

REPRINTED

MAR 19 1997

Place On Calendar

HOUSE FILE

688

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 209)

Passed House, Date 3/25/97 (p. 813) Passed Senate, Date 4-9-97  
Vote: Ayes 99 Nays 0 Vote: Ayes 46 Nays 0  
Approved April 22, 1997

A BILL FOR

1 An Act relating to handicapped parking permits by providing for  
2 nonexpiring removable windshield placards for persons with a  
3 lifelong disability, eliminating the requirement that  
4 physicians or chiropractors sign removable windshield  
5 placards, and eliminating certain identification requirements  
6 for handicapped persons and providing an effective date.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 688

TL5B 2609HV 77

mk/jj/8

1 Section 1. Section 321L.1, Code 1997, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8. "Lifelong disability" means a  
4 disability described under subsection 7 which has been  
5 determined to be permanent by a person authorized to provide  
6 the statement of disability required by section 321L.2.

7 Sec. 2. Section 321L.2, subsection 1, paragraph a,  
8 subparagraph (3), Code 1997, is amended to read as follows:

9 (3) Removable windshield placard. A handicapped person  
10 may apply for a temporary removable windshield placard which  
11 shall be valid for a period of up to six months, ~~as determined~~  
12 ~~by the physician's or chiropractor's statement under this~~  
13 ~~subsection or a nonexpiring removable windshield placard which~~  
14 ~~shall be valid for a period of four years from the date of~~  
15 ~~issuance, as determined by the physician's or chiropractor's~~  
16 ~~statement under this subsection.~~ A temporary removable  
17 windshield placard shall be renewed within thirty days of the  
18 date of expiration. ~~To renew the placard, the person shall~~  
19 ~~comply with the requirements for initial issuance of the~~  
20 ~~placard under this section.~~ Persons seeking temporary  
21 removable windshield placards shall be required to furnish  
22 evidence upon initial application that they are temporarily  
23 handicapped and, in addition, furnish evidence at subsequent  
24 intervals that they remain temporarily handicapped. Temporary  
25 removable windshield placards shall be of a distinctively  
26 different color from nonexpiring removable windshield  
27 placards. A nonexpiring removable windshield placard shall  
28 state on the face of the placard that it is a nonexpiring  
29 placard. The department shall issue one additional removable  
30 windshield placard upon the request of a handicapped person.

31 Sec. 3. Section 321L.2, subsection 1, paragraph b, Code  
32 1997, is amended to read as follows:

33 b. The department may issue expiring removable windshield  
34 placards to the following:

35 (1) An organization which has a program for transporting

1 the handicapped or elderly.

2 (2) A person in the business of transporting the  
3 handicapped or elderly.

4 One expiring removable windshield placard may be issued for  
5 each vehicle used by the organization or person for  
6 transporting the handicapped or elderly. A placard issued  
7 under this paragraph shall be renewed every four years from  
8 the date of issuance and shall be surrendered to the  
9 department if the organization or person is no longer  
10 providing the service for which the placard was issued.

11 Notwithstanding section 321L.4, a person transporting  
12 handicapped or elderly in a motor vehicle for which a placard  
13 has been issued under this paragraph may display the placard  
14 in the motor vehicle and may use a handicapped parking space  
15 while the motor vehicle is displaying the placard. A placard  
16 issued under this paragraph shall be of a distinctively  
17 different color from a placard issued under paragraph "a". An  
18 ~~organization-issued-a-removable-windshield-placard-and-a~~  
19 ~~handicapped-person-being-transported-under-this-subsection-are~~  
20 ~~exempt-from-the-handicapped-designation-requirement-under~~  
21 ~~section-321L.4.~~

22 Sec. 4. Section 321L.2, subsection 3, paragraph b,  
23 subparagraph (3), Code 1997, is amended to read as follows:

24 (3) The signature of the person who has been issued the  
25 placard ~~and-the-signature-of-the-physician-or-chiropractor-who~~  
26 ~~made-the-determination-that-the-person-was-handicapped-for~~  
27 ~~purposes-of-issuance-of-the-placard.~~

28 Sec. 5. Section 321L.2, subsection 5, Code 1997, is  
29 amended by striking the subsection.

30 Sec. 6. Section 321L.4, subsection 2, Code 1997, is  
31 amended to read as follows:

32 2. The use of a handicapped parking space, located on  
33 either public or private property as provided in sections  
34 321L.5 and 321L.6, by an operator of a motor vehicle not  
35 displaying a handicapped parking permit; by an operator of a

1 motor vehicle displaying a handicapped parking permit but not  
2 being used by ~~a person in possession of a motor vehicle~~  
3 ~~license with a handicapped designation or a nonoperator's~~  
4 ~~identification card with a handicapped designation, other than~~  
5 a person issued a permit or being transported in accordance  
6 with section 321L.2, subsection 1, paragraph "b"; or by a  
7 motor vehicle in violation of the rules adopted by the  
8 department under section 321L.8, constitutes improper use of a  
9 handicapped parking permit, which is a misdemeanor for which a  
10 fine shall be imposed upon the owner, operator, or lessee of  
11 the motor vehicle or the person to whom the handicapped  
12 parking permit is issued. The fine for each violation shall  
13 be one hundred dollars. Proof of conviction of two or more  
14 violations involving improper use of a handicapped parking  
15 permit is grounds for revocation by the court or the  
16 department of the holder's privilege to possess or use the  
17 handicapped parking permit.

18 Sec. 7. EFFECTIVE DATE. This Act, being deemed of  
19 immediate importance, takes effect upon enactment.

20 EXPLANATION

21 This bill authorizes the state department of transportation  
22 to issue nonexpiring removable windshield placards to persons  
23 who are handicapped by reason of a lifelong disability. To be  
24 eligible for a nonexpiring placard, a physician or  
25 chiropractor must state in writing to the department that the  
26 person's disability is permanent. A nonexpiring placard must  
27 be a different color from a temporary placard and state that  
28 it is a nonexpiring placard.

29 Currently, certain persons who transport handicapped or  
30 elderly persons may obtain removable windshield placards which  
31 must be renewed every four years. The bill designates these  
32 placards as expiring removable windshield placards. Persons  
33 receiving these placards must comply with Code section 321L.4  
34 regarding the display and use of the permit.

35 The bill eliminates the requirement that the physician or

1 chiropractor who made the determination regarding the  
2 handicapped person's disability sign the removable windshield  
3 placard. The bill also eliminates the requirement that a  
4 handicapped person who obtains a removable windshield placard  
5 have a handicapped designation on the person's driver's  
6 license or obtain a nonoperator's identification card.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

LSB 2609HV 77

mk/jj/8

## HOUSE FILE 688

H-1315

1 Amend House File 688 as follows:

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

4 "Section 1. Section 15.286, subsection 4,  
5 paragraph a, Code 1997, is amended to read as follows:  
6 4. a. The Iowa finance authority shall develop  
7 criteria to award assistance based upon the  
8 applicant's financial need, the cost-benefit of the  
9 project, the accessibility to the project by  
10 handicapped persons with disabilities as defined in  
11 section 321L.1, percent of private investment, percent  
12 leveraged by other programs, assessment of local  
13 housing situation, and ability to administer the  
14 program.

