

House Engrossed

disability license plates; minors

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 93

HOUSE BILL 2046

AN ACT

AMENDING SECTIONS 28-884 AND 28-2409, ARIZONA REVISED STATUTES; RELATING
TO SPECIAL PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-884, Arizona Revised Statutes, is amended to
3 read:

4 28-884. Parking space for persons with physical disabilities;
5 prohibition; access aisle

6 A. Except as provided in subsection B of this section, a person
7 shall not stop, stand or park a motor vehicle within any specially
8 designated and marked parking space provided pursuant to this article
9 unless the motor vehicle is transporting a person who has been issued a
10 valid placard or international symbol of access special plates and either:

11 1. The motor vehicle displays the valid permanent disability or
12 temporary disability removable windshield placard.

13 2. The motor vehicle displays international symbol of access
14 special plates that are currently registered to the vehicle.

15 B. A person who is chauffeuring a person with a physical disability
16 in a vehicle without a placard or international symbol of access special
17 plates may park momentarily in a parking space provided pursuant to this
18 article for the purpose of loading or unloading the person with a physical
19 disability, and a complaint shall not be issued to the driver for the
20 momentary parking.

21 C. A person shall not stop, stand or park a motor vehicle,
22 including a vehicle displaying an international symbol of access special
23 plate or placard, in the access aisle of a parking space described in
24 section 28-882. For the purposes of this subsection, "access aisle" means
25 a designated area adjacent to a parking space described in section 28-882
26 that is marked by either spaced, crosshatched or diagonal stripes or a
27 distinctive change in color or material and that leads to an accessible
28 route of travel.

29 D. A PERSON WHO HAS BEEN ISSUED AN INTERNATIONAL SYMBOL OF ACCESS
30 SPECIAL PLATE ON BEHALF OF A MINOR PURSUANT TO SECTION 28-2409 SHALL ONLY
31 USE A DESIGNATED AND MARKED PARKING SPACE PROVIDED PURSUANT TO THIS
32 ARTICLE WHEN THE PERSON IS TRANSPORTING THE MINOR WITH PERMANENT PHYSICAL
33 DISABILITIES.

34 Sec. 2. Section 28-2409, Arizona Revised Statutes, is amended to
35 read:

36 28-2409. International symbol of access special plates;
37 placard; update of records; invalid placard or
38 plate; definitions

39 A. The department shall issue special plates bearing the
40 international symbol of access to either:

41 1. A person WHO IS AN OWNER OR LESSEE OF A MOTOR VEHICLE AND who
42 EITHER:

43 (a) Has permanent physical disabilities ~~and who is an owner or~~
44 ~~lessee of a motor vehicle.~~

1 (b) IS THE PARENT OR LEGAL GUARDIAN OF A MINOR WITH PERMANENT
2 PHYSICAL DISABILITIES.

3 2. An organization that owns or leases a motor vehicle that
4 primarily transports persons with physical disabilities.

5 B. A permanent disability special plate issued under this section
6 is valid for as long as the person to whom the plate is issued qualifies
7 for issuance under this section.

8 C. A person who has permanent physical disabilities may obtain, if
9 qualified, a permanent disability removable windshield placard. A person
10 who has a temporary physical disability may obtain, if qualified, a
11 temporary disability removable windshield placard. An organization
12 described in subsection A, paragraph 2 of this section may obtain, if
13 qualified, a placard for each of the qualified vehicles. The department
14 shall issue only one valid placard to an applicant with a temporary or
15 permanent physical disability, except to replace a lost, stolen or
16 mutilated placard or if the department determines, on receiving the
17 applicant's written request, that the needs of the applicant are such that
18 up to three valid placards are required. The department shall issue a
19 placard pursuant to this section at no additional charge.

20 D. The department may issue up to three permanent disability
21 removable windshield placards to a nonprofit organization that provides
22 assistance to senior citizens. The nonprofit organization shall maintain
23 records on each volunteer who uses these placards to transport persons
24 with temporary or permanent disabilities.

25 E. A permanent disability removable windshield placard issued under
26 this section is valid for as long as the person to whom it is issued
27 qualifies for issuance under this section. A temporary disability
28 removable windshield placard issued ~~or renewed~~ under this section is valid
29 for a period of time as determined by the department. A person who
30 desires to obtain a temporary disability removable windshield placard for
31 an additional period of time shall submit a new application.

