

1 SB11
2 203578-1
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 04-FEB-20
6 PFD: 12/13/2019

SYNOPSIS: Under existing law, a removable windshield placard is issued to an individual with a disability to allow the individual to park in a dedicated handicap parking place.

Also under existing law, each removable windshield placard contains the International Symbol of Access and the expiration date of the placard.

This bill would require each removable windshield placard to contain the photograph of the individual with a disability to whom the placard is issued.

A BILL
TO BE ENTITLED
AN ACT

Relating to individuals with a disability; to amend Sections 32-6-230 and 32-6-231, Code of Alabama 1975, to

1 further provide for the design and issuance of removable
2 windshield placards.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Sections 32-6-230 and 32-6-231, Code of
5 Alabama 1975, are amended to read as follows:

6 "§32-6-230.

7 "For purposes of this division, the following terms
8 shall have the following meanings as provided in this section:

9 "(1) INDIVIDUAL WITH A DISABILITY. Includes both
10 individuals with a long-term disability and individuals with a
11 temporary disability.

12 "~~(1)~~ (2) INDIVIDUAL WITH A LONG-TERM DISABILITY. Any
13 person individual with a long-term disability ~~which~~ that
14 limits or impairs the ability of the ~~person~~ individual to
15 walk, and the ~~person~~ individual meets any one of the following
16 conditions, as determined by a licensed physician:

17 "a. The ~~person~~ individual cannot walk 200 feet
18 without stopping to rest.

19 "b. The ~~person~~ individual cannot walk without the
20 use of, or assistance from, a brace, cane, crutch, another
21 ~~person~~ individual, prosthetic device, wheelchair, or other
22 assistive device.

23 "c. The ~~person~~ individual is restricted by lung
24 disease to such an extent that the ~~person's~~ individual's
25 forced respiratory expiratory volume for one second, when
26 measured by spirometry, is less than one liter, or the

1 arterial oxygen tension is less than 60 mm/hg, millimeters of
2 mercury, on room air at rest.

3 "d. The ~~person~~ individual uses portable oxygen.

4 "e. The ~~person~~ individual has a cardiac condition to
5 the extent that the functional limitation of the ~~person~~
6 individual is classified in severity as Class III or Class IV
7 according to standards set by the American Heart Association.

8 "f. The ~~person~~ individual is severely limited in his
9 or her ability to walk due to an arthritic, neurological, or
10 orthopedic condition.

11 "~~(2)~~ (3) INDIVIDUAL WITH A TEMPORARY DISABILITY. Any
12 ~~person~~ individual having a temporary disability, for a period
13 up to six months, ~~disability~~, as determined by a licensed
14 physician, which limits or impairs the ability to walk as
15 specified in subdivision ~~(1)~~ (2).

16 "(4) INTERNATIONAL SYMBOL OF ACCESS. The symbol
17 adopted by Rehabilitation International in 1969 at its
18 Eleventh World Congress on Rehabilitation of the Disabled.

19 "~~(3)~~ (5) LICENSED PHYSICIAN. A doctor of medicine or
20 a doctor of osteopathy licensed to practice medicine or a
21 person employed by the U. S. government as a doctor of
22 medicine or doctor of osteopathy to practice medicine.

23 "(6) REMOVABLE WINDSHIELD PLACARD. A two-sided,
24 hanger-style placard that displays the International Symbol of
25 Access.

26 "§32-6-231.

1 "(a) Any ~~person~~ individual who submits to the
2 license issuing official a completed special access parking or
3 disability access parking application form ~~approved by the~~
4 ~~Commissioner of Revenue,~~ which includes ~~the~~ a physician's
5 certification that ~~he or she~~ the individual is an individual
6 with a disability, shall be issued one removable windshield
7 placard ~~displaying~~ that displays the International Symbol of
8 Access ~~thereby,~~ designating the driver of the vehicle or the
9 passenger as being an individual with a long-term disability
10 or an individual with a temporary disability, as applicable.

11 "(1) The removable windshield placard shall be
12 prepared by the ~~commissioner~~ Department of Revenue in
13 ~~conformity to Public Law 100-641 and rulemaking resulting~~
14 ~~therefrom~~ accordance with 23 C.F.R..

15 "(2) a. The removable windshield placard issued to
16 ~~the~~ an individual with a long-term disability shall expire
17 after a maximum period of five years or any period less than
18 five years, to be as designated by the ~~commissioner~~ Department
19 of Revenue by rule.

20 "b. ~~The~~ Each removable windshield placard shall
21 clearly reveal the expiration date and shall be designed in
22 accordance with ~~Public Law 100-641 and rulemaking resulting~~
23 ~~therefrom~~ 23 C.F.R. Part 1235 to hang from the front
24 windshield rearview mirror when the vehicle is parked in a
25 parking space reserved for ~~persons~~ individuals with
26 ~~disabilities~~ a disability. If the vehicle lacks a rearview
27 mirror, the placard shall be placed on the dashboard.

1 "c. Each removable windshield placard shall contain
2 the photograph of the individual with a disability to whom the
3 placard is issued. The photograph shall be taken from the
4 individual's driver's license or non-driver identification
5 card on file with the Department of Transportation. If the
6 removable windshield placard is issued for the use of an
7 agency, organization, or facility, a photograph is not
8 required.

9 ~~"b. d.~~ The commissioner Department of Revenue may
10 require ~~all persons~~ each individual with a long-term
11 ~~disabilities~~ disability to be recertified by a licensed
12 physician as having a long-term disability before ~~special~~
13 ~~access or disability access parking~~ the individual's removable
14 windshield placards may be reissued.

15 "(3) In the event that an individual with a
16 disability does not have the distinctive special access or
17 disability access license plate as provided by Sections
18 40-12-300 to 40-12-302, inclusive, upon request, a second
19 placard may be issued.

20 "(4) A removable windshield placard issued to an
21 individual with a long-term disability shall display the
22 International Symbol of Access in white on a blue shield. A
23 removable windshield placard issued to an individual with a
24 temporary disability shall display the International Symbol of
25 Access in white on a red shield.

1 "(b) The commissioner may ~~make~~ adopt any rules or
2 ~~regulations~~ necessary to implement or administer this
3 division.

4 "(c) An individual with a temporary disability who
5 submits to the license issuing official a completed special
6 access or disability access application form ~~approved by the~~
7 ~~commissioner,~~ which includes the physician's certification
8 that ~~he or she~~ the individual is a temporarily disabled
9 individual, shall be issued one temporary removable windshield
10 placard for a period valid up to six months.

11 "(d) Any special access or disability access placard
12 that is not in conformity with the federal system rule for
13 handicapped parking, ~~Public Law 100-641 and subsequent Rule 23~~
14 ~~C.F.R. § Part~~ 1235, shall not be recognized as a valid
15 handicapped parking credential."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.