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SENATE BILL NO. 692

Offered January 10, 2018
Prefiled January 10, 2018

A BILL to amend and reenact § 46.2-1241 of the Code of Virginia, relating to issuance of disabled parking placards.

Patron—Deeds

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1241 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1241. Issuance of disabled parking placards.

A. Upon application of a person with a disability that limits or impairs his ability to walk or that creates a concern for his safety while walking, the Commissioner shall issue a permanent removable windshield placard for use on a passenger car or pickup or panel truck. The Commissioner shall require that each original application be accompanied by a certification signed by a licensed physician, licensed podiatrist, licensed chiropractor, licensed nurse practitioner, ~~or~~ licensed physician assistant, *or licensed mental health professional* on forms prescribed by the Commissioner that the applicant meets the definition of "person with a disability that limits or impairs his ability to walk or that creates a concern for his safety while walking" contained in § 46.2-1240.

1. The Commissioner shall provide for the renewal of such placards every five years. Applications for renewals may require the applicant to certify that his disability is a permanent disability, but renewal applications need not be accompanied by a physician's, podiatrist's, chiropractor's, nurse practitioner's, ~~or~~ physician assistant's, *or mental health professional's* certification of the applicant's disability. The Commissioner shall work in consultation with the Medical Advisory Board for the Department to develop a definition of "permanent disability" as used in this subdivision. Notwithstanding any contrary provision of this chapter, no physician's, podiatrist's, chiropractor's, nurse practitioner's, ~~or~~ physician assistant's, *or mental health professional's* certification of an applicant's disability shall be required for the renewal of any disabled parking placard of an applicant to whom disabled parking license plates have been issued under § 46.2-731.

2. The Commissioner shall charge a reasonable fee for each placard, but no fee shall be charged any person exempted from fees in § 46.2-739.

3. The placards shall be of a design approved by the Commissioner pursuant to the specifications and definitions contained in § 46.2-1240.

B. Upon the application of a person with a disability that limits or impairs his ability to walk and whose disability is temporary, the Commissioner shall issue a temporary removable windshield placard. The application for a temporary removable windshield placard shall be accompanied by a certification signed by a licensed physician, *licensed* nurse practitioner, *licensed* physician assistant, *licensed* podiatrist, ~~or~~ *licensed* chiropractor, *or licensed mental health professional* on forms prescribed by the Commissioner that the applicant meets the definition of "person with a condition that limits or impairs his ability to walk" contained in § 46.2-1240 and shall also include the period of time that the physician, podiatrist, ~~or~~ chiropractor, *nurse practitioner, physician assistant, or mental health professional* determines the applicant will have the disability, not to exceed six months.

1. A licensed physician, *licensed* nurse practitioner, *licensed* physician assistant, *licensed* podiatrist, or *licensed* chiropractor may certify up to 15 days in advance of an applicant's medical procedure that an applicant will meet the definition of "person with a condition that limits or impairs his ability to walk" and that the disability will be temporary. ~~Any licensed~~ *The* physician, nurse practitioner, physician assistant, podiatrist, or chiropractor who certifies an applicant's disability in advance of a medical procedure shall provide the period of time for which the physician, nurse practitioner, physician assistant, podiatrist, or chiropractor has determined that the applicant will have the disability, not to exceed six months. The Commissioner will mail the temporary placard to the applicant.

2. The temporary removable windshield placard shall be valid for the period of time for which the physician, podiatrist, ~~or~~ chiropractor, *nurse practitioner, physician assistant, or mental health professional* has determined that the applicant will have the disability, not to exceed six months from the date of issuance.

3. The Commissioner shall provide for a reasonable fee to be charged for the placard. The placards shall be of a design approved by the Commissioner pursuant to the specifications and definitions contained in § 46.2-1240.

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C. On application, the Commissioner shall issue to hospitals, hospices, nursing homes, and other institutions and organizations meeting criteria determined by the Commissioner organizational removable windshield placards, as provided for in the foregoing provisions of this section, for use by volunteers when transporting disabled persons in passenger vehicles and pickup or panel trucks owned by such volunteers. The provisions of this section relating to other windshield placards issued under this section shall also apply, mutatis mutandis, to windshield placards issued to these institutions and organizations, except that windshield placards issued to institutions and agencies, in addition to their expiration date, shall bear the name of the institution or organization whose volunteers will be using the windshield placards rather than the name, age, and sex of the person to whom issued.

1. The Commissioner shall provide for the renewal of such placards every five years.

2. The placards shall be of a design approved by the Commissioner pursuant to the specifications and definitions contained in § 46.2-1240.

D. No person shall use or display an organizational removable windshield placard, permanent removable windshield placard or temporary removable windshield placard beyond its expiration date.

E. Organizational removable windshield placards, permanent removable windshield placards and temporary removable windshield placards shall be displayed in such a manner that they may be viewed from the front and rear of the vehicle and be hanging from the rearview mirror of a vehicle utilizing a parking space reserved for persons with disabilities that limit or impair their ability to walk. When there is no rearview mirror, the placard shall be displayed on the vehicle's dashboard. No placard shall be displayed from the rearview mirror while a vehicle is in motion.

F. For purposes of this section, "mental health professional" has the same meaning as specified in § 54.1-2400.1.