

MAR 10 1999

REPRINTED

TRANSPORTATION

HOUSE FILE
BY COHOON

620

Passed House, ^(p. 799) Date 3/23/99
Vote: Ayes 94 Nays 0
Approved 5/19/00

Passed Senate, ^(p. 733) Date 3-20-00
Vote: Ayes 43 Nays 0

(p. 1009)

Re-passed 3/27/00
vote 93-3

A BILL FOR

1 An Act relating to persons with disabilities registration plates
2 for trailers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 620

1 Section 1. Section 321.34, subsection 14, Code 1999, is
2 amended to read as follows:

3 14. PERSONS WITH DISABILITIES SPECIAL PLATES. An owner
4 referred to in subsection 12 or an owner of a trailer used to
5 transport a wheelchair who is a person with a disability, or
6 who is the parent or guardian of a child who resides with the
7 parent or guardian owner and who is a person with a
8 disability, as defined in section 321L.1, may, upon written
9 application to the department, order special registration
10 plates with a persons with disabilities processed emblem
11 designed by the department bearing the international symbol of
12 accessibility. The special registration plates with a persons
13 with disabilities processed emblem shall only be issued if the
14 application is accompanied with 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, written on the
19 physician's, physician assistant's, nurse practitioner's, or
20 chiropractor's stationery, stating the nature of the
21 applicant's or the applicant's child's disability and such
22 additional information as required by rules adopted by the
23 department, including proof of residency of a child who is a
24 person with a disability. If the application is approved by
25 the department the special registration plates with a persons
26 with disabilities processed emblem shall be issued to the
27 applicant. There shall be no fee in addition to the regular
28 annual registration fee for the special registration plates
29 with a persons with disabilities processed emblem. The
30 authorization for special registration plates with a persons
31 with disabilities processed emblem shall not be renewed
32 without the applicant furnishing evidence to the department
33 that the owner of the ~~motor~~ vehicle or the owner's child is
34 still a person with a disability as defined in section 321L.1.
35 An owner who has a child who is a person with a disability

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

10 Sec. 2. Section 321L.2, subsection 1, paragraph a,
11 subparagraph (1), Code 1999, is amended to read as follows:

12 (1) Persons with disabilities registration plates. An
13 applicant may order persons with disabilities registration
14 plates pursuant to section 321.34. An applicant may order a
15 persons with disabilities registration plate for a trailer
16 used to transport a wheelchair pursuant to section 321.34 in
17 addition to persons with disabilities registration plates
18 ordered by the applicant for a motor vehicle used to tow such
19 a trailer pursuant to section 321.34.

20 Sec. 3. Section 321L.4, subsections 1 and 2, Code 1999,
21 are amended to read as follows:

22 1. A persons with disabilities parking permit shall be
23 displayed in a motor vehicle as a removable windshield placard
24 or on a motor vehicle as a plate or sticker as provided in
25 section 321L.2 when being used by a person with a disability,
26 either as an operator or passenger. Each removable windshield
27 placard shall be of uniform design and fabricated of durable
28 material, suitable for display from within the passenger
29 compartment of a motor vehicle, and readily transferable from
30 one vehicle to another. The placard shall only be displayed
31 when the motor vehicle is parked in a persons with
32 disabilities parking space.

33 2. The use of a persons with disabilities parking space,
34 located on either public or private property as provided in
35 sections 321L.5 and 321L.6, by an operator of a motor vehicle

1 not displaying a persons with disabilities parking permit; by
2 an operator of a motor vehicle displaying a persons with
3 disabilities parking permit but not being used by a person
4 issued a permit or being transported in accordance with
5 section 321L.2, subsection 1, paragraph "b"; or by a motor
6 vehicle in violation of the rules adopted by the department
7 under section 321L.8, constitutes improper use of a persons
8 with disabilities parking permit, which is a misdemeanor for
9 which a scheduled fine shall be imposed upon the owner,
10 operator, or lessee of the motor vehicle or the person to whom
11 the persons with disabilities parking permit is issued. The
12 scheduled fine for each violation shall be as established in
13 section 805.8, subsection 2, paragraph "a". Proof of
14 conviction of two or more violations involving improper use of
15 a persons with disabilities parking permit is grounds for
16 revocation by the court or the department of the holder's
17 privilege to possess or use the persons with disabilities
18 parking permit.