15 Sec. \_\_\_\_\_. Section 321.23, subsection 4, Code 1997,  
16 is amended to read as follows:

17 4. A vehicle which does not meet the equipment  
18 requirements of this chapter due to the particular use  
19 for which it is designed or intended, may be  
20 registered by the department upon payment of  
21 appropriate fees and after inspection and  
22 certification by the department that the vehicle is  
23 not in an unsafe condition. A person is not required  
24 to have a certificate of title to register a vehicle  
25 under this subsection. If the owner elects to have a  
26 certificate of title issued for the vehicle, a fee of  
27 ten dollars shall be paid by the person making the  
28 application upon issuance of a certificate of title.  
29 If the department's inspection reveals that the  
30 vehicle may be safely operated only under certain  
31 conditions or on certain types of roadways, the  
32 department may restrict the registration to limit  
33 operation of the vehicle to the appropriate conditions  
34 or roadways. This subsection does not apply to  
35 snowmobiles as defined in section 321G.1. Section  
36 321.382 does not apply to a vehicle registered under  
37 this subsection which is operated exclusively by a  
38 handicapped person with a disability who has obtained  
39 a handicapped persons with disabilities parking permit  
40 as provided in section 321L.2, if the handicapped  
41 persons with disabilities parking permit is carried in  
42 or on the vehicle and shown to a peace officer on  
43 request.

44 Sec. \_\_\_\_\_. Section 321.34, subsection 14, Code  
45 1997, is amended to read as follows:

46 14. HANDICAPPED PERSONS WITH DISABILITIES SPECIAL  
47 PLATES. An owner referred to in subsection 12 who is  
48 a handicapped person with a disability, or who is the  
49 parent or guardian of a child who resides with the  
50 parent or guardian owner and who is a handicapped

H-1315

H-1315

Page 2

1 person with a disability, as defined in section  
2 321L.1, may, upon written application to the  
3 department, order special registration plates with a  
4 handicapped persons with disabilities processed emblem  
5 designed by the department bearing the international  
6 symbol of accessibility. The special registration  
7 plates with a handicapped processed emblem shall only  
8 be issued if the application is accompanied with a  
9 statement from a physician licensed under chapter 148,  
10 149, 150, or 150A, or a chiropractor licensed under  
11 chapter 151, written on the physician's or  
12 chiropractor's stationery, stating the nature of the  
13 applicant's or the applicant's child's handicap  
14 disability and such additional information as required  
15 by rules adopted by the department, including proof of  
16 residency of a child who is a handicapped person with  
17 a disability. If the application is approved by the  
18 department the special registration plates with a  
19 handicapped persons with disabilities processed emblem  
20 shall be issued to the applicant. There shall be no  
21 fee in addition to the regular annual registration fee  
22 for the special registration plates with a handicapped  
23 persons with disabilities processed emblem. The  
24 authorization for special registration plates with a  
25 handicapped persons with disabilities processed emblem  
26 shall not be renewed without the applicant furnishing  
27 evidence to the department that the owner of the motor  
28 vehicle or the owner's child is still a handicapped  
29 person with a disability as defined in section 321L.1.  
30 An owner who has a child who is a handicapped person  
31 with a disability shall provide satisfactory evidence  
32 to the department that the handicapped child with a  
33 disability continues to reside with the owner. The  
34 registration plates with a handicapped persons with  
35 disabilities processed emblem shall be surrendered in  
36 exchange for regular registration plates as provided  
37 in subsection 12 when the owner of the motor vehicle  
38 or the owner's child no longer qualifies as a  
39 handicapped person with a disability as defined in  
40 section 321L.1 or when the owner's child who is a  
41 handicapped person with a disability no longer resides  
42 with the owner.

43 Sec. \_\_\_\_\_. Section 321.166, subsection 6, Code  
44 1997, is amended to read as follows:

45 6. Registration plates issued a disabled veteran  
46 under the provisions of section 321.105, shall display  
47 the alphabetical characters "DV" which shall precede  
48 the registration plate number. The plates may also  
49 display a handicapped persons with disabilities  
50 parking sticker if issued to the disabled veteran by

H-1315

-2-

H-1315

Page 3

1 the department under section 321L.2.

2 Sec. \_\_\_\_\_. Section 321.179, subsection 1,  
3 unnumbered paragraph 1, Code 1997, is amended to read  
4 as follows:

5 1. Notwithstanding the provisions of this chapter  
6 or chapter 321L which grant sole authority to the  
7 department for the issuance of motor vehicle licenses,  
8 nonoperator's identification cards, and handicapped  
9 persons with disabilities identification devices, the  
10 counties of Adams, Cass, Fremont, Mills, Montgomery,  
11 and Page shall be authorized to issue motor vehicle  
12 licenses, nonoperator's identification cards, and  
13 handicapped persons with disabilities identification  
14 devices on a permanent basis. However, a county shall  
15 only be authorized to issue commercial driver's  
16 licenses if certified to do so by the department. If  
17 a county fails to meet the standards for certification  
18 under this section, the department itself shall  
19 provide for the issuance of commercial driver's  
20 licenses in that county. The department shall certify  
21 the county treasurers in the permanent counties to  
22 issue commercial driver's licenses if all of the  
23 following conditions are met:

24 Sec. \_\_\_\_\_. Section 321L.1, subsections 4 through 6,  
25 Code 1997, are amended to read as follows:

26 4. "Handicapped Persons with disabilities parking  
27 permit" means a permit bearing the international  
28 symbol of accessibility issued by the department which  
29 allows the holder to park in a handicapped persons  
30 with disabilities parking space, and includes the  
31 following:

32 a. A handicapped persons with disabilities  
33 registration plate issued to or for a handicapped  
34 person with a disability under section 321.34,  
35 subsection 7.

36 b. A handicapped persons with disabilities parking  
37 sticker affixed to a registration plate issued to a  
38 disabled veteran under section 321.166, subsection 6,  
39 or to an operator under section 321.34.

40 c. A handicapped persons with disabilities  
41 removable windshield placard which is a two-sided  
42 placard for hanging from the rearview mirror when the  
43 motor vehicle is parked in a handicapped persons with  
44 disabilities parking space.

45 5. "Handicapped Persons with disabilities parking  
46 sign" means a sign which bears the international  
47 symbol of accessibility that meets the requirements  
48 under section 321L.6.

49 6. "Handicapped Persons with disabilities parking  
50 space" means a parking space, including the access

H-1315

-3-



H-1315

Page 4

1 aisle, designated for use by only motor vehicles  
2 displaying a handicapped persons with disabilities  
3 parking permit that meets the requirements of sections  
4 321L.5 and 321L.6.

