

CHAPTER 136

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 13-058

BY SENATOR(S) Grantham, Baumgardner, Cadman, Crowder, Guzman, Hodge, Jahn, Jones, Kerr, King, Lambert, Marble, Newell, Roberts, Scheffel, Steadman, Tochtrop, Todd, Morse;
also REPRESENTATIVE(S) Landgraf, Gerou, Ginal, Kraft-Tharp, Labuda, Lawrence, Lebsock, Mitsch Bush, Murray, Pettersen, Rosenthal, Ryden, Salazar, Schafer, Vigil, Williams, Young.

AN ACT**CONCERNING THE VERIFICATION REQUIREMENT FOR PARKING PRIVILEGES FOR PERSONS WITH A PERMANENT DISABILITY.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-3-204, **amend** (1) (f), (2) (a) (I) (C), (2) (a) (II) (F), and (3) (a); and **add** (1) (i) and (2) (a) (II) (F.5) as follows:

42-3-204. Parking privileges for persons with disabilities - applicability - rules. (1) As used in this section:

(f) "Permanent" means a condition that is not expected to change within a person's lifetime, given the current state of medical or adaptive technology. THE VERIFYING PROFESSIONAL SHALL AFFIRM IN WRITING WHETHER A PERSON'S DISABILITY IS PERMANENT.

(i) "TEMPORARY" MEANS A CONDITION THAT IS EXPECTED TO LAST LESS THAN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING FIGURE, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE TECHNOLOGY.

(2) (a) A person with a disability may apply to the department for:

(I) An identifying license plate to be supplied at the same cost as a standard plate and to be displayed as provided in section 42-3-202 on a motor vehicle owned by such person or that is owned by a trust created for the benefit of and the name of which includes the name of such person, subject to the following:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(C) The verification requirements of paragraph (a) of subsection (1) of this section shall be met once every three years. TO MEET THIS REQUIREMENT, A PERSON WITH A PERMANENT DISABILITY MUST EITHER SUBMIT BY MAIL AN UPDATED VERIFICATION FORM OR APPEAR IN PERSON IN THE OFFICE OF AN AUTHORIZED AGENT OF THE DEPARTMENT AND PRESENT A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED PURSUANT TO ARTICLE 2 OF THIS TITLE, OR A FEDERALLY ISSUED IDENTIFICATION CARD; EXCEPT THAT A PARENT OR GUARDIAN OF A PERSON WITH A DISABILITY UNDER SIXTEEN YEARS OF AGE MAY PROVIDE THE PARENT'S OR GUARDIAN'S DRIVER'S LICENSE OR IDENTIFICATION CARD IN LIEU OF THE MINOR WITH A DISABILITY. A PERSON WITH A PERMANENT DISABILITY MUST SUBMIT A VERIFICATION FORM AT LEAST EVERY THIRD TIME A VERIFICATION IS REQUIRED.

(II) An identifying placard to be prominently displayed on a motor vehicle used to transport such person, subject to the following:

(F) The holder of an identifying placard shall meet the verification requirements of paragraph (a) of subsection (1) of this section each time the placard is renewed IF THE HOLDER HAS AN EXTENDED DISABILITY.

(F.5) EVERY THREE YEARS THE HOLDER OF AN IDENTIFYING PLACARD WHO HAS A PERMANENT DISABILITY SHALL EITHER SUBMIT BY MAIL AN UPDATED VERIFICATION FORM OR APPEAR IN PERSON IN THE OFFICE OF AN AUTHORIZED AGENT OF THE DEPARTMENT AND PRESENT A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED PURSUANT TO ARTICLE 2 OF THIS TITLE, OR A FEDERALLY ISSUED IDENTIFICATION CARD; EXCEPT THAT A PARENT OR GUARDIAN OF A PERSON WITH A DISABILITY UNDER SIXTEEN YEARS OF AGE MAY PROVIDE THE PARENT'S OR GUARDIAN'S DRIVER'S LICENSE OR IDENTIFICATION CARD IN LIEU OF THE MINOR WITH A DISABILITY. A PERSON WITH A PERMANENT DISABILITY MUST SUBMIT A VERIFICATION FORM AT LEAST EVERY THIRD TIME A VERIFICATION IS REQUIRED.

(3) (a) The department shall issue a temporary identifying placard to a person who is temporarily disabled upon presentation of a written statement, verified by a professional, that such person temporarily meets the definition of a person with a disability. FOR PURPOSES OF THIS SUBSECTION (3), "PROFESSIONAL" INCLUDES CHIROPRACTORS LICENSED UNDER ARTICLE 33 OF TITLE 12, C.R.S., AND PHYSICAL THERAPISTS LICENSED UNDER ARTICLE 41 OF TITLE 12, C.R.S.

SECTION 2. Applicability. This act applies to motor vehicle registrations expiring on or after January 1, 2014.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 19, 2013