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EXPLANATION

20 This bill makes several Code changes to provide for the
21 issuance of and use of persons with disabilities registration
22 plates on trailers used to transport wheelchairs. An owner of
23 a trailer used to transport a wheelchair who is a person with
24 a disability, or who is the parent or guardian of a child with
25 a disability who resides with the parent or guardian, may
26 apply for a persons with disabilities registration plate for
27 the trailer pursuant to Code section 321.34, as amended by the
28 bill, in addition to any persons with disabilities
29 registration plates ordered by the person for a motor vehicle
30 used to tow such a trailer pursuant to Code section 321.34.

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HOUSE FILE 620

H-1089

1 Amend House File 620 as follows:

2 1. Page 2, by inserting after line 19 the
3 following:

4 "Sec. _____. Section 321L.2, subsection 3, paragraph
5 b, subparagraph (1), Code 1999, is amended to read as
6 follows:

7 (1) A statement printed on it as follows:

8 "Unauthorized use of this placard as indicated in Iowa
9 Code chapter 321L may result in a fine, invalidation
10 of the placard, or revocation of the right to use the
11 placard. This placard shall be displayed only when
12 the vehicle is parked in a persons with disabilities
13 parking space or in a parking space not designated as a
14 persons with disabilities parking space if a
15 wheelchair parking cone is used pursuant to Iowa Code
16 section 321L.2A."

17 Sec. _____. Section 321L.2A, Code 1999, is amended
18 to read as follows:

19 321L.2A WHEELCHAIR PARKING CONE.

20 1. A person issued a persons with disabilities
21 parking permit under section 321L.2 who uses a
22 wheelchair may park in a persons with disabilities
23 parking space, or a parking space not designated as a
24 persons with disabilities parking space, and reserve
25 up to an eight foot space adjacent to the motor
26 vehicle for the purpose of exiting and entering the
27 motor vehicle if all of the following conditions are
28 met:

29 a. The person places a wheelchair parking cone
30 within eight feet of the motor vehicle's entry.

31 b. The person displays the persons with
32 disabilities parking permit in the motor vehicle as
33 described in section 321L.4.

34 c. The motor vehicle and the wheelchair parking
35 cone do not obstruct an aisle, street, or roadway so
36 that other vehicles are unable to pass through the
37 aisle, street, or roadway.

38 d. The parking space is provided by the state, a
39 political subdivision of the state, or an entity
40 providing nonresidential parking.

41 2. A person issued a persons with disabilities
42 parking permit who does not comply with the
43 requirements of subsection 1 when using a wheelchair
44 parking cone commits a misdemeanor punishable by a
45 scheduled fine under section 805.8, subsection 2,
46 paragraph "a".

47 3. A person shall not interfere with a wheelchair
48 parking cone properly placed under subsection 1. A
49 violation of this subsection is a misdemeanor
50 punishable by a scheduled fine under section 805.8,

H-1089

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Page 2

1 subsection 2, paragraph "a".

2 4. The department, upon the request of a person
3 issued a persons with disabilities parking permit
4 under section 321L.2 who uses a wheelchair, shall
5 provide the person with a list of names and addresses
6 of vendors who sell wheelchair parking cones bearing
7 the international symbol of accessibility and the
8 words "wheelchair parking space".

9 5. The department shall adopt rules as necessary
10 to administer this section."

11 2. Page 2, line 32, by inserting after the word
12 "space" the following: "except as provided in
13 section 321L.2A".

