# HOUSE BILL NO. 232

# INTRODUCED BY CONNELLY, MANUEL, J. BROWN, PISTORIA

	IN THE HOUSE
January 14, 1983	Introduced and referred to Committee on Human Services.
January 31, 1983	Committee recommend bill do pass as amended. Report adopted.
February 1, 1983	Bill printed and placed on members' desks.
Pebruary 2, 1983	Second reading, do pass.
February 3, 1983	Considered correctly engrossed.
February 4, 1983	Third reading, passed. Transmitted to Senate.
	IN THE SENATE
February 5, 1983	Introduced and referred to Committee on Local Government.
March 25, 1983	On motion, ordered printed and placed on second reading.
March 26, 1983	Second reading, concurred in as amended.
March 28, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.
	IN THE HOUSE
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March 28, 1983	Returned to House with amendments.
April 1, 1983	Second reading, amondments not concurred in.

April 1, 1983	On motion, Conference Committee requested and appointed.
April 8, 1983	Conference Committee dissolved.
	On motion, Free Conference Committee requested and appointed.
April 12, 1983	Free Conference Committee reported.
April 13, 1983	Second reading, Free Conference Committee report adopted.
April 14, 1983	Third reading, Free Conference Committee report adopted.
April 16, 1983	Free Conference Committee report adopted by Senate.
	Sent to enrolling.
	Reported correctly enrolled.

1	House BILL NO. 232
2	INTRODUCED BY Connelly Manuel - & Brown Laster
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT BROADENING PRIVILEGES
5	OF SPECIAL PARKING PERMITHOLDERS AND ALLOWING EXEMPTIONS
6	FROM TIME LIMITS; REQUIRING SPECIAL LICENSE PLATES OR CARDS
7	TO BEAR THE WHEELCHAIR EMBLEM; PROVIDING FOR EXPIRATION OF
8	PERMIT ON RECOVERY OR DEATH OF PERMITTEE; AUTHORIZING
9	SPECIAL LICENSE PLATES FOR 100-PERCENT DISABLED VETERANS;
0	PROVIDING A PENALTY; AMENDING SECTIONS 10-2-301, 49-4-302,
1	49-4-304, AND 49-4-305, MCA; AND PROVIDING A DELAYED
2	EFFECTIVE DATE."
.3	
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
5	Section 1. Section 49-4-302, MCA, is amended to read:
.6	#49-4-302. Privileges of permit-holder permitholder
7	exemptions from time limits. [1] The parking permit issued
8	under this part, when displayed, entitles a person to park a
9	motor vehicle in special parking spaces reserved for
20	handicapped persons whether on public property or private
21	property available for public use.
22	(2) No vehicle other than one lawfully displaying a
23	parking permit issued under this part and conveying a
24	handicapped person may be parked in a parking space on
25	public or private property that is clearly identified by an

2	persons.
3	(3) The governing body of a city, town, or county ma
4	exempt vehicles lawfully displaying parking permits issue
5	under this part and parked in public places along publi
6	streets from any time limitation imposed upon parking i
7	such area except in areas where:
8	(a) stopping, standing, or parking of all vehicles i
9	prohibited:
10	(b) only special vehicles may be parked; or
11	(c) parking is not allowed during specific periods o
12	the day in order to accommodate heavy traffic."
13	Section 2. Section 49-4-304, MCA, is amended to read
14	*49-4-304. Card Special license plate and card to be
15	provided and displayed. (1) The division of motor vehicle
16	shall provide a <u>special license plate and</u> card <del>or plate tha</del>
17	mey to be displayed on or in a motor vehicle to indicate
18	parking privilege granted under this part. The specia
19	license plate shall be affixed to the vehicle according t
20	61-3-301, and the card or plate shall be prominently
21	displayed in the windshield of a vehicle when the parkin
22	privilege Is being used <u>by the handicapped person in</u>
23	vehicle other than the one to which his special licens
24	plate is affixed.

