

SENATE BILL No. 582

September 20, 2017, Introduced by Senators KNOLLENBERG, GREGORY, BOOHER, WARREN, ZORN and HERTEL and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675, 803d, and 803h (MCL 257.675, 257.803d, and 257.803h), section 675 as amended by 2013 PA 247 and sections 803d and 803h as amended by 1998 PA 68.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 675. (1) Except as otherwise provided in this section and
2 this chapter, a vehicle stopped or parked upon a highway or street
3 shall be stopped or parked with the wheels of the vehicle parallel
4 to the roadway and within 12 inches of any curb existing at the
5 right of the vehicle.

6 (2) A local authority may by ordinance permit parking of a
7 vehicle on a 1-way roadway with the vehicle's left wheels adjacent
8 to and within 12 inches of any curb existing at the left of the

1 vehicle.

2 (3) A local authority may by ordinance permit angle parking on
3 a roadway, except that angle parking ~~shall~~**IS** not ~~be~~ permitted on a
4 state trunk line highway unless authorized by the state
5 transportation department.

6 (4) The state transportation commission with respect to state
7 trunk line highways and ~~the~~**A** board of county road commissioners
8 with respect to county roads, acting jointly with the director of
9 the department of state police, may place signs prohibiting or
10 restricting the stopping, standing, or parking of vehicles on a
11 highway where, in the opinion of the officials as determined by an
12 engineering survey, the stopping, standing, or parking is dangerous
13 to those using the highway or where the stopping, standing, or
14 parking of vehicles would unduly interfere with the free movement
15 of traffic on the highway or street. The signs shall be official
16 signs and a person shall not stop, stand, or park a vehicle in
17 violation of the restrictions stated on the signs. The signs shall
18 be installed only after a proper traffic order is filed with the
19 county clerk. Upon the application to the state transportation
20 commission by a home rule city affected by an order, opportunity
21 shall be given to the city for a hearing before the state
22 transportation commission, under the administrative procedures act
23 of 1969, 1969 PA 306, MCL 24.201 to 24.328, except when an
24 ordinance of the home rule city prohibits or restricts the parking
25 of vehicles on a state trunk line highway; when the home rule city,
26 by lawfully authorized official action, requests the state
27 transportation department to prohibit or restrict parking on a

1 state trunk line highway; or when the home rule city enters into a
2 construction agreement with the state transportation department
3 providing for the prohibition or restriction of parking on a state
4 trunk line highway during or after the period of construction.
5 Traffic control orders, so long as they affect parking upon a state
6 trunk line highway within the corporate limits of a home rule city,
7 are considered "rules" within the meaning of the administrative
8 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and upon
9 application for a hearing by a home rule city, the proceedings
10 before the state transportation commission shall be considered a
11 "contested case" within the meaning of that act.

12 (5) A disabled person may apply, on a form prescribed by the
13 secretary of state, for a serially numbered nontransferable
14 temporary or permanent windshield placard for the personal use of
15 the disabled person. An individual who has a religious objection to
16 having a medical examination may personally apply at a branch
17 office of the secretary of state for a serially numbered
18 nontransferable temporary or permanent windshield placard for the
19 personal use of the disabled individual. If it appears obvious that
20 the individual has a qualifying disability, the individual ~~shall~~**IS**
21 not ~~be~~ required to present a medical statement attesting to the
22 disability. The application for and the issuance of the serially
23 numbered nontransferable temporary or permanent windshield placard
24 is subject to all of the following:

25 (a) The secretary of state may issue to a disabled person with
26 a temporary disability a temporary windshield placard that is valid
27 for a period of not more than 6 months.

1 (b) The secretary of state may issue to a disabled person with
2 a permanent disability an original or renewal permanent windshield
3 placard that is valid for a period of not more than 4 years.

4 (c) An original or permanent windshield placard expires on the
5 disabled person's fifth birthday after the date of issuance.

6 (d) A renewal permanent windshield placard expires on the
7 disabled person's fourth birthday after the date of renewal.

