection 2, Code 1987, is amended to read as follows:

DONALD D. AVENSON
Speaker of the House

2. 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 as handicapped parking spaces. A 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 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 dollars. Proof of conviction of three or more violations involving improper use of the same handicapped identification device is grounds for revocation by the department of the holder's privilege to use the device.

I hereby certify that this bill originated in the Senate and is known as Senate File 459, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 24, 1987

TERRY E. BRANSTAD
Governor

Notwithstanding chapter 805, violations of this subsection which are admitted shall be charged and collected upon a simple notice of fine and no costs or other charges shall be assessed. Violations which are denied shall be charged on the same simple notice of fine and proceed before the court the same as other traffic violations and court costs shall be assessed. A uniform citation and complaint signed by the

S.F. 459