5 Sec. \_\_\_\_\_. Section 321L.1, subsection 7, unnumbered  
6 paragraph 1, Code 1997, is amended to read as follows:

7 "Handicapped-person Person with a disability" means  
8 a person with a disability that limits or impairs the  
9 person's ability to walk. A person shall be  
10 considered handicapped a person with a disability for  
11 purposes of this chapter under the following  
12 circumstances:"

13 2. Page 1, by inserting after line 6 the  
14 following:

15 "Sec. \_\_\_\_\_. Section 321L.2, subsection 1, paragraph  
16 a, unnumbered paragraphs 1 and 2, Code 1997, are  
17 amended to read as follows:

18 A handicapped resident of the state with a  
19 disability desiring a handicapped persons with  
20 disabilities parking permit shall apply to the  
21 department upon an application form furnished by the  
22 department providing the applicant's name, address,  
23 date of birth, and social security number and shall  
24 also provide a statement from a physician licensed  
25 under chapter 148, 149, 150, or 150A, or a  
26 chiropractor licensed under chapter 151, or a  
27 physician or chiropractor licensed to practice in a  
28 contiguous state, written on the physician's or  
29 chiropractor's stationery, stating the nature of the  
30 applicant's handicap disability and such additional  
31 information as required by rules adopted by the  
32 department under section 321L.8. If the person is  
33 applying for a temporary handicapped persons with  
34 disabilities parking permit, the physician's or  
35 chiropractor's statement shall state the period of  
36 time during which the person is expected to be  
37 handicapped disabled and the period of time for which  
38 the permit should be issued, not to exceed six months.

39 A handicapped person with a disability may apply  
40 for one of the following handicapped persons with  
41 disabilities parking permits:"

42 3. Page 1, line 9, by striking the words  
43 "handicapped person" and inserting the following:  
44 "handicapped person with a disability".

45 4. Page 1, lines 22 and 23, by striking the words  
46 "are temporarily handicapped" and inserting the  
47 following: "are-temporarily-handicapped have a  
48 temporary disability".

49 5. Page 1, line 24, by striking the word  
50 "handicapped" and inserting the following:

H-1315

-4-

H-1315

Page 5

- 1 "handicapped disabled".
- 2 6. Page 1, line 30, by striking the words
- 3 "handicapped person" and inserting the following:
- 4 "handicapped person with a disability".
- 5 7. Page 2, line 1, by striking the words "the
- 6 handicapped or elderly" and inserting the following:
- 7 "the-handicapped-or-elderly persons with disabilities
- 8 or elderly persons".
- 9 8. Page 2, lines 2 and 3, by striking the words
- 10 "the handicapped or elderly" and inserting the
- 11 following: "the-handicapped-or-elderly persons with
- 12 disabilities or elderly persons".
- 13 9. Page 2, line 6, by striking the words "the
- 14 handicapped or elderly" and inserting the following:
- 15 "the-handicapped-or-elderly persons with disabilities
- 16 or elderly persons".
- 17 10. Page 2, line 12 by striking the words
- 18 "handicapped or elderly" and inserting the following:
- 19 "handicapped-or-elderly persons with disabilities or
- 20 elderly persons".
- 21 11. Page 2, line 14, by striking the word
- 22 "handicapped" and inserting the following:
- 23 "handicapped persons with disabilities".
- 24 12. Page 2, line 32, by striking the word
- 25 "handicapped" and inserting the following:
- 26 "handicapped persons with disabilities".
- 27 13. Page 2, line 35, by striking the word
- 28 "handicapped" and inserting the following:
- 29 "handicapped persons with disabilities".
- 30 14. Page 3, line 1, by striking the word
- 31 "handicapped" and inserting the following:
- 32 "handicapped persons with disabilities".
- 33 15. Page 3, line 9, by striking the word
- 34 "handicapped" and inserting the following:
- 35 "handicapped persons with disabilities".
- 36 16. Page 3, line 11, by striking the word
- 37 "handicapped" and inserting the following:
- 38 "handicapped persons with disabilities".
- 39 17. Page 3, line 14, by striking the word
- 40 "handicapped" and inserting the following:
- 41 "handicapped persons with disabilities".
- 42 18. Page 3, line 17, by striking the word
- 43 "handicapped" and inserting the following:
- 44 "handicapped persons with disabilities".
- 45 19. Page 3, by inserting after line 17 the
- 46 following:
- 47 "Sec. \_\_\_\_\_. AMENDMENTS CHANGING TERMINOLOGY --
- 48 DIRECTIVES TO CODE EDITOR.
- 49 1. The Code editor shall substitute the words
- 50 "persons with disabilities" for the word "handicapped"

H-1315

-5-

H-1315

Page 6

1 wherever the word "handicapped" is used in the terms  
2 "handicapped parking permit", "handicapped parking  
3 permits", "handicapped parking space", "handicapped  
4 parking spaces", "handicapped designation",  
5 "handicapped designations", "handicapped  
6 identification designation", "handicapped  
7 identification designations", "handicapped parking  
8 space", "handicapped parking spaces", "handicapped  
9 parking", "handicapped parking review committee",  
10 "handicapped parking sign", "handicapped parking  
11 signs", "handicapped parking sticker", "handicapped  
12 parking stickers", "handicapped registration plate",  
13 "handicapped registration plates", "handicapped  
14 identification device", and "handicapped  
15 identification devices".

16 2. The Code editor shall substitute the word  
17 "disability" for "handicap" where there appears to be  
18 no doubt as to the intent to refer to a disability.

19 3. The Code editor shall substitute the words  
20 "person with a disability" for the words "handicapped  
21 person" and the words "persons with disabilities" for  
22 the words "handicapped persons" where there appears to  
23 be no doubt as to the intent to refer to a person with  
24 a disability or persons with disabilities.

25 Sec. \_\_\_\_\_. Section 321L.6, subsection 3, Code 1997,  
26 is amended by striking the subsection."

27 20. Page 3, by striking lines 18 and 19 and  
28 inserting the following:

29 "Sec. \_\_\_\_\_. EFFECTIVE AND APPLICABILITY DATE  
30 PROVISIONS. This Act, being deemed of immediate  
31 importance, takes effect upon enactment. However,  
32 state agencies, political subdivisions of the state,  
33 and other persons which currently have signs or  
34 windshield placards, stickers, or other devices which  
35 bear the word "handicapped" or the statement required  
36 by section 321L.6, subsection 3, Code 1997, may  
37 continue to use the placards, stickers, or devices  
38 until they would be replaced in the normal course of  
39 business."

40 21. Title page, line 1, by inserting after the  
41 word "permits" the following: "by changing the term  
42 handicapped to the term person with a disability and".

43 22. Title page, line 6, by striking the word  
44 "handicapped persons" and inserting the following:  
45 "persons with disabilities".

46 23. Title page, line 6, by inserting after the  
47 word "date" the following: "and applicability  
48 provisions".