8 (e) Except as otherwise provided in this subsection, not more
9 than 45 days immediately preceding the expiration of his or her
10 certificate or placard, a person holding a permanent windshield
11 placard may apply for a new or renewal placard as provided in this
12 section. However, if the person will be out of state during the 45
13 days immediately preceding expiration of the placard or for other
14 good cause shown cannot apply for a placard within the 45-day
15 period, the person may apply for a new or renewal placard not more
16 than 6 months before the placard expires. A placard issued or
17 renewed under this subdivision expires as provided in this
18 subsection.

19 (f) Upon application in the manner prescribed by the secretary
20 of state for replacement of a lost, stolen, or destroyed placard
21 described in this section, a disabled person or organization that
22 provides specialized services to disabled persons may be issued a
23 placard that in substance duplicates the original certificate or
24 placard for a fee of \$10.00.

25 (g) A placard described in this section may be used by a
26 person other than the disabled person for the sole purpose of
27 transporting the disabled person. An organization that provides

1 specialized services to disabled persons may apply for and receive
2 a permanent windshield placard to be used in any motor vehicle
3 actually transporting a disabled person. If the organization ceases
4 to transport disabled persons, the placard shall be returned to the
5 secretary of state for cancellation and destruction.

6 (6) A disabled person with a certificate of identification,
7 windshield placard, special registration plates issued under
8 section 803d, a special registration plate issued under section
9 803f that has a tab for persons with disabilities attached, a
10 certificate of identification or windshield placard from another
11 state, or special registration plates from another state issued for
12 persons with disabilities is entitled to courtesy in the parking of
13 a vehicle. The courtesy shall relieve the disabled person or the
14 person transporting the disabled person from liability for a
15 violation with respect to parking, other than in violation of this
16 act. A local authority may by ordinance prohibit parking on a
17 street or highway to create a fire lane or to provide for the
18 accommodation of heavy traffic during morning and afternoon rush
19 hours, and the privileges extending to veterans and physically
20 disabled persons under this subsection do not supersede that
21 ordinance.

22 (7) Except as otherwise provided in subsection ~~(24)~~, **(20)**, an
23 application for an initial free parking sticker shall contain a
24 certification by a physician, physician assistant, ~~or~~ certified
25 nurse practitioner, **OR PHYSICAL THERAPIST** licensed to practice in
26 this state attesting to the nature and estimated duration of the
27 applicant's disabling condition and verifying that the applicant

1 qualifies for a free parking sticker. An individual who has a
2 religious objection to having a medical examination may personally
3 apply at a branch office of the secretary of state for an initial
4 free parking sticker. If it appears obvious that the individual is
5 unable to do 1 or more of the acts listed in subdivisions (a) to
6 (d), the individual is not required to present a certification by a
7 physician, a physician assistant, ~~or~~ a certified nurse
8 practitioner, **OR A PHYSICAL THERAPIST** attesting to the nature and
9 estimated duration of the applicant's disabling condition or
10 verifying that the applicant qualifies for a free parking sticker.
11 The applicant qualifies for a free parking sticker if the applicant
12 is a licensed driver and the physician, physician assistant, ~~or~~
13 certified nurse practitioner, **OR PHYSICAL THERAPIST** certifies or,
14 if an individual is not required to have a certification by a
15 physician, a physician assistant, ~~or~~ a certified nurse
16 practitioner, **OR A PHYSICAL THERAPIST**, it is obvious that the
17 applicant is unable to do 1 or more of the following:

18 (a) Manage, manipulate, or insert coins, or obtain tickets or
19 tokens in parking meters or ticket machines in parking lots or
20 parking structures, due to the lack of fine motor control of both
21 hands.

22 (b) Reach above his or her head to a height of 42 inches from
23 the ground, due to a lack of finger, hand, or upper extremity
24 strength or mobility.

25 (c) Approach a parking meter due to his or her use of a
26 wheelchair or other device.

27 (d) Walk more than 20 feet due to an orthopedic, neurological,

1 cardiovascular, or lung condition in which the degree of
2 debilitation is so severe that it almost completely impedes the
3 ability to walk.