32 F. A person or an organization described in subsection A, paragraph
33 2 of this section that desires to obtain a permanent disability or
34 temporary disability removable windshield placard or international symbol
35 of access special plates shall submit an application to the department of
36 transportation on a form furnished by the department of transportation
37 that contains one of the following:

38 1. If a person with a permanent or temporary disability, a medical
39 certificate completed by a hospital administrator, an authorized
40 physician, an authorized physician assistant or a registered nurse
41 practitioner who certifies that the applicant has a physical disability.

42 2. If a person with a disability who is a veteran and who has a one
43 hundred percent disability, a copy of the person's certificate of one
44 hundred percent disability issued by the United States department of
45 veterans affairs.

1 3. If an organization, a signed statement by an authorized officer
2 of the organization affirming that the registered vehicle that is owned or
3 leased by the organization and that will display the placard or the
4 international symbol of access special plates primarily transports persons
5 with physical disabilities.

6 G. On receipt of the application containing the medical
7 certificate, the certificate of one hundred percent disability issued by
8 the United States department of veterans affairs or the signed statement,
9 if the department of transportation finds that the applicant qualifies for
10 the parking privileges pursuant to chapter 3, article 14 of this title,
11 the department of transportation shall issue the placard or international
12 symbol of access special plates.

13 H. The placard or international symbol of access special plates
14 shall be displayed on or in the motor vehicle in the manner prescribed by
15 the department.

16 I. A request for special plates issued under this section may be
17 combined with a request for an honored military license plate issued under
18 article 13 of this chapter or any other special plate. The department
19 shall prescribe the form for the request. The request is subject to
20 payment of only the fee required for the honored military license plate or
21 other special plate and is not subject to any other special plate fee
22 under section 28-2402. An international symbol of access special plate
23 that is combined with an honored military license plate or any other
24 special plate is not a personalized special plate under section 28-2406.

25 J. If a person for whom a permanent disability removable windshield
26 placard or permanent disability special plate has been issued pursuant to
27 this section has been identified as deceased through monthly inquiries of
28 federal or state vital record databases, the department shall update the
29 record that the permanent disability removable windshield placard or the
30 permanent disability special plate is canceled. The department shall
31 electronically provide that the placard or plate is canceled to an
32 authorized central law enforcement telecommunication system database that
33 is accessible to law enforcement officers in this state.

34 K. For the purposes of this section:

35 1. "Authorized physician" means a doctor of medicine, osteopathy,
36 podiatry or chiropractic licensed to practice medicine in this state or
37 another state or authorized by the United States government to practice
38 medicine.

39 2. "Authorized physician assistant" means a physician assistant who
40 is under the supervision of an authorized physician.

41 3. "Permanent disability removable windshield placard" means a
42 two-sided, hooked placard that includes on each side all of the following:

43 (a) The international symbol of access that is at least three
44 inches in height, that is centered on the placard and that is white on a
45 blue shield.

- 1 (b) An identification number.
- 2 (c) The seal or other identification of the issuing authority.
- 3 4. "Person with a physical disability" means a person who, as
- 4 determined by a hospital administrator or authorized physician, meets any
- 5 of the following conditions:
- 6 (a) Cannot walk two hundred feet without stopping to rest.
- 7 (b) Cannot walk without the use of or assistance from any brace,
- 8 cane, crutch, other person, prosthetic device, wheelchair or other
- 9 assistive device.
- 10 (c) Is restricted by lung disease to such an extent that the
- 11 person's forced respiratory, expiratory volume for one second, if measured
- 12 by spirometry, is less than one liter, or the arterial oxygen tension is
- 13 less than sixty mm/Hg on room air at rest.
- 14 (d) Uses portable oxygen.
- 15 (e) Has a cardiac condition to the extent that the person's
- 16 functional limitations are classified in severity as class III or class IV
- 17 according to standards set by the American heart association.
- 18 (f) Is severely limited in the person's ability to walk due to an
- 19 arthritic, neurological or orthopedic condition.
- 20 5. "Temporary disability removable windshield placard" means a
- 21 two-sided, hooked placard that includes on each side all of the following:
- 22 (a) The international symbol of access that is at least three
- 23 inches in height, that is centered on the placard and that is white on a
- 24 red shield.
- 25 (b) An identification number.
- 26 (c) A date of expiration.
- 27 (d) The seal or other identification of the issuing authority.

APPROVED BY THE GOVERNOR MARCH 24, 2021.

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