49 24. By renumbering as necessary.

By HEATON of Henry  
DODERER of Johnson

H-1315 FILED MARCH 24, 1997

*Adopted 3/25/97 (p. 813)*

5-31/97 Transportation  
5-4-97 Do Pass

HOUSE FILE 688  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 209)

(As Amended and Passed by the House, March 25, 1997)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 4-9-97  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 46 Nays 0  
Approved April 22, 1997

A BILL FOR

1 An Act relating to handicapped parking permits by changing the  
2 term handicapped to the term person with a disability and by  
3 providing for nonexpiring removable windshield placards for  
4 persons with a lifelong disability, eliminating the  
5 requirement that physicians or chiropractors sign removable  
6 windshield placards, and eliminating certain identification  
7 requirements for persons with disabilities and providing an  
8 effective date and applicability provisions.

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

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

House Amendments \_\_\_\_\_

1 Section 1. Section 15.286, subsection 4, paragraph a, Code  
2 1997, is amended to read as follows:

3 4. a. The Iowa finance authority shall develop criteria  
4 to award assistance based upon the applicant's financial need,  
5 the cost-benefit of the project, the accessibility to the  
6 project by handicapped persons with disabilities as defined in  
7 section 321L.1, percent of private investment, percent  
8 leveraged by other programs, assessment of local housing  
9 situation, and ability to administer the program.

10 Sec. 2. Section 321.23, subsection 4, Code 1997, is  
11 amended to read as follows:

12 4. A vehicle which does not meet the equipment  
13 requirements of this chapter due to the particular use for  
14 which it is designed or intended, may be registered by the  
15 department upon payment of appropriate fees and after  
16 inspection and certification by the department that the  
17 vehicle is not in an unsafe condition. A person is not  
18 required to have a certificate of title to register a vehicle  
19 under this subsection. If the owner elects to have a  
20 certificate of title issued for the vehicle, a fee of ten  
21 dollars shall be paid by the person making the application  
22 upon issuance of a certificate of title. If the department's  
23 inspection reveals that the vehicle may be safely operated  
24 only under certain conditions or on certain types of roadways,  
25 the department may restrict the registration to limit  
26 operation of the vehicle to the appropriate conditions or  
27 roadways. This subsection does not apply to snowmobiles as  
28 defined in section 321G.1. Section 321.382 does not apply to  
29 a vehicle registered under this subsection which is operated  
30 exclusively by a handicapped person with a disability who has  
31 obtained a handicapped persons with disabilities parking  
32 permit as provided in section 321L.2, if the handicapped  
33 persons with disabilities parking permit is carried in or on  
34 the vehicle and shown to a peace officer on request.

35 Sec. 3. Section 321.34, subsection 14, Code 1997, is

1 amended to read as follows:

2 14. HANDICAPPED PERSONS WITH DISABILITIES SPECIAL PLATES.

3 An owner referred to in subsection 12 who is a handicapped  
4 person with a disability, or who is the parent or guardian of  
5 a child who resides with the parent or guardian owner and who  
6 is a handicapped person with a disability, as defined in  
7 section 321L.1, may, upon written application to the  
8 department, order special registration plates with a  
9 handicapped persons with disabilities processed emblem  
10 designed by the department bearing the international symbol of  
11 accessibility. The special registration plates with a  
12 handicapped processed emblem shall only be issued if the  
13 application is accompanied with a statement from a physician  
14 licensed under chapter 148, 149, 150, or 150A, or a  
15 chiropractor licensed under chapter 151, written on the  
16 physician's or chiropractor's stationery, stating the nature  
17 of the applicant's or the applicant's child's handicap  
18 disability and such additional information as required by  
19 rules adopted by the department, including proof of residency  
20 of a child who is a handicapped person with a disability. If  
21 the application is approved by the department the special  
22 registration plates with a handicapped persons with  
23 disabilities processed emblem shall be issued to the  
24 applicant. There shall be no fee in addition to the regular  
25 annual registration fee for the special registration plates  
26 with a handicapped persons with disabilities processed emblem.  
27 The authorization for special registration plates with a  
28 handicapped persons with disabilities processed emblem shall  
29 not be renewed without the applicant furnishing evidence to  
30 the department that the owner of the motor vehicle or the  
31 owner's child is still a handicapped person with a disability  
32 as defined in section 321L.1. An owner who has a child who is  
33 a handicapped person with a disability shall provide  
34 satisfactory evidence to the department that the handicapped  
35 child with a disability continues to reside with the owner.

1 The registration plates with a handicapped persons with  
2 disabilities processed emblem shall be surrendered in exchange  
3 for regular registration plates as provided in subsection 12  
4 when the owner of the motor vehicle or the owner's child no  
5 longer qualifies as a handicapped person with a disability as  
6 defined in section 321L.1 or when the owner's child who is a  
7 handicapped person with a disability no longer resides with  
8 the owner.

9 Sec. 4. Section 321.166, subsection 6, Code 1997, is  
10 amended to read as follows:

11 6. Registration plates issued a disabled veteran under the  
12 provisions of section 321.105, shall display the alphabetical  
13 characters "DV" which shall precede the registration plate  
14 number. The plates may also display a handicapped persons  
15 with disabilities parking sticker if issued to the disabled  
16 veteran by the department under section 321L.2.

17 Sec. 5. Section 321.179, subsection 1, unnumbered  
18 paragraph 1, Code 1997, is amended to read as follows:

19 1. Notwithstanding the provisions of this chapter or  
20 chapter 321L which grant sole authority to the department for  
21 the issuance of motor vehicle licenses, nonoperator's  
22 identification cards, and handicapped persons with  
23 disabilities identification devices, the counties of Adams,  
24 Cass, Fremont, Mills, Montgomery, and Page shall be authorized  
25 to issue motor vehicle licenses, nonoperator's identification  
26 cards, and handicapped persons with disabilities  
27 identification devices on a permanent basis. However, a  
28 county shall only be authorized to issue commercial driver's  
29 licenses if certified to do so by the department. If a county  
30 fails to meet the standards for certification under this  
31 section, the department itself shall provide for the issuance  
32 of commercial driver's licenses in that county. The  
33 department shall certify the county treasurers in the  
34 permanent counties to issue commercial driver's licenses if  
35 all of the following conditions are met:

1 Sec. 6. Section 321L.1, subsections 4 through 6, Code  
2 1997, are amended to read as follows:

3 4. "Handicapped Persons with disabilities parking permit"  
4 means a permit bearing the international symbol of  
5 accessibility issued by the department which allows the holder  
6 to park in a handicapped persons with disabilities parking  
7 space, and includes the following:

8 a. A handicapped persons with disabilities registration  
9 plate issued to or for a handicapped person with a disability  
10 under section 321.34, subsection 7.

11 b. A handicapped persons with disabilities parking sticker  
12 affixed to a registration plate issued to a disabled veteran  
13 under section 321.166, subsection 6, or to an operator under  
14 section 321.34.