4 (8) To be entitled to free parking in a metered space or in a
5 publicly owned parking structure or area, a vehicle must properly
6 display 1 of the following:

7 (a) A windshield placard bearing a free parking sticker issued
8 under this act.

9 (b) A valid windshield placard issued by another state.

10 (c) A certificate of identification issued by another state.

11 (d) A license plate for persons with disabilities issued by
12 another state.

13 (e) A special registration plate with a tab for persons with
14 disabilities attached issued by another state.

15 (9) A vehicle that does not properly display 1 of the items
16 listed in subsection (8) is not entitled to free parking in a
17 metered parking space or in a publicly owned parking area or
18 structure, and the disabled person or vehicle operator shall pay
19 all parking fees and may be responsible for a civil infraction.

20 (10) Blindness that is not accompanied by an incapacity
21 described in subsection (7) does not entitle a person to a free
22 parking sticker.

23 (11) The secretary of state shall attach a free parking
24 sticker, in contrasting colors, to the windshield placard of a
25 person certified as having an incapacity described in subsection
26 (7).

27 (12) A windshield placard issued under this section shall be

1 displayed on the interior rearview mirror of the vehicle or, if
2 there is no interior rearview mirror, on the lower left corner of
3 the dashboard while the vehicle is parked or being parked by or
4 under the direction of a disabled person pursuant to this section.

5 (13) Upon conviction of an offense involving a violation of
6 the special privileges conferred upon a holder of a windshield
7 placard or free parking sticker, a magistrate or judge trying the
8 case, as a part of any penalty imposed, may confiscate the
9 windshield placard or free parking sticker and return the
10 confiscated item or items to the secretary of state together with a
11 certified copy of the sentence imposed. Upon receipt of a
12 windshield placard or free parking sticker from a judge or
13 magistrate, the secretary of state shall cancel and destroy the
14 placard or sticker, and the disabled person to whom it was issued
15 shall not receive another placard or sticker until he or she
16 submits a completed application and presents a current medical
17 statement attesting to his or her condition. A law enforcement
18 officer who observes a misuse of a windshield placard or free
19 parking sticker may immediately confiscate the placard or sticker
20 and forward it with a copy of his or her report to the secretary of
21 state.

22 (14) A person who intentionally makes a false statement of
23 material fact or commits or attempts to commit a deception or fraud
24 on a medical statement attesting to a disability, submitted in
25 support of an application for a windshield placard, free parking
26 sticker, special registration plate, or tab for persons with
27 disabilities under this section, section 803d, or section 803f, is

1 guilty of a misdemeanor punishable by a fine of not more than
2 \$500.00 or imprisonment for not more than 30 days, or both.

3 (15) A person who commits or attempts to commit a deception or
4 fraud by 1 or more of the following methods is guilty of a
5 misdemeanor punishable by a fine of not more than \$500.00 or
6 imprisonment for not more than 30 days, or both:

7 (a) Using a windshield placard or free parking sticker issued
8 under this section or by another state to provide transportation to
9 a disabled person, if the person is not providing transportation to
10 a disabled person.

11 (b) Altering, modifying, or selling a windshield placard or
12 free parking sticker issued under this section or by another state.

13 (c) Copying or forging a windshield placard or free parking
14 sticker described in this section or selling a copied or forged
15 placard or sticker described in this section. In the case of a
16 violation of this subdivision, the fine described in this
17 subsection shall be not less than \$250.00.

18 (d) Using a copied or forged windshield placard or free
19 parking sticker described in this section.

20 (e) Making a false statement of material fact to obtain or
21 assist an individual in obtaining a placard or sticker described in
22 this section, a special registration plate under section 803d, or a
23 tab for persons with disabilities under section 803f.

24 (f) Knowingly using or displaying a placard or sticker
25 described in this section that has been canceled by the secretary
26 of state.

27 (16) Except as otherwise provided in this section, a person

1 who violates this section is responsible for a civil infraction.

2 (17) The secretary of state may cancel, revoke, or suspend a
3 windshield placard or free parking sticker under any of the
4 following circumstances:

5 (a) The secretary of state determines that a windshield
6 placard or free parking sticker was fraudulently or erroneously
7 issued.

