

CHAPTER 213

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 02-1210

BY REPRESENTATIVE(S) Spradley, Boyd, Cloer, Coleman, Groff, Hoppe, Jahn, Kester, Mace, Marshall, Stafford, and Williams
S.;
also SENATOR(S) Musgrave.

AN ACT

**CONCERNING REQUIREMENTS FOR DISABLED PERSONS TO OBTAIN SPECIAL LICENSE PLATES, AND,
IN CONNECTION THEREWITH, ALLOWING SUCH PERSONS TO APPLY FOR SUCH LICENSE PLATES
FOR A MOTOR VEHICLE OWNED BY A TRUST SET UP FOR THE PERSON WITH A DISABILITY.**

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

SECTION 1. 42-3-112 (13), Colorado Revised Statutes, is amended to read:

42-3-112. Records of application and registration. (13) EXCEPT FOR VEHICLES OWNED BY A TRUST CREATED FOR THE BENEFIT OF A PERSON WITH A DISABILITY, for purposes of enforcing disabled parking privileges granted pursuant to section 42-4-1208, the department, when issuing a registration card under this section, shall clearly indicate on the card if an owner of a vehicle is a person with a disability as defined in section 42-3-121. If the vehicle is owned by more than one person and the registration reflects that joint ownership, the department shall clearly indicate on the registration card which of the owners are persons with disabilities and which of the owners are not.

SECTION 2. 42-3-121 (1) (b), (2) (a) (I), and (3), Colorado Revised Statutes, are amended to read:

42-3-121. Parking privileges for persons with disabilities - applicability.
(1) As used in this section:

(b) "Person with a disability" means a person so severely impaired that such person is unable to move from place to place without the aid of a mechanical device or who has a physical impairment verified, in writing, by the director of the division of rehabilitation (which has been administratively created by the department of

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

human services) or a physician licensed to practice medicine ~~in this state~~ or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., OR A PODIATRIST LICENSED UNDER THE PROVISIONS OF ARTICLE 32 OF TITLE 12, C.R.S., that such impairment limits substantially the person's ability to move from place to place. Before such a verification can be made, said director, ~~or~~ physician, OR PODIATRIST shall certify to the department of revenue that the standards established by the executive director of the department or his or her designee, in consultation with the director of the division of rehabilitation, for such a determination have been met.

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

(I) Distinguishing license plates to be supplied at the same cost as standard plates and to be displayed AS PROVIDED IN SECTION 42-3-123, on a motor vehicle owned by such person ~~as provided in section 42-3-123~~ OR THAT IS OWNED BY A TRUST CREATED FOR THE BENEFIT OF AND INCLUDES THE NAME OF SUCH PERSON. Any plates issued by the department pursuant to this section shall be renewed once each year in a manner to be determined by the department. The issuance of a special license plate to a person with a disability pursuant to the provisions of this subparagraph (I) shall not preclude such person from obtaining an identifying placard pursuant to the provisions of subparagraph (II) of this paragraph (a). The verification requirements of subsection (1) of this section shall be met once every three years.

(3) The department shall issue temporary distinguishing license permits and a temporary identifying placard to any person who is temporarily a person with a disability upon presentation to the department of a written statement, verified by a physician licensed to practice medicine ~~in this state~~ or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., OR A PODIATRIC PHYSICIAN LICENSED UNDER THE PROVISIONS OF ARTICLE 32 OF TITLE 12, C.R.S., that such person temporarily meets the definition of a person with a disability. The department shall issue such permits and placards to a qualifying person who is a resident of another state who becomes disabled while in this state. Such permits and placard shall be valid for a period of ninety days from the date of issuance and may continually be renewed for additional ninety-day periods during the term of such disability upon resubmission of such written and verified statements. The provisions of this section including provisions regarding the privileges granted to persons with disabilities, revocation of license plates or placards, and display of license plates and placards shall apply in the case of temporary license permits and temporary placards issued under this subsection (3). Further, the requirement that the placard include a printed identification number as set forth in subparagraph (II) of paragraph (a) of subsection (2) of this section shall apply to both temporary license permits and temporary placards issued under this subsection (3). THE VERIFICATION BY A PHYSICIAN LICENSED TO PRACTICE MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106 (3) (i), C.R.S., OR A PODIATRIST LICENSED UNDER THE PROVISIONS OF ARTICLE 32 OF TITLE 12, C.R.S., SHALL BE CARRIED IN THE VEHICLE TRANSPORTING THE PERSON OR PERSONS WITH A DISABILITY TO WHOM THE TEMPORARY LICENSE PERMIT OR PLACARD HAS BEEN ISSUED AND SHALL BE PRESENTED TO ANY LAW ENFORCEMENT OFFICER UPON REQUEST. Temporary license permits and temporary placards issued by states other than Colorado shall be valid so long as they are currently valid in the state of issuance and valid pursuant to 23 CFR part 1235.

SECTION 3. No appropriation. The general assembly has determined that this

act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 30, 2002