15 c. A handicapped persons with disabilities removable  
16 windshield placard which is a two-sided placard for hanging  
17 from the rearview mirror when the motor vehicle is parked in a  
18 handicapped persons with disabilities parking space.

19 5. "Handicapped Persons with disabilities parking sign"  
20 means a sign which bears the international symbol of  
21 accessibility that meets the requirements under section  
22 321L.6.

23 6. "Handicapped Persons with disabilities parking space"  
24 means a parking space, including the access aisle, designated  
25 for use by only motor vehicles displaying a handicapped  
26 persons with disabilities parking permit that meets the  
27 requirements of sections 321L.5 and 321L.6.

28 Sec. 7. Section 321L.1, subsection 7, unnumbered paragraph  
29 1, Code 1997, is amended to read as follows:

30 "Handicapped-person Person with a disability" means a  
31 person with a disability that limits or impairs the person's  
32 ability to walk. A person shall be considered handicapped a  
33 person with a disability for purposes of this chapter under  
34 the following circumstances:

35 Sec. 8. Section 321L.1, Code 1997, is amended by adding



1 the following new subsection:

2 NEW SUBSECTION. 8. "Lifelong disability" means a  
3 disability described under subsection 7 which has been  
4 determined to be permanent by a person authorized to provide  
5 the statement of disability required by section 321L.2.

6 Sec. 9. Section 321L.2, subsection 1, paragraph a,  
7 unnumbered paragraphs 1 and 2, Code 1997, are amended to read  
8 as follows:

9 A handicapped resident of the state with a disability  
10 desiring a handicapped persons with disabilities parking  
11 permit shall apply to the department upon an application form  
12 furnished by the department providing the applicant's name,  
13 address, date of birth, and social security number and shall  
14 also provide a statement from a physician licensed under  
15 chapter 148, 149, 150, or 150A, or a chiropractor licensed  
16 under chapter 151, or a physician or chiropractor licensed to  
17 practice in a contiguous state, written on the physician's or  
18 chiropractor's stationery, stating the nature of the  
19 applicant's handicap disability and such additional  
20 information as required by rules adopted by the department  
21 under section 321L.8. If the person is applying for a  
22 temporary handicapped persons with disabilities parking  
23 permit, the physician's or chiropractor's statement shall  
24 state the period of time during which the person is expected  
25 to be handicapped disabled and the period of time for which  
26 the permit should be issued, not to exceed six months.

27 A handicapped person with a disability may apply for one of  
28 the following handicapped persons with disabilities parking  
29 permits:

30 Sec. 10. Section 321L.2, subsection 1, paragraph a,  
31 subparagraph (3), Code 1997, is amended to read as follows:

32 (3) Removable windshield placard. A handicapped person  
33 with a disability may apply for a temporary removable  
34 windshield placard which shall be valid for a period of up to  
35 six months, as determined by the physician's or chiropractor's

1 ~~statement-under-this-subsection~~ or a nonexpiring removable  
2 windshield placard ~~which-shall-be-valid-for-a-period-of-four~~  
3 ~~years-from-the-date-of-issuance,~~ as determined by the  
4 physician's or chiropractor's statement under this subsection.  
5 A temporary removable windshield placard shall be renewed  
6 within thirty days of the date of expiration. ~~To-renew-the~~  
7 ~~placard,-the-person-shall-comply-with-the-requirements-for~~  
8 ~~initial-issuance-of-the-placard-under-this-section.~~ Persons  
9 seeking temporary removable windshield placards shall be  
10 required to furnish evidence upon initial application that  
11 they are-temporarily-handicapped have a temporary disability  
12 and, in addition, furnish evidence at subsequent intervals  
13 that they remain temporarily handicapped disabled. Temporary  
14 removable windshield placards shall be of a distinctively  
15 different color from nonexpiring removable windshield  
16 placards. A nonexpiring removable windshield placard shall  
17 state on the face of the placard that it is a nonexpiring  
18 placard. The department shall issue one additional removable  
19 windshield placard upon the request of a handicapped person  
20 with a disability.

21 Sec. 11. Section 321L.2, subsection 1, paragraph b, Code  
22 1997, is amended to read as follows:

23 b. The department may issue expiring removable windshield  
24 placards to the following:

25 (1) An organization which has a program for transporting  
26 the-handicapped-or-elderly persons with disabilities or  
27 elderly persons.

28 (2) A person in the business of transporting the  
29 handicapped-or-elderly persons with disabilities or elderly  
30 persons.

31 One expiring removable windshield placard may be issued for  
32 each vehicle used by the organization or person for  
33 transporting the-handicapped-or-elderly persons with  
34 disabilities or elderly persons. A placard issued under this  
35 paragraph shall be renewed every four years from the date of

1 issuance and shall be surrendered to the department if the  
2 organization or person is no longer providing the service for  
3 which the placard was issued. Notwithstanding section 321L.4,  
4 a person transporting handicapped-or-elderly persons with  
5 disabilities or elderly persons in a motor vehicle for which a  
6 placard has been issued under this paragraph may display the  
7 placard in the motor vehicle and may use a handicapped persons  
8 with disabilities parking space while the motor vehicle is  
9 displaying the placard. A placard issued under this paragraph  
10 shall be of a distinctively different color from a placard  
11 issued under paragraph "a". ~~An-organization-issued-a~~  
12 ~~removable-windshield-placard-and-a-handicapped-person-being~~  
13 ~~transported-under-this-subsection-are-exempt-from-the~~  
14 ~~handicapped-designation-requirement-under-section-321b.4-~~

15 Sec. 12. Section 321L.2, subsection 3, paragraph b,  
16 subparagraph (3), Code 1997, is amended to read as follows:

17 (3) The signature of the person who has been issued the  
18 placard ~~and-the-signature-of-the-physician-or-chiropractor-who~~  
19 ~~made-the-determination-that-the-person-was-handicapped-for~~  
20 ~~purposes-of-issuance-of-the-placard.~~

21 Sec. 13. Section 321L.2, subsection 5, Code 1997, is  
22 amended by striking the subsection.

23 Sec. 14. Section 321L.4, subsection 2, Code 1997, is  
24 amended to read as follows:

25 2. The use of a handicapped persons with disabilities  
26 parking space, located on either public or private property as  
27 provided in sections 321L.5 and 321L.6, by an operator of a  
28 motor vehicle not displaying a handicapped persons with  
29 disabilities parking permit; by an operator of a motor vehicle  
30 displaying a handicapped persons with disabilities parking  
31 permit but not being used by ~~a-person-in-possession-of-a-motor~~  
32 ~~vehicle-license-with-a-handicapped-designation-or-a~~  
33 ~~nonoperator's-identification-card-with-a-handicapped~~  
34 ~~designation,~~ other than a person issued a permit or being  
35 transported in accordance with section 321L.2, subsection 1,

1 paragraph "b"; or by a motor vehicle in violation of the rules  
2 adopted by the department under section 321L.8, constitutes  
3 improper use of a handicapped persons with disabilities  
4 parking permit, which is a misdemeanor for which a fine shall  
5 be imposed upon the owner, operator, or lessee of the motor  
6 vehicle or the person to whom the handicapped persons with  
7 disabilities parking permit is issued. The fine for each  
8 violation shall be one hundred dollars. Proof of conviction  
9 of two or more violations involving improper use of a  
10 handicapped persons with disabilities parking permit is  
11 grounds for revocation by the court or the department of the  
12 holder's privilege to possess or use the handicapped persons  
13 with disabilities parking permit.