8 (b) The secretary of state determines that a person has made
9 or is making an unlawful use of his or her windshield placard or
10 free parking sticker.

11 (c) The secretary of state determines that a check or draft
12 used to pay the required fee is not paid on its first presentation
13 and is not paid upon reasonable notice or demand or that the
14 required fee is paid by an invalid credit card.

15 (d) The secretary of state determines that the person is no
16 longer eligible to receive or use a windshield placard or free
17 parking sticker.

18 (e) The secretary of state determines that the owner has
19 committed an offense under this act involving a windshield placard
20 or free parking sticker.

21 (f) A person has violated this act and the secretary of state
22 is authorized under this act to cancel, revoke, or suspend a
23 windshield placard or free parking sticker for that violation.

24 (g) The secretary of state receives notice from another state
25 or foreign country that a windshield placard or free parking
26 sticker issued by the secretary of state has been surrendered by
27 the owner or seized in conformity with the laws of that other state

1 or foreign country or has been improperly used or displayed in
2 violation of the laws of that other state or foreign country.

3 (18) Before a cancellation, revocation, or suspension under
4 subsection (17), the person affected by that action shall be given
5 notice and an opportunity to be heard.

6 (19) A windshield placard issued to a disabled person shall
7 bear the first letter and the last 3 digits of the disabled
8 person's driver's or chauffeur's license number or the first letter
9 and the last 4 digits of the number on his or her official state
10 personal identification card issued under 1972 PA 222, MCL 28.291
11 to 28.300.

12 (20) For purposes of this section only, the secretary of state
13 may accept an application for a windshield placard, special
14 registration plate, or free parking sticker from a disabled person
15 that is signed by a physician, physician assistant, ~~or~~certified
16 nurse practitioner, **OR PHYSICAL THERAPIST** licensed or certified to
17 practice in another state if the application is accompanied by a
18 copy of that physician's, physician assistant's, ~~or~~certified nurse
19 practitioner's, **OR PHYSICAL THERAPIST'S** current medical license or
20 certification issued by that state.

21 (21) This section does not require new or additional third
22 party reimbursement or worker's compensation benefits for services
23 rendered.

24 **(22) AS USED IN THIS SECTION, "DISABLED PERSON" MEANS A PERSON**
25 **WHO IS DETERMINED BY A PHYSICIAN, A PHYSICIAN ASSISTANT, A PHYSICAL**
26 **THERAPIST, OR AN OPTOMETRIST AS SPECIFICALLY PROVIDED IN THIS**
27 **SECTION LICENSED TO PRACTICE IN THIS STATE TO HAVE 1 OR MORE OF THE**

1 FOLLOWING PHYSICAL CHARACTERISTICS:

2 (A) BLINDNESS AS DETERMINED BY AN OPTOMETRIST, A PHYSICIAN, OR
3 A PHYSICIAN ASSISTANT.

4 (B) INABILITY TO WALK MORE THAN 200 FEET WITHOUT HAVING TO
5 STOP AND REST.

6 (C) INABILITY TO DO BOTH OF THE FOLLOWING:

7 (i) USE 1 OR BOTH LEGS OR FEET.

8 (ii) WALK WITHOUT THE USE OF A WHEELCHAIR, WALKER, CRUTCH,
9 BRACE, PROSTHETIC, OR OTHER DEVICE, OR WITHOUT THE ASSISTANCE OF
10 ANOTHER PERSON.

11 (D) A LUNG DISEASE FROM WHICH THE PERSON'S FORCED EXPIRATORY
12 VOLUME FOR 1 SECOND, WHEN MEASURED BY SPIROMETRY, IS LESS THAN 1
13 LITER, OR FROM WHICH THE PERSON'S ARTERIAL OXYGEN TENSION IS LESS
14 THAN 60 MM/HG OF ROOM AIR AT REST.