(2) Upon application under 49-4-303, a handicapped

-2- INTRODUCED BILL

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official sign as being reserved for use by handicapped

•	berson and most not note a diliver's license of does not own
2	a vehicle may receive a card described in subsection (1) to
3	be displayed in a vehicle in which the handicapped person is
4	being conveyed when the parking privilege is being used.
5	13) The special license plate and card must each bear
6	a representation of a wheelchair as the symbol of a
7	handicapped_person_"
8	Section 3. Section 49-4-305, MCA, is amended to read:
9	#49-4-305. Expiration of permit. A permit expires on:
0	Becember-31-of-the-year-of-issue
1	(11 the death of the permittee; or
.2	(2) certification by a physician that the permittee's
3	physical handicap impairing his mobility no longer exists.
4	Section 4. Section 10-2-301, MCA, is amended to read:
.5	*10-2-301. License plates to disabled veterans $=$
.6	special inscriptions. [1] Any person who is a veteran of the
7	armed service of the United States and 100% disabled because
8	of an injury which has been determined by the veterans
9	administration to be service connected and who is a citizen
20	and resident of the state of Montana and who is the owner of
21	a passenger automobile or of a truck up to and including
22	three-quarter ton GVW-rated capacity shall be provided with
:3	specially inscribed license plates upon payment of a fee of
4	\$5 for such automobile or truck and upon proof of 100%

1	(2) The motor vehicle division shall assign to each
2	veteran qualified under subsection (1) who applies according
3	to the rules of the division a registration designation
4	hearing the letters and character "DV-" followed by a number
5	matching the sequence in which the designations are
6	assigned, and the division shall issue to the disabled
7	veteran two special license plates bearing the inscription
8	assigned to hime
9	(3) The special license plates may be reregistered or
10	renewed upon payment of the fees required in subsection (1)
11	and compliance with the rules of the division.
12	NEW SECTION. Section 5. Penalty. A person who parks a
13	motor vehicle in violation of 49-4-302(2) is guilty of a
14	misdemeanor and is punishable by a fine of not less than \$10
15	or more than \$100 or by imprisonment for not more than 10
16	days.
17	NEW SECTION: Section 6. Codification instruction
18	Section 5 is intended to be codified as an integral part of
19	Title 49, chapter 4, part 3, and the provisions of Title 49,
20	chapter 4, part 3, apply to section 5.
21	NEW SECTION. Section 7. Effective date. This act is
22	effective January 1, 1984.

service-connected disability.

#### STATE OF MONTANA

SEQUEET NO	126-83
REDUEST NO.	

### FISCAL NOTE

Form BD-15

In	compliance v	with a	written	request re	ceived <u>Jan</u>	uary 17,	, 19 .	<u>83</u> ,	there is	hereby s	submitted	a Fiscal Note
for	House	Bill	232		pursuant to 'Ti	tle 5, Chapter	4, Part 2	of the	Montana	Code An	notated (	(MCA).
Ba	ckground info	ormatio	n used in	developing	g this Fiscal No	te is available f	rom the C	Office of	Budget	and Progr	am Planni	ing, to members
of	the Legislatu	re upor	reques	t								

## DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 232 broadens the privileges of special parking permitholders and allows exemptions from the limits; requires special license plates or cards to bear the wheelchair emblem; provides for expiration of permit on recovery or death of permitee; and authorizes special license plates for 100-percent disabled veterans.

#### ASSUMPTIONS:

- 1) The same number of cards will be issued as in FY 82 and no additional outlay will be necessary due to stock on hand.
- 2) The cost of a license plate die is \$150.
- 3) 500 handicap permits were issued in 1981 with no measurable increase expected in FY 84 and FY 85.