14 Sec. 15. AMENDMENTS CHANGING TERMINOLOGY -- DIRECTIVES TO  
15 CODE EDITOR.

16 1. The Code editor shall substitute the words "persons  
17 with disabilities" for the word "handicapped" wherever the  
18 word "handicapped" is used in the terms "handicapped parking  
19 permit", "handicapped parking permits", "handicapped parking  
20 space", "handicapped parking spaces", "handicapped  
21 designation", "handicapped designations", "handicapped  
22 identification designation", "handicapped identification  
23 designations", "handicapped parking space", "handicapped  
24 parking spaces", "handicapped parking", "handicapped parking  
25 review committee", "handicapped parking sign", "handicapped  
26 parking signs", "handicapped parking sticker", "handicapped  
27 parking stickers", "handicapped registration plate",  
28 "handicapped registration plates", "handicapped identification  
29 device", and "handicapped identification devices".

30 2. The Code editor shall substitute the word "disability"  
31 for "handicap" where there appears to be no doubt as to the  
32 intent to refer to a disability.

33 3. The Code editor shall substitute the words "person with  
34 a disability" for the words "handicapped person" and the words  
35 "persons with disabilities" for the words "handicapped

1 persons" where there appears to be no doubt as to the intent  
2 to refer to a person with a disability or persons with  
3 disabilities.

4 Sec. 16. Section 321L.6, subsection 3, Code 1997, is  
5 amended by striking the subsection.

6 Sec. 17. EFFECTIVE AND APPLICABILITY DATE PROVISIONS.

7 This Act, being deemed of immediate importance, takes effect  
8 upon enactment. However, state agencies, political  
9 subdivisions of the state, and other persons which currently  
10 have signs or windshield placards, stickers, or other devices  
11 which bear the word "handicapped" or the statement required by  
12 section 321L.6, subsection 3, Code 1997, may continue to use  
13 the placards, stickers, or devices until they would be  
14 replaced in the normal course of business.

Hester Chair  
Eddie  
Ford

HSB 209

TRANSPORTATION

ded By

SF . IF

HOUSE FILE

BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON WELTER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

### A BILL FOR

1 An Act relating to handicapped parking permits by providing for  
2 nonexpiring removable windshield placards for persons with a  
3 lifelong disability, eliminating the requirement that  
4 physicians or chiropractors sign removable windshield  
5 placards, and eliminating certain identification requirements  
6 for handicapped persons.

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

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

TL5B 2609HC 77

mk/jj/8

1 Section 1. Section 321L.1, Code 1997, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8. "Lifelong disability" means a  
4 disability described under subsection 7 which has been  
5 determined to be permanent by a person authorized to provide  
6 the statement of disability required by section 321L.2.

7 Sec. 2. Section 321L.2, subsection 1, paragraph a,  
8 subparagraph (3), Code 1997, is amended to read as follows:

9 (3) Removable windshield placard. A handicapped person  
10 may apply for a temporary removable windshield placard which  
11 shall be valid for a period of up to six months, ~~as determined~~  
12 ~~by the physician's or chiropractor's statement under this~~  
13 ~~subsection or a nonexpiring removable windshield placard which~~  
14 ~~shall be valid for a period of four years from the date of~~  
15 ~~issuance, as determined by the physician's or chiropractor's~~  
16 statement under this subsection. A temporary removable  
17 windshield placard shall be renewed within thirty days of the  
18 date of expiration. ~~To renew the placard, the person shall~~  
19 ~~comply with the requirements for initial issuance of the~~  
20 ~~placard under this section.~~ Persons seeking temporary  
21 removable windshield placards shall be required to furnish  
22 evidence upon initial application that they are temporarily  
23 handicapped and, in addition, furnish evidence at subsequent  
24 intervals that they remain temporarily handicapped. Temporary  
25 removable windshield placards shall be of a distinctively  
26 different color from nonexpiring removable windshield  
27 placards. A nonexpiring removable windshield placard shall  
28 state on the face of the placard that it is a nonexpiring  
29 placard. The department shall issue one additional removable  
30 windshield placard upon the request of a handicapped person.

31 Sec. 3. Section 321L.2, subsection 1, paragraph b, Code  
32 1997, is amended to read as follows:

33 b. The department may issue expiring removable windshield  
34 placards to the following:

35 (1) An organization which has a program for transporting

1 the handicapped or elderly.

2 (2) A person in the business of transporting the  
3 handicapped or elderly.

4 One expiring removable windshield placard may be issued for  
5 each vehicle used by the organization or person for  
6 transporting the handicapped or elderly. A placard issued  
7 under this paragraph shall be renewed every four years from  
8 the date of issuance and shall be surrendered to the  
9 department if the organization or person is no longer  
10 providing the service for which the placard was issued.

11 Notwithstanding section 321L.4, a person transporting  
12 handicapped or elderly in a motor vehicle for which a placard  
13 has been issued under this paragraph may display the placard  
14 in the motor vehicle and may use a handicapped parking space  
15 while the motor vehicle is displaying the placard. A placard  
16 issued under this paragraph shall be of a distinctively  
17 different color from a placard issued under paragraph "a". An  
18 organization issued a an expiring removable windshield placard  
19 and a handicapped person being transported under this  
20 subsection are exempt from the handicapped designation  
21 requirement under section 321L.4.

22 Sec. 4. Section 321L.2, subsection 3, paragraph b,  
23 subparagraph (3), Code 1997, is amended to read as follows:

24 (3) The signature of the person who has been issued the  
25 placard ~~and the signature of the physician or chiropractor who~~  
26 ~~made the determination that the person was handicapped for~~  
27 ~~purposes of issuance of the placard.~~

28 Sec. 5. Section 321L.2, subsection 5, Code 1997, is  
29 amended by striking the subsection.

30 EXPLANATION

31 This bill authorizes the state department of transportation  
32 to issue nonexpiring removable windshield placards to persons  
33 who are handicapped by reason of a lifelong disability. To be  
34 eligible for a nonexpiring placard, a physician or  
35 chiropractor must state in writing to the department that the



1 person's disability is permanent. A nonexpiring placard must  
2 be a different color from a temporary placard and state that  
3 it is a nonexpiring placard.