14 3. Page 3, by inserting after line 18 the
15 following:

16 "Sec. _____. Section 805.8, subsection 2, paragraph
17 a, Code 1999, is amended to read as follows:

18 a. For parking violations under sections 321.236,
19 321.239, 321.358, 321.360, and 321.361, the scheduled
20 fine is five dollars. The scheduled fine for a
21 parking violation of section 321.236 increases in an
22 amount up to ten dollars, as authorized by ordinance
23 pursuant to section 321.236, subsection 1, paragraph
24 "a", if the parking violation is not paid within
25 thirty days of the date upon which the violation
26 occurred. For purposes of calculating the unsecured
27 appearance bond required under section 805.6, the
28 scheduled fine shall be five dollars. However,
29 violations charged by a city or county upon simple
30 notice of a fine instead of a uniform citation and
31 complaint as permitted by section 321.236, subsection
32 1, paragraph "a", are not scheduled violations, and
33 this section shall not apply to any offense charged in
34 that manner. For a parking violation under section
35 321.362 or 461A.38 the scheduled fine is ten dollars.
36 For a parking violation under section 321L.2A,
37 subsection 2, the scheduled fine is twenty dollars.
38 For interference with a wheelchair parking cone under
39 section 321L.2A, subsection 3, or a parking violation
40 under section 321L.4, subsection 2, the scheduled fine
41 is one hundred dollars."

42 4. Title page, line 1, by inserting after the
43 word "disabilities" the following: "by providing for
44 the use of wheelchair parking cones, providing for
45 persons with disabilities".

46 5. Title page, line 2, by inserting after the
47 word "trailers" the following: ", and providing for
48 penalties".

49 6. By renumbering as necessary.

By HORBACH of Tama

H-1089 FILED MARCH 16, 1999

adopted
3/23/99
(p. 198)

S- 4/99 Ironp.
S- 2/3/00 Amend/Do Pass
w/ S-5006
H- 3/27/00 Motion to R/c date by Chiodo + Witt

HOUSE FILE 620
BY COHOON

(As Amended and Passed by the House, March 23, 1999)

Re Passed House, ^{p. 1009} Date 3-27-00 Passed Senate, ^(p. 623) Date 3-20-00
Vote: Ayes 93 Nays 3 Vote: Ayes 43 Nays 0
Approved 5/19/00

A BILL FOR

1 An Act relating to persons with disabilities by providing for the
2 use of wheelchair parking cones, providing for persons with
3 disabilities registration plates for trailers, and providing
4 for penalties.

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

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House Amendments _____

HOUSE FILE 620

H-8673

1 Amend the Senate amendment, H-8412, to House File
2 620, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by striking lines 8 through 19.
5 2. By renumbering, relettering, or redesignating,
6 and correcting internal references as necessary.

By WITT of Black Hawk

H-8673 FILED MARCH 30, 2000

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1 Section 1. Section 321.34, subsection 14, Code 1999, is
2 amended to read as follows:

3 14. PERSONS WITH DISABILITIES SPECIAL PLATES. An owner
4 referred to in subsection 12 or an owner of a trailer used to
5 transport a wheelchair who is a person with a disability, or
6 who is the parent or guardian of a child who resides with the
7 parent or guardian owner and who is a person with a
8 disability, as defined in section 321L.1, may, upon written
9 application to the department, order special registration
10 plates with a persons with disabilities processed emblem
11 designed by the department bearing the international symbol of
12 accessibility. The special registration plates with a persons
13 with disabilities processed emblem shall only be issued if the
14 application is accompanied with 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, written on the
19 physician's, physician assistant's, nurse practitioner's, or
20 chiropractor's stationery, stating the nature of the
21 applicant's or the applicant's child's disability and such
22 additional information as required by rules adopted by the
23 department, including proof of residency of a child who is a
24 person with a disability. If the application is approved by
25 the department the special registration plates with a persons
26 with disabilities processed emblem shall be issued to the
27 applicant. There shall be no fee in addition to the regular
28 annual registration fee for the special registration plates
29 with a persons with disabilities processed emblem. The
30 authorization for special registration plates with a persons
31 with disabilities processed emblem shall not be renewed
32 without the applicant furnishing evidence to the department
33 that the owner of the motor vehicle or the owner's child is
34 still a person with a disability as defined in section 321L.1.
35 An owner who has a child who is a person with a disability

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

10 Sec. 2. Section 321L.2, subsection 1, paragraph a,
11 subparagraph (1), Code 1999, is amended to read as follows:

12 (1) Persons with disabilities registration plates. An
13 applicant may order persons with disabilities registration
14 plates pursuant to section 321.34. An applicant may order a
15 persons with disabilities registration plate for a trailer
16 used to transport a wheelchair pursuant to section 321.34 in
17 addition to persons with disabilities registration plates
18 ordered by the applicant for a motor vehicle used to tow such
19 a trailer pursuant to section 321.34.