# FISCAL IMPACT:

——————————————————————————————————————	FY 84	FY 85
Operating Expenses		,
Under Current Law	\$ 0	\$ 0
Under Proposed Law	300	300
Expenditures To Motor Vehicle Earmarked	\$ <del>300</del>	\$300

FISCAL NOTE 5:G/1

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: \_\_\_\_\_\_8\_\_

48th Legislature HB 0232/02

approved by Comm. on Human Services

1	HOUSE BILL NO. 232
2	INTRODUCED BY CONNELLY, MANUEL, J. BROWN, PISTORIA
3	
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5	OF SPECIAL PARKING PERMITHOLOGRS AND ALLOWING EXEMPTIONS
6	FROM TIME LIMITS: ALLOWING PERMITS FOR TEMPORARILY
7	HANDICAPPED_PERSONS: REQUIRING SPECIAL LICENSE PLATES OR
8	CARDS TO BEAR THE WHEELCHAIR EMBLEM; PROVIDING FOR
9	EXPIRATION OF PERMIT ON RECOVERY OR DEATH OF PERMITTEE;
10	AUTHORIZING SPECIAL LICENSE PLATES FOR 100-PERCENT DISABLED
11	VETERANS; PROVIDING A PENALTY; AMENDING SECTIONS 10-2-301.
12	49-4-301: 49-4-302, 49-4-304, AND 49-4-305, MCA; AND
13	PROVIDING A DELAYED EFFECTIVE DATE.
14	
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16	SECTION 1. SECTION 49-4-301. MCA. IS AMENDED TO READ:
17	<pre>"49-4-301. Who eligible for special parking permit."</pre>
13	(1) The division of motor vehicles, department of justice,
19	shall issue a special parking permit to a person who:
20	(a) holds a valid Montana driver's license and owns a
21	motor vehicle, other than a commercial vehicle, and has a
22	permanent physical handicap that impairs his mobility when
23	not in a motor vehicle; or
24	(b) regardless of whether he holds a driver's license

or owns a motor vehicle, has a permanent physical handicap

exempt vehicles lawfully displaying parking permits issued

under this part and parked in public places along public

131 The governing body of a city town or county may

HB 0232/02

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2	such area except in areas where:
3	(a) stopping. standing. or parking of all vehicles is
4	probibited:
5	(b) only special vehicles may be parked; or
6	(c) parking is not allowed during specific periods of
7	the_day_in_order_to_accommodate_heavy_traffic."
8	Section 3. Section 49-4-304, MCA, is amended to read:
9	#49-4-304. Gord <u>Special license plate and card</u> to be
10	provided and displayed. [1] The division of motor vehicles
11	shall provide a <u>special license plate and</u> card <del>or plate that</del>
12	may $\underline{\mathbf{r}}_2$ be displayed $\underline{\mathbf{on}}_{\underline{\mathbf{or}}}$ in a motor vehicle to indicate a
13	parking privilege granted under this part. The <u>special</u>
14	license plate shall be affixed to the vehicle according to
15	61-3-301* and the card orplate shall be prominently
16	displayed in the windshield of a vehicle when the parking
17	privilege is being used <u>by the handicapped person in a</u>
18	webicle other than the one to which his special license
19	plate is affixed.
20	121 Upon application under 49-4-303. a bandicapped
21	person who does not hold a driver's license or does not own
<b>2</b> 2	avehicle_may_receive_a_card_described_in_subsection_(1)_to
23	be displayed in a vehicle in which the bandicapped person is
24	being conveyed when the parking privilege is being used.
25	(3) The special license plate and card must mach bear

1	a representation of a wheelchair as the symbol of
2	bandicapped_person."
3	Section 4. Section 49-4-305, MCA, is amended to read
4	#49-4-305. Expiration of permit. A permit expires on
5	Becomber-31-of-the-year-of-tasue
6	(1)_the death of the permittee: or
7	(2) <u>certification by a obysician that the permittee!</u>
8	obysical bandicap impairing bis mobility no longer exists.
9	Section 5. Section 10-2-301, MCA, is amended to read
10	"10-2-301. License plates to disabled veterans =
11	special inscriptions. 111 Any person who is a veteran of th
12	armed service of the United States and 100% disabled becaus
13	of an injury which has been determined by the veteran
14	administration to be service connected and who is a citize
15	and resident of the state of Montana and who is the owner o
16	a passenger automobile or of a truck up to and includin
17	three-quarter tom GVW-rated capacity shall be provided wit
18	specially inscribed license plates upon payment of a fee o
19	\$5 for such automobile or truck and upon proof of 100
20	service-connected disability.
21	(2) The motor vehicle division shall assign to eac
22	veteran_qualified_under_subsection_(11_who_applies_accordin
23	to the rules of the division a registration designation
24	hearing the letters and character "OY-" followed by a numbe
25	matching the sequence in which the designations at

