

# VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

## CHAPTER 225

*An Act to amend and reenact § 46.2-731 of the Code of Virginia, relating to special license plates for certain handicapped persons, special parking decals, and parking privileges conferred thereby.*

[S 247]

Approved April 4, 1994

**Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-731 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-731. Special license plates for handicapped persons and owners of vehicles specially equipped and used to transport groups of handicapped persons; decals for persons with temporary or permanent physical handicaps; fees; parking privileges of holders of plates and decals.

On receipt of an application, the Commissioner shall issue appropriately designed license plates to persons with physical handicaps which limit their mobility and to the owners of vehicles specially equipped and used for the transportation of groups of physically handicapped persons. The fee for license plates issued to the person shall be as provided in § 46.2-694.

On application, the Commissioner shall also issue to any person with a temporary or permanent physical handicap which limits his mobility, a removable decal, to be used on any passenger car, pickup or panel truck operated by him, which decal shall allow him the same parking privileges as allowed by special license plates issued under this section. The decals shall be of a design determined by the Commissioner and shall be displayed in a manner determined by the Superintendent of State Police. Issuance of the decal shall be limited to physically handicapped persons for use in conjunction with passenger vehicles and pickup or panel trucks. A reasonable fee to be determined by the Commissioner shall be charged for each decal issued under this section, but no fee shall be charged any person exempted from fees by § 46.2-739. Decals issued to temporarily handicapped persons shall be valid for no more than one year and no less than three months. No decal issued hereunder shall be valid for more than five years. The Commissioner, in order to determine the period of validity of a temporary decal, may require any applicant for a decal to furnish a statement from a licensed physician as to the nature of the applicant's handicap and its likely duration. All decals shall bear the date of their expiration and the name, age, and sex of the person to whom issued.

~~Until July 1, 1994,~~ On application, the Commissioner shall issue to hospitals, hospices, and nursing homes removable decals, as provided for in the foregoing provisions of this section, for use by volunteers when transporting handicapped persons in passenger vehicles and pickup or panel trucks owned by such volunteers. The provisions of this section relating to other decals issued under this section shall also apply, mutatis mutandis, to decals issued to these institutions and organizations, except that decals 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 decals rather than the name, age, and sex of the person to whom issued.

The disabled person, vehicle owner, or volunteer for an institution or organization to which these special license plates or decals are issued or any person to whom special license plates have been issued under § 46.2-739 shall be allowed to park the vehicle on which such license plates or decals are displayed for unlimited periods of time in parking zones restricted as to length of parking time permitted and shall be exempted from paying parking meter fees of any county, city, or town. The provisions of this subsection shall take precedence over any county, city, or town ordinance; however, this subsection shall not apply to any local ordinance which creates zones where stopping, standing, or parking is prohibited, or which creates parking zones for special types of vehicles, nor shall it apply to any local ordinance which prohibits parking during heavy traffic periods, during specified rush hours, or where parking would clearly present a traffic hazard.

No person shall use or display a temporary decal beyond its expiration date. It shall be unlawful for any person to willfully and falsely represent himself as having the qualifications to obtain the special license plates or decal or utilize the parking privilege accorded by this section when not entitled thereto.