20 Sec. 3. Section 321L.2, subsection 3, paragraph b,
21 subparagraph (1), Code 1999, is amended to read as follows:

22 (1) A statement printed on it as follows: "Unauthorized
23 use of this placard as indicated in Iowa Code chapter 321L may
24 result in a fine, invalidation of the placard, or revocation
25 of the right to use the placard. This placard shall be
26 displayed only when the vehicle is parked in a persons with
27 disabilities parking space or in a parking space not
28 designated as a persons with disabilities parking space if a
29 wheelchair parking cone is used pursuant to Iowa Code section
30 321L.2A."

31 Sec. 4. Section 321L.2A, Code 1999, is amended to read as
32 follows:

33 321L.2A WHEELCHAIR PARKING CONE.

34 1. A person issued a persons with disabilities parking
35 permit under section 321L.2 who uses a wheelchair may park in

1 a persons with disabilities parking space, or a parking space
2 not designated as a persons with disabilities parking space,
3 and reserve up to an eight foot space adjacent to the motor
4 vehicle for the purpose of exiting and entering the motor
5 vehicle if all of the following conditions are met:

6 a. The person places a wheelchair parking cone within
7 eight feet of the motor vehicle's entry.

8 b. The person displays the persons with disabilities
9 parking permit in the motor vehicle as described in section
10 321L.4.

11 c. The motor vehicle and the wheelchair parking cone do
12 not obstruct an aisle, street, or roadway so that other
13 vehicles are unable to pass through the aisle, street, or
14 roadway.

15 d. The parking space is provided by the state, a political
16 subdivision of the state, or an entity providing
17 nonresidential parking.

18 2. A person issued a persons with disabilities parking
19 permit who does not comply with the requirements of subsection
20 1 when using a wheelchair parking cone commits a misdemeanor
21 punishable by a scheduled fine under section 805.8, subsection
22 2, paragraph "a".

23 3. A person shall not interfere with a wheelchair parking
24 cone properly placed under subsection 1. A violation of this
25 subsection is a misdemeanor punishable by a scheduled fine
26 under section 805.8, subsection 2, paragraph "a".

27 4. The department, upon the request of a person issued a
28 persons with disabilities parking permit under section 321L.2
29 who uses a wheelchair, shall provide the person with a list of
30 names and addresses of vendors who sell wheelchair parking
31 cones bearing the international symbol of accessibility and
32 the words "wheelchair parking space".

33 5. The department shall adopt rules as necessary to
34 administer this section.

35 Sec. 5. Section 321L.4, subsections 1 and 2, Code 1999,

1 are amended to read as follows:

2 1. A persons with disabilities parking permit shall be
3 displayed in a motor vehicle as a removable windshield placard
4 or on a motor vehicle as a plate or sticker as provided in
5 section 321L.2 when being used by a person with a disability,
6 either as an operator or passenger. Each removable windshield
7 placard shall be of uniform design and fabricated of durable
8 material, suitable for display from within the passenger
9 compartment of a motor vehicle, and readily transferable from
10 one vehicle to another. The placard shall only be displayed
11 when the motor vehicle is parked in a persons with
12 disabilities parking space, except as provided in section
13 321L.2A.

14 2. The use of a persons with disabilities parking space,
15 located on either public or private property as provided in
16 sections 321L.5 and 321L.6, by an operator of a motor vehicle
17 not displaying a persons with disabilities parking permit; by
18 an operator of a motor vehicle displaying a persons with
19 disabilities parking permit but not being used by a person
20 issued a permit or being transported in accordance with
21 section 321L.2, subsection 1, paragraph "b"; or by a motor
22 vehicle in violation of the rules adopted by the department
23 under section 321L.8, constitutes improper use of a persons
24 with disabilities parking permit, which is a misdemeanor for
25 which a scheduled fine shall be imposed upon the owner,
26 operator, or lessee of the motor vehicle or the person to whom
27 the persons with disabilities parking permit is issued. The
28 scheduled fine for each violation shall be as established in
29 section 805.8, subsection 2, paragraph "a". Proof of
30 conviction of two or more violations involving improper use of
31 a persons with disabilities parking permit is grounds for
32 revocation by the court or the department of the holder's
33 privilege to possess or use the persons with disabilities
34 parking permit.