4 Currently, certain persons who transport handicapped or  
5 elderly persons may obtain removable windshield placards which  
6 must be renewed every four years. The bill designates these  
7 placards as expiring removable windshield placards.

8 The bill eliminates the requirement that the physician or  
9 chiropractor who made the determination regarding the  
10 handicapped person's disability sign the removable windshield  
11 placard. The bill also eliminates the requirement that a  
12 handicapped person who obtains a removable windshield placard  
13 have a handicapped designation on the person's driver's  
14 license or obtain a nonoperator's identification card.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

HOUSE FILE 688

AN ACT

RELATING TO HANDICAPPED PARKING PERMITS BY CHANGING THE TERM HANDICAPPED TO THE TERM PERSON WITH A DISABILITY AND BY PROVIDING FOR NONEXPIRING REMOVABLE WINDSHIELD PLACARDS FOR PERSONS WITH A LIFELONG DISABILITY, ELIMINATING THE REQUIREMENT THAT PHYSICIANS OR CHIROPRACTORS SIGN REMOVABLE WINDSHIELD PLACARDS, AND ELIMINATING CERTAIN IDENTIFICATION REQUIREMENTS FOR PERSONS WITH DISABILITIES AND PROVIDING AN EFFECTIVE DATE AND APPLICABILITY PROVISIONS.

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

Section 1. Section 15.286, subsection 4, paragraph a, Code 1997, is amended to read as follows:

4. a. The Iowa finance authority shall develop criteria to award assistance based upon the applicant's financial need, the cost-benefit of the project, the accessibility to the project by handicapped persons with disabilities as defined in section 321L.1, percent of private investment, percent leveraged by other programs, assessment of local housing situation, and ability to administer the program.

Sec. 2. Section 321.23, subsection 4, Code 1997, is amended to read as follows:

4. A vehicle which does not meet the equipment requirements of this chapter due to the particular use for which it is designed or intended, may be registered by the department upon payment of appropriate fees and after inspection and certification by the department that the vehicle is not in an unsafe condition. A person is not required to have a certificate of title to register a vehicle under this subsection. If the owner elects to have a certificate of title issued for the vehicle, a fee of ten dollars shall be paid by the person making the application upon issuance of a certificate of title. If the department's inspection reveals that the vehicle may be safely operated only under certain conditions or on certain types of roadways, the department may restrict the registration to limit operation of the vehicle to the appropriate conditions or roadways. This subsection does not apply to snowmobiles as defined in section 321G.1. Section 321.382 does not apply to a vehicle registered under this subsection which is operated exclusively by a handicapped person with a disability who has obtained a handicapped persons with disabilities parking permit as provided in section 321L.2, if the handicapped persons with disabilities parking permit is carried in or on the vehicle and shown to a peace officer on request.

Sec. 3. Section 321.34, subsection 14, Code 1997, is amended to read as follows:

14. HANDICAPPED PERSONS WITH DISABILITIES SPECIAL PLATES. An owner referred to in subsection 12 who is a handicapped person with a disability, or who is the parent or guardian of a child who resides with the parent or guardian owner and who is a handicapped person with a disability, as defined in section 321L.1, may, upon written application to the department, order special registration plates with a handicapped persons with disabilities processed emblem

designed by the department bearing the international symbol of accessibility. The special registration plates with a handicapped processed emblem shall only be issued if the application is accompanied with a statement from a physician licensed under chapter 148, 149, 150, or 150A, or a chiropractor licensed under chapter 151, written on the physician's or chiropractor's stationery, stating the nature of the applicant's or the applicant's child's handicap disability and such additional information as required by rules adopted by the department, including proof of residency of a child who is a handicapped person with a disability. If the application is approved by the department the special registration plates with a handicapped persons with disabilities processed emblem shall be issued to the applicant. There shall be no fee in addition to the regular annual registration fee for the special registration plates with a handicapped persons with disabilities processed emblem. The authorization for special registration plates with a handicapped persons with disabilities processed emblem shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle or the owner's child is still a handicapped person with a disability as defined in section 321L.1. An owner who has a child who is a handicapped person with a disability shall provide satisfactory evidence to the department that the handicapped child with a disability continues to reside with the owner. The registration plates with a handicapped persons with disabilities processed emblem shall be surrendered in exchange for regular registration plates as provided in subsection 12 when the owner of the motor vehicle or the owner's child no longer qualifies as a handicapped person with a disability as defined in section 321L.1 or when the owner's child who is a handicapped person with a disability no longer resides with the owner.

Sec. 4. Section 321.166, subsection 6, Code 1997, is amended to read as follows:

6. Registration plates issued a disabled veteran under the provisions of section 321.105, shall display the alphabetical characters "DV" which shall precede the registration plate number. The plates may also display a handicapped persons with disabilities parking sticker if issued to the disabled veteran by the department under section 321L.2.

Sec. 5. Section 321.179, subsection 1, unnumbered paragraph 1, Code 1997, is amended to read as follows:

1. Notwithstanding the provisions of this chapter or chapter 321L which grant sole authority to the department for the issuance of motor vehicle licenses, nonoperator's identification cards, and handicapped persons with disabilities identification devices, the counties of Adams, Cass, Fremont, Mills, Montgomery, and Page shall be authorized to issue motor vehicle licenses, nonoperator's identification cards, and handicapped persons with disabilities identification devices on a permanent basis. However, a county shall only be authorized to issue commercial driver's licenses if certified to do so by the department. If a county fails to meet the standards for certification under this section, the department itself shall provide for the issuance of commercial driver's licenses in that county. The department shall certify the county treasurers in the permanent counties to issue commercial driver's licenses if all of the following conditions are met:

Sec. 6. Section 321L.1, subsections 4 through 6, Code 1997, are amended to read as follows:

4. "Handicapped Persons with disabilities parking permit" means a permit bearing the international symbol of accessibility issued by the department which allows the holder to park in a handicapped persons with disabilities parking space, and includes the following:

a. A handicapped persons with disabilities registration plate issued to or for a handicapped person with a disability under section 321.34, subsection 7.

b. A handicapped persons with disabilities parking sticker affixed to a registration plate issued to a disabled veteran under section 321.166, subsection 6, or to an operator under section 321.34.

c. A handicapped persons with disabilities removable windshield placard which is a two-sided placard for hanging from the rearview mirror when the motor vehicle is parked in a handicapped persons with disabilities parking space.

5. "Handicapped Persons with disabilities parking sign" means a sign which bears the international symbol of accessibility that meets the requirements under section 321L.6.

6. "Handicapped Persons with disabilities parking space" means a parking space, including the access aisle, designated for use by only motor vehicles displaying a handicapped persons with disabilities parking permit that meets the requirements of sections 321L.5 and 321L.6.

Sec. 7. Section 321L.1, subsection 7, unnumbered paragraph 1, Code 1997, is amended to read as follows:

"Handicapped-person Person with a disability" means a person with a disability that limits or impairs the person's ability to walk. A person shall be considered handicapped a person with a disability for purposes of this chapter under the following circumstances:

Sec. 8. Section 321L.1, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 8. "Lifelong disability" means a disability described under subsection 7 which has been determined to be permanent by a person authorized to provide the statement of disability required by section 321L.2.