15 (E) A CARDIOVASCULAR CONDITION THAT CAUSES THE PERSON TO
16 MEASURE BETWEEN 3 AND 4 ON THE NEW YORK HEART CLASSIFICATION SCALE,
17 OR THAT RENDERS THE PERSON INCAPABLE OF MEETING A MINIMUM STANDARD
18 FOR CARDIOVASCULAR HEALTH THAT IS ESTABLISHED BY THE AMERICAN HEART
19 ASSOCIATION AND APPROVED BY THE DEPARTMENT OF PUBLIC HEALTH.

20 (F) AN ARTHRITIC, NEUROLOGICAL, OR ORTHOPEDIC CONDITION THAT
21 SEVERELY LIMITS THE PERSON'S ABILITY TO WALK.

22 (G) THE PERSISTENT RELIANCE UPON AN OXYGEN SOURCE OTHER THAN
23 ORDINARY AIR.

24 Sec. 803d. (1) A disabled person may make application to the
25 secretary of state and the secretary of state may issue special
26 registration plates inscribed with the official international
27 wheelchair symbol or a reasonable facsimile of that symbol and

1 special identification numbers. Vehicles registered ~~pursuant to~~
2 **UNDER** section 801(1)(a) may be issued special registration plates
3 ~~pursuant to~~**UNDER** this section. A vehicle ~~which~~**THAT** is used to
4 transport disabled persons may qualify for these distinguishing
5 plates when the registered owner of the vehicle resides at the same
6 address as the disabled person, submits as part of his or her
7 application for the plates a statement to the effect that the
8 vehicle is used for that purpose, and provides the secretary of
9 state with a medical statement attesting to the fact that the
10 person being transported is a disabled person. The fees for the
11 special registration plates shall correspond with the registration
12 fees provided in section 801(1)(a). Application for the special
13 plates shall be on a form prescribed by the secretary of state. As
14 part of a penalty imposed for violation of the special privileges
15 conferred by this section, a magistrate or judge may order the
16 special plates confiscated and returned to the secretary of state
17 together with a certified copy of the sentence imposed. The use of
18 special plates on a vehicle other than the vehicle for which the
19 plates are issued or by a person who does not qualify under this
20 section is a misdemeanor.

21 (2) AS USED IN THIS SECTION, "DISABLED PERSON" MEANS A PERSON
22 WHO IS DETERMINED BY A PHYSICIAN, A PHYSICIAN ASSISTANT, A PHYSICAL
23 THERAPIST, OR AN OPTOMETRIST AS SPECIFICALLY PROVIDED IN THIS
24 SECTION LICENSED TO PRACTICE IN THIS STATE TO HAVE 1 OR MORE OF THE
25 FOLLOWING PHYSICAL CHARACTERISTICS:

26 (A) BLINDNESS AS DETERMINED BY AN OPTOMETRIST, A PHYSICIAN, OR
27 A PHYSICIAN ASSISTANT.

1 (B) INABILITY TO WALK MORE THAN 200 FEET WITHOUT HAVING TO
2 STOP AND REST.

3 (C) INABILITY TO DO BOTH OF THE FOLLOWING:

4 (i) USE 1 OR BOTH LEGS OR FEET.

5 (ii) WALK WITHOUT THE USE OF A WHEELCHAIR, WALKER, CRUTCH,
6 BRACE, PROSTHETIC, OR OTHER DEVICE, OR WITHOUT THE ASSISTANCE OF
7 ANOTHER PERSON.

8 (D) A LUNG DISEASE FROM WHICH THE PERSON'S FORCED EXPIRATORY
9 VOLUME FOR 1 SECOND, WHEN MEASURED BY SPIROMETRY, IS LESS THAN 1
10 LITER, OR FROM WHICH THE PERSON'S ARTERIAL OXYGEN TENSION IS LESS
11 THAN 60 MM/HG OF ROOM AIR AT REST.

12 (E) A CARDIOVASCULAR CONDITION THAT CAUSES THE PERSON TO
13 MEASURE BETWEEN 3 AND 4 ON THE NEW YORK HEART CLASSIFICATION SCALE,
14 OR THAT RENDERS THE PERSON INCAPABLE OF MEETING A MINIMUM STANDARD
15 FOR CARDIOVASCULAR HEALTH THAT IS ESTABLISHED BY THE AMERICAN HEART
16 ASSOCIATION AND APPROVED BY THE DEPARTMENT OF PUBLIC HEALTH.