35 Sec. 6. Section 805.8, subsection 2, paragraph a, Code

1 1999, is amended to read as follows:

2 a. For parking violations under sections 321.236, 321.239,
3 321.358, 321.360, and 321.361, the scheduled fine is five
4 dollars. The scheduled fine for a parking violation of
5 section 321.236 increases in an amount up to ten dollars, as
6 authorized by ordinance pursuant to section 321.236,
7 subsection 1, paragraph "a", if the parking violation is not
8 paid within thirty days of the date upon which the violation
9 occurred. For purposes of calculating the unsecured
10 appearance bond required under section 805.6, the scheduled
11 fine shall be five dollars. However, violations charged by a
12 city or county upon simple notice of a fine instead of a
13 uniform citation and complaint as permitted by section
14 321.236, subsection 1, paragraph "a", are not scheduled
15 violations, and this section shall not apply to any offense
16 charged in that manner. For a parking violation under section
17 321.362 or 461A.38 the scheduled fine is ten dollars. For a
18 parking violation under section 321L.2A, subsection 2, the
19 scheduled fine is twenty dollars. For interference with a
20 wheelchair parking cone under section 321L.2A, subsection 3,
21 or a parking violation under section 321L.4, subsection 2, the
22 scheduled fine is one hundred dollars.

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SENATE AMENDMENT TO HOUSE FILE 620

H-8412

- 1 Amend House File 620 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 1, by inserting after the word
- 4 "Code" the following: "Supplement".
- 5 2. Page 2, line 35, by inserting after the word
- 6 "wheelchair" the following: "due to a disability that
- 7 renders the person permanently unable to walk,".
- 8 3. Page 3, by inserting after line 17, the
- 9 following:
- 10 "e. The person carries in the motor vehicle a copy
- 11 of the statement from a physician, physician's
- 12 assistant, advanced registered nurse practitioner, or
- 13 chiropractor which accompanied the person's
- 14 application for persons with disabilities registration
- 15 plates under section 321.34 or other persons with
- 16 disabilities parking permit under section 321L.2 and
- 17 which indicates the person is permanently unable to
- 18 walk. The person shall show the copy of the statement
- 19 to any peace officer upon request."
- 20 4. Page 4, line 35, by inserting after the word
- 21 "Code" the following: "Supplement".
- 22 5. Page 5, by inserting after line 22, the
- 23 following:
- 24 "Sec. ____ . VALIDITY OF EXISTING PLACARDS.
- 25 Notwithstanding the amendment to section 321L.2,
- 26 subsection 3, paragraph "b", subparagraph (1), by this
- 27 Act, a person with disabilities windshield placard
- 28 issued prior to July 1, 2000, may be used until it
- 29 otherwise becomes invalid."
- 30 6. By renumbering, relettering, or redesignating
- 31 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-8412 FILED MARCH 20, 2000

House Concurred
3-27-00 (P. 1009)

HOUSE FILE 620

H-8542

- 1 Amend the Senate amendment, H-8412, to House File
- 2 620, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 5 through 19.
- 5 2. Page 1, by striking lines 22 through 31.
- 6 3. By renumbering as necessary.

By BLODGETT of Cerro Gordo

H-8542 FILED MARCH 23, 2000

W/D
3/27/00
(P. 1009)

HOUSE FILE 620

S-5006

- 1 Amend House File 620 as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 1, by inserting after the word
4 "Code" the following: "Supplement".
5 2. Page 2, line 35, by inserting after the word
6 "wheelchair" the following: "due to a disability that
7 renders the person permanently unable to walk,".
8 3. Page 3, by inserting after line 17, the
9 following:
10 "e. The person carries in the motor vehicle a copy
11 of the statement from a physician, physician's
12 assistant, advanced registered nurse practitioner, or
13 chiropractor which accompanied the person's
14 application for persons with disabilities registration
15 plates under section 321.34 or other persons with
16 disabilities parking permit under section 321L.2 and
17 which indicates the person is permanently unable to
18 walk. The person shall show the copy of the statement
19 to any peace officer upon request."
20 4. Page 4, line 35, by inserting after the word
21 "Code" the following: "Supplement".
22 5. By renumbering as necessary.