Sec. 9. Section 321L.2, subsection 1, paragraph a, unnumbered paragraphs 1 and 2, Code 1997, are amended to read as follows:

A handicapped resident of the state with a disability desiring a handicapped persons with disabilities parking permit shall apply to the department upon an application form furnished by the department providing the applicant's name, address, date of birth, and social security number and shall also provide a statement from a physician licensed under chapter 148, 149, 150, or 150A, or a chiropractor licensed under chapter 151, or a physician or chiropractor licensed to practice in a contiguous state, written on the physician's or chiropractor's stationery, stating the nature of the applicant's handicap disability and such additional information as required by rules adopted by the department under section 321L.8. If the person is applying for a temporary handicapped persons with disabilities parking permit, the physician's or chiropractor's statement shall state the period of time during which the person is expected to be handicapped disabled and the period of time for which the permit should be issued, not to exceed six months.

A handicapped person with a disability may apply for one of the following handicapped persons with disabilities parking permits:

Sec. 10. Section 321L.2, subsection 1, paragraph a, subparagraph (3), Code 1997, is amended to read as follows:

(3) Removable windshield placard. A handicapped person with a disability may apply for a temporary removable windshield placard which shall be valid for a period of up to six months, ~~as determined by the physician's or chiropractor's statement under this subsection~~ or a nonexpiring removable windshield placard ~~which shall be valid for a period of four years from the date of issuance, as determined by the physician's or chiropractor's statement under this subsection.~~ A temporary removable windshield placard shall be renewed within thirty days of the date of expiration. ~~To renew the placard, the person shall comply with the requirements for initial issuance of the placard under this section.~~ Persons

seeking temporary removable windshield placards shall be required to furnish evidence upon initial application that they ~~are temporarily handicapped~~ have a temporary disability and, in addition, furnish evidence at subsequent intervals that they remain temporarily ~~handicapped disabled~~. Temporary removable windshield placards shall be of a distinctively different color from nonexpiring removable windshield placards. A nonexpiring removable windshield placard shall state on the face of the placard that it is a nonexpiring placard. The department shall issue one additional removable windshield placard upon the request of a handicapped person with a disability.

Sec. 11. Section 321L.2, subsection 1, paragraph b, Code 1997, is amended to read as follows:

b. The department may issue expiring removable windshield placards to the following:

(1) An organization which has a program for transporting the handicapped or elderly persons with disabilities or elderly persons.

(2) A person in the business of transporting the handicapped or elderly persons with disabilities or elderly persons.

One expiring removable windshield placard may be issued for each vehicle used by the organization or person for transporting the handicapped or elderly persons with disabilities or elderly persons. A placard issued under this paragraph shall be renewed every four years from the date of issuance and shall be surrendered to the department if the organization or person is no longer providing the service for which the placard was issued. Notwithstanding section 321L.4, a person transporting handicapped or elderly persons with disabilities or elderly persons in a motor vehicle for which a placard has been issued under this paragraph may display the placard in the motor vehicle and may use a handicapped persons with disabilities parking space while the motor vehicle is

displaying the placard. A placard issued under this paragraph shall be of a distinctively different color from a placard issued under paragraph "a". ~~An organization issued a removable windshield placard and a handicapped person being transported under this subsection are exempt from the handicapped designation requirement under section 321b.4.~~

Sec. 12. Section 321L.2, subsection 3, paragraph b, subparagraph (3), Code 1997, is amended to read as follows:

(3) The signature of the person who has been issued the placard ~~and the signature of the physician or chiropractor who made the determination that the person was handicapped for purposes of issuance of the placard.~~

Sec. 13. Section 321L.2, subsection 5, Code 1997, is amended by striking the subsection.

Sec. 14. Section 321L.4, subsection 2, Code 1997, is amended to read as follows:

2. The use of a handicapped persons with disabilities parking space, located on either public or private property as provided in sections 321L.5 and 321L.6, by an operator of a motor vehicle not displaying a handicapped persons with disabilities parking permit; by an operator of a motor vehicle displaying a handicapped persons with disabilities parking permit but not being used by ~~a person in possession of a motor vehicle license with a handicapped designation or a nonoperator's identification card with a handicapped designation, other than~~ a person issued a permit or being transported in accordance with section 321L.2, subsection 1, paragraph "b"; or by a motor vehicle in violation of the rules adopted by the department under section 321L.8, constitutes improper use of a handicapped persons with disabilities parking permit, which is a misdemeanor for which a fine shall be imposed upon the owner, operator, or lessee of the motor vehicle or the person to whom the handicapped persons with disabilities parking permit is issued. The fine for each violation shall be one hundred dollars. Proof of conviction

of two or more violations involving improper use of a handicapped persons with disabilities parking permit is grounds for revocation by the court or the department of the holder's privilege to possess or use the handicapped persons with disabilities parking permit.

Sec. 15. AMENDMENTS CHANGING TERMINOLOGY -- DIRECTIVES TO CODE EDITOR.

1. The Code editor shall substitute the words "persons with disabilities" for the word "handicapped" wherever the word "handicapped" is used in the terms "handicapped parking permit", "handicapped parking permits", "handicapped parking space", "handicapped parking spaces", "handicapped designation", "handicapped designations", "handicapped identification designation", "handicapped identification designations", "handicapped parking space", "handicapped parking spaces", "handicapped parking", "handicapped parking review committee", "handicapped parking sign", "handicapped parking signs", "handicapped parking sticker", "handicapped parking stickers", "handicapped registration plate", "handicapped registration plates", "handicapped identification device", and "handicapped identification devices".

2. The Code editor shall substitute the word "disability" for "handicap" where there appears to be no doubt as to the intent to refer to a disability.

3. The Code editor shall substitute the words "person with a disability" for the words "handicapped person" and the words "persons with disabilities" for the words "handicapped persons" where there appears to be no doubt as to the intent to refer to a person with a disability or persons with disabilities.

Sec. 16. Section 321L.6, subsection 3, Code 1997, is amended by striking the subsection.

Sec. 17. EFFECTIVE AND APPLICABILITY DATE PROVISIONS. This Act, being deemed of immediate importance, takes effect upon enactment. However, state agencies, political

subdivisions of the state, and other persons which currently have signs or windshield placards, stickers, or other devices which bear the word "handicapped" or the statement required by section 321L.6, subsection 3, Code 1997, may continue to use the placards, stickers, or devices until they would be replaced in the normal course of business.

---

RON J. CORBETT  
Speaker of the House

---

MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 688, Seventy-seventh General Assembly.

---

ELIZABETH ISAACSON  
Chief Clerk of the House

Approved *April 22*, 1997

---

TERRY E. BRANSTAD  
Governor