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SENATE FILE **438**  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 277)

(COMPANION TO HF 432)

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

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

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the criteria for issuance of handicapped  
2 special plates and making a civil penalty applicable.

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

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**S.F. 438**

1 Section 1. Section 321.34, subsection 14, Code 1997, is  
2 amended to read as follows:

3 14. HANDICAPPED SPECIAL PLATES. An owner referred to in  
4 subsection 12 who is a handicapped person, or who is the  
5 parent or guardian of a child who resides with the parent or  
6 guardian owner and who is a handicapped person, as defined in  
7 section 321L.1, may, upon written application to the  
8 department, order special registration plates with a  
9 handicapped processed emblem designed by the department  
10 bearing the international symbol of accessibility. The  
11 special registration plates with a handicapped processed  
12 emblem shall only be issued if the application is accompanied  
13 with a statement from a physician licensed under chapter 148,  
14 149, 150, or 150A, a physician assistant licensed under  
15 chapter 148C, an advanced registered nurse practitioner  
16 licensed under chapter 152, or a chiropractor licensed under  
17 chapter 151, written on the physician's, physician  
18 assistant's, nurse practitioner's, or chiropractor's  
19 stationery, stating the nature of the applicant's or the  
20 applicant's child's handicap and such additional information  
21 as required by rules adopted by the department, including  
22 proof of residency of a child who is a handicapped person. If  
23 the application is approved by the department the special  
24 registration plates with a handicapped processed emblem shall  
25 be issued to the applicant. There shall be no fee in addition  
26 to the regular annual registration fee for the special  
27 registration plates with a handicapped processed emblem. The  
28 authorization for special registration plates with a  
29 handicapped processed emblem shall not be renewed without the  
30 applicant furnishing evidence to the department that the owner  
31 of the motor vehicle or the owner's child is still a  
32 handicapped person as defined in section 321L.1. An owner who  
33 has a child who is a handicapped person shall provide  
34 satisfactory evidence to the department that the handicapped  
35 child continues to reside with the owner. The registration

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

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

10 A handicapped resident of the state desiring a handicapped  
11 parking permit shall apply to the department upon an  
12 application form furnished by the department providing the  
13 applicant's name, address, date of birth, and social security  
14 number and shall also provide a statement from a physician  
15 licensed under chapter 148, 149, 150, or 150A, a physician  
16 assistant licensed under chapter 148C, an advanced registered  
17 nurse practitioner licensed under chapter 152, or a  
18 chiropractor licensed under chapter 151, or a physician,  
19 physician assistant, nurse practitioner, or chiropractor  
20 licensed to practice in a contiguous state, written on the  
21 physician's, physician assistant's, nurse practitioner's, or  
22 chiropractor's stationery, stating the nature of the  
23 applicant's handicap and such additional information as  
24 required by rules adopted by the department under section  
25 321L.8. If the person is applying for a temporary handicapped  
26 parking permit, the physician's, physician assistant's, nurse  
27 practitioner's, or chiropractor's statement shall state the  
28 period of time during which the person is expected to be  
29 handicapped and the period of time for which the permit should  
30 be issued, not to exceed six months.

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

33 (3) Removable windshield placard. A handicapped person  
34 may apply for a temporary removable windshield placard which  
35 shall be valid for a period of up to six months, as determined

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

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

19 2. Any person providing false information with the intent  
20 to defraud on the application for a handicapped parking permit  
21 used in establishing proof under subsection 1 is subject to a  
22 civil penalty of three hundred dollars which may be imposed by  
23 the department. A physician, physician assistant, nurse  
24 practitioner, or chiropractor who provides false information  
25 with the intent to defraud on the physician's, physician  
26 assistant's, nurse practitioner's, or chiropractor's statement  
27 used in establishing proof under subsection 1 is subject to a  
28 civil penalty of three hundred dollars which may be imposed by  
29 the department. In addition to the civil penalty, the  
30 department shall revoke the permit issued pursuant to this  
31 section.

32 Sec. 5. Section 321L.2, subsection 3, paragraph b,  
33 subparagraph 3, Code 1997, is amended to read as follows:

34 (3) The signature of the person who has been issued the  
35 placard and the signature of the physician, physician

1 assistant, nurse practitioner, or chiropractor who made the  
2 determination that the person was handicapped for purposes of  
3 issuance of the placard.

4 EXPLANATION

5 This bill provides that handicapped parking permits may be  
6 issued pursuant to the statement of a physician assistant or  
7 nurse practitioner. Currently, only physicians and  
8 chiropractors may provide information to the department  
9 regarding the disability of the person seeking the handicapped  
10 permit.

11 The bill also makes physician assistants and nurse  
12 practitioners subject to the \$300 civil penalty for providing  
13 false information.

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