By COMMITTEE ON TRANSPORTATION
RICHARD F. DRAKE, Chairperson

S-5006 FILED FEBRUARY 3, 2000

Adopted
3/20/00 (P. ~~620~~ 733)

HOUSE FILE 620

S-5016

- 1 Amend House File 620, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, by inserting after line 22, the
4 following:
5 "Sec. ____ . VALIDITY OF EXISTING PLACARDS.
6 Notwithstanding the amendment to section 321L.2,
7 subsection 3, paragraph "b", subparagraph (1), by this
8 Act, a person with disabilities windshield placard
9 issued prior to July 1, 2000, may be used until it
10 otherwise becomes invalid."
11 2. By renumbering as necessary.

By MATT MCCOY
RICHARD F. DRAKE

S-5016 FILED FEBRUARY 21, 2000

Adopted
3-20-00
(P. ~~620~~ 733)

HOUSE FILE 620

AN ACT
RELATING TO PERSONS WITH DISABILITIES BY PROVIDING FOR THE
USE OF WHEELCHAIR PARKING CONES, PROVIDING FOR PERSONS WITH
DISABILITIES REGISTRATION PLATES FOR TRAILERS, AND PROVIDING
FOR PENALTIES.

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

Section 1. Section 221.34, subsection 14, Code Supplement 1999, is amended to read as follows:

14. PERSONS WITH DISABILITIES SPECIAL PLATES. An owner referred to in subsection 12 or an owner of a trailer used to transport a wheelchair who is a 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 person with a disability, as defined in section 321L.1, may, upon written application to the department, order special registration plates with a persons with disabilities processed emblem designed by the department bearing the international symbol of accessibility. The special registration plates with a persons with disabilities 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, a physician assistant licensed under chapter 148C, an advanced registered nurse practitioner licensed under chapter 152, or a chiropractor licensed under chapter 151, written on the physician's, physician assistant's, nurse practitioner's, or chiropractor's stationery, stating the nature of the applicant's or the applicant's child's disability and such additional information as required by rules adopted by the department, including proof of residency of a child who is a person with a disability. If the application is approved by the department the special registration plates with a 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 persons with disabilities processed emblem. The authorization for special registration plates with a 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 person with a disability as defined in section 321L.1. An owner who has a child who is a person with a disability shall provide satisfactory evidence to the department that the child with a disability continues to reside with the owner. The registration plates with a 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 person with a disability as defined in section 321L.1 or when the owner's child who is a person with a disability no longer resides with the owner.

Sec. 2. Section 321L.2, subsection 1, paragraph a, subparagraph (1), Code 1999, is amended to read as follows:

(1) Persons with disabilities registration plates. An applicant may order persons with disabilities registration plates pursuant to section 321.34. An applicant may order a persons with disabilities registration plate for a trailer used to transport a wheelchair pursuant to section 321.34 in addition to persons with disabilities registration plates ordered by the applicant for a motor vehicle used to tow such a trailer pursuant to section 321.34.

Sec. 3. Section 321L.2, subsection 3, paragraph b, subparagraph (1), Code 1999, is amended to read as follows:

(1) A statement printed on it as follows: "Unauthorized use of this placard as indicated in Iowa Code chapter 321L may result in a fine, invalidation of the placard, or revocation of the right to use the placard. This placard shall be displayed only when the vehicle is parked in a persons with disabilities parking space or in a parking space not

designated as a persons with disabilities parking space if a wheelchair parking cone is used pursuant to Iowa Code section 321L.2A."

Sec. 4. Section 321L.2A, Code 1999, is amended to read as follows:

321L.2A WHEELCHAIR PARKING CONE.