17 (F) AN ARTHRITIC, NEUROLOGICAL, OR ORTHOPEDIC CONDITION THAT
18 SEVERELY LIMITS THE PERSON'S ABILITY TO WALK.

19 (G) THE PERSISTENT RELIANCE UPON AN OXYGEN SOURCE OTHER THAN
20 ORDINARY AIR.

21 Sec. 803h. (1) The secretary of state may issue a tab for
22 persons with disabilities to a disabled person who is issued or has
23 been issued a Michigan motor vehicle registration plate other than
24 a section 803d registration plate for persons with disabilities.
25 The tab for persons with disabilities shall be an adhesive tab
26 displaying the international wheelchair symbol or a reasonable
27 facsimile of that symbol. The use of a tab for persons with

1 disabilities on a registration plate other than the plate for which
2 the tab was issued or by a person who does not qualify as a
3 disabled person is a misdemeanor.

4 (2) A tab for persons with disabilities shall not be used on a
5 registration plate attached to a motor vehicle owned and operated
6 by this state; a state institution; a municipality; a governmental
7 unit; a nonprofit organization; the civil air patrol; or a
8 nonprofit, nonpublic college or university; or on a commercial
9 motor vehicle. A tab for persons with disabilities shall not be
10 placed on a registration plate used for intransit-repair or
11 repossession of a motor vehicle.

12 (3) AS USED IN THIS SECTION, "DISABLED PERSON" MEANS A PERSON
13 WHO IS DETERMINED BY A PHYSICIAN, A PHYSICIAN ASSISTANT, A PHYSICAL
14 THERAPIST, OR AN OPTOMETRIST AS SPECIFICALLY PROVIDED IN THIS
15 SECTION LICENSED TO PRACTICE IN THIS STATE TO HAVE 1 OR MORE OF THE
16 FOLLOWING PHYSICAL CHARACTERISTICS:

17 (A) BLINDNESS AS DETERMINED BY AN OPTOMETRIST, A PHYSICIAN, OR
18 A PHYSICIAN ASSISTANT.

19 (B) INABILITY TO WALK MORE THAN 200 FEET WITHOUT HAVING TO
20 STOP AND REST.

21 (C) INABILITY TO DO BOTH OF THE FOLLOWING:

22 (i) USE 1 OR BOTH LEGS OR FEET.

23 (ii) WALK WITHOUT THE USE OF A WHEELCHAIR, WALKER, CRUTCH,
24 BRACE, PROSTHETIC, OR OTHER DEVICE, OR WITHOUT THE ASSISTANCE OF
25 ANOTHER PERSON.

26 (D) A LUNG DISEASE FROM WHICH THE PERSON'S FORCED EXPIRATORY
27 VOLUME FOR 1 SECOND, WHEN MEASURED BY SPIROMETRY, IS LESS THAN 1

1 LITER, OR FROM WHICH THE PERSON'S ARTERIAL OXYGEN TENSION IS LESS
2 THAN 60 MM/HG OF ROOM AIR AT REST.

3 (E) A CARDIOVASCULAR CONDITION THAT CAUSES THE PERSON TO
4 MEASURE BETWEEN 3 AND 4 ON THE NEW YORK HEART CLASSIFICATION SCALE,
5 OR THAT RENDERS THE PERSON INCAPABLE OF MEETING A MINIMUM STANDARD
6 FOR CARDIOVASCULAR HEALTH THAT IS ESTABLISHED BY THE AMERICAN HEART
7 ASSOCIATION AND APPROVED BY THE DEPARTMENT OF PUBLIC HEALTH.

8 (F) AN ARTHRITIC, NEUROLOGICAL, OR ORTHOPEDIC CONDITION THAT
9 SEVERELY LIMITS THE PERSON'S ABILITY TO WALK.

10 (G) THE PERSISTENT RELIANCE UPON AN OXYGEN SOURCE OTHER THAN
11 ORDINARY AIR.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.