1. A person issued a persons with disabilities parking permit under section 321L.2 who uses a wheelchair due to a disability that renders the person permanently unable to walk, may park in a persons with disabilities parking space, or a parking space not designated as a persons with disabilities parking space, and reserve up to an eight foot space adjacent to the motor vehicle for the purpose of exiting and entering the motor vehicle if all of the following conditions are met:

a. The person places a wheelchair parking cone within eight feet of the motor vehicle's entry.

b. The person displays the persons with disabilities parking permit in the motor vehicle as described in section 321L.4.

c. The motor vehicle and the wheelchair parking cone do not obstruct an aisle, street, or roadway so that other vehicles are unable to pass through the aisle, street, or roadway.

d. The parking space is provided by the state, a political subdivision of the state, or an entity providing nonresidential parking.

e. The person carries in the motor vehicle a copy of the statement from a physician, physician's assistant, advanced registered nurse practitioner, or chiropractor which accompanied the person's application for persons with disabilities registration plates under section 321.34 or other persons with disabilities parking permit under section 321L.2 and which indicates the person is permanently unable to walk. The person shall show the copy of the statement to any peace officer upon request.

2. A person issued a persons with disabilities parking permit who does not comply with the requirements of subsection

1 when using a wheelchair parking cone commits a misdemeanor punishable by a scheduled fine under section 805.8, subsection 2, paragraph "a".

3. A person shall not interfere with a wheelchair parking cone properly placed under subsection 1. A violation of this subsection is a misdemeanor punishable by a scheduled fine under section 805.8, subsection 2, paragraph "a".

4. The department, upon the request of a person issued a persons with disabilities parking permit under section 321L.2 who uses a wheelchair, shall provide the person with a list of names and addresses of vendors who sell wheelchair parking cones bearing the international symbol of accessibility and the words "wheelchair parking space".

5. The department shall adopt rules as necessary to administer this section.

Sec. 5. Section 321L.4, subsections 1 and 2, Code 1999, are amended to read as follows:

1. A persons with disabilities parking permit shall be displayed in a motor vehicle as a removable windshield placard or on a motor vehicle as a plate or sticker as provided in section 321L.2 when being used by a person with a disability, either as an operator or passenger. Each removable windshield placard 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. The placard shall only be displayed when the motor vehicle is parked in a persons with disabilities parking space, except as provided in section 321L.2A.

2. The use of a 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 persons with disabilities parking permit; by an operator of a motor vehicle displaying a persons with disabilities parking permit but not being used by 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 persons with disabilities parking permit, which is a misdemeanor for which a scheduled fine shall be imposed upon the owner, operator, or lessee of the motor vehicle or the person to whom the persons with disabilities parking permit is issued. The scheduled fine for each violation shall be as established in section 805.8, subsection 2, paragraph "a". Proof of conviction of two or more violations involving improper use of a 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 persons with disabilities parking permit.

Sec. 6. Section 805.8, subsection 2, paragraph a, Code Supplement 1999, is amended to read as follows:

a. For parking violations under sections 321.236, 321.239, 321.358, 321.360, and 321.361, the scheduled fine is five dollars. The scheduled fine for a parking violation of section 321.236 increases in an amount up to ten dollars, as authorized by ordinance pursuant to section 321.236, subsection 1, paragraph "a", if the parking violation is not paid within thirty days of the date upon which the violation occurred. For purposes of calculating the unsecured appearance bond required under section 805.6, the scheduled fine shall be five dollars. However, violations charged by a city or county upon simple notice of a fine instead of a uniform citation and complaint as permitted by section 321.236, subsection 1, paragraph "a", are not scheduled violations, and this section shall not apply to any offense charged in that manner. For a parking violation under section 321.362 or 461A.38 the scheduled fine is ten dollars. For a parking violation under section 321L.2A, subsection 2, the scheduled fine is twenty dollars. For interference with a wheelchair parking cone under section 321L.2A, subsection 3, or a parking violation under section 321L.4, subsection 2, the scheduled fine is one hundred dollars.

Sec. 7. VALIDITY OF EXISTING PLACARDS. Notwithstanding the amendment to section 321L.2, subsection 3, paragraph "b", subparagraph (1), by this Act, a person with disabilities windshield placard issued prior to July 1, 2000, may be used until it otherwise becomes invalid.

BRENT SIEGRIST
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 620, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 5/19, 2000

THOMAS J. VILSACK
Governor