HB 0232/02

1	assigned, and the division spall issue to the disabled
2	<u>veteran_two_special_license_plates_bearing_the_inscription</u>
3	assigned_to_bim.
4	(3) The special license plates may be reregistered or
5	renewed_upon_payment_of_the_fees_required_in_subsection_(1)
6	and compliance with the rules of the division."
7	<u>NEW SECTION</u> . Section 6. Penalty. A person who parks a
В	motor vehicle in violation of 49-4-302(2) is guilty of a
9	misdemeanor and is punishable by a fine of not less than \$28
10	\$25 or more than \$100 or-by-imprisonment-for-notmorethan
11	<del>18-day</del> s.
12	<u>YEM_SECTION.</u> Section 7. Codification instruction.
13	Section 5 <u>6</u> is intended to be codified as an integral part
14	of Title 49, chapter 4, part 3, and the provisions of Title
15	49, chapter 4, part 3, apply to section 5 6.
16	TEM_SECTION. Section 8. Effective date. This act is

-End-

effective January 1, 1984.

48th Legislature HB 0232/02

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2	INTRODUCED BY CONNELLY. MANUEL, J. BROWN, PISTORIA
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12	49-4-301: 49-4-302: 49-4-304: AND 49-4-305: MCA; AND
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20	(a) holds a valid Montana driver's license and owns a
21	motor vehicle, other than a commercial vehicle, and has a
<b>Z</b> 2	permanent physical handicap that impairs his mobility when
23	not in a mot <b>or v</b> ehicle; <del>or</del>
24	(b) regardless of whether he holds a driver's license
25	or owns a motor vehicle, has a permanent physical handicap

1	that impairs his driving ability and impairs his mobility
2	when not in a motor vehicle to such an extent that he needs
3	to be driven by another person to a destination <u>er or</u>
4	(c) has a temporary physical bandicap that impairs his
5	driving_ability_or_bis_mobility_wbeo_not_in_a_motor_webicle
6	to such an extent that he needs to be driven by another
7	person_to_a_destination.
8	(2) No one applicant may receive more than one
9	permit. ·
10	Section 2. Section 49-4-302, MCA, is amended to read:
11	*49-4-302. Privileges of permit-holder permitholder ==
12	exemptions from time limits. (11) The parking permit issued
13	under this part, when displayed, entitles a person to park a
14	motor vehicle in special parking spaces reserved for
15	handicapped persons whether on public property or private
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18	parking permit issued under this part and conveying a

handicapped person may be parked in a parking space on

public or private property that is clearly identified by an

official sign as being reserved for use by bandicapped

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(3) The governing body of a city, town, or county may

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23

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persons.

-2- HB 232

HB 0232/02

1	streets from any time limitation_imposed_upon_parking_ir
2	such_area_except_in_areas_where:
3	[al_stoppings_standings_or_parking_of_all_vehicles_is
4	prohibited:
5	<pre>(b)only_special_vehicles_may_be_parked: or</pre>
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7	the day in order to accommodate heavy traffic."
8	Section 3. Section 49-4-304, MCA, is amended to read:
9	#49-4-304. Gord Special license plate and card to be
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14	license plate shall be affixed to the webicle according to
15	61-3-301: and the card orplate shall be prominently
16	displayed in the windshield of a vehicle when the parking
17	privilege is being used by the handicapped person in a
16	webicle other than the one to which his special license
19	plate is affixed.
20	121 Upon application under 49-4-303 a handicapped
21	person who does not hold a driver's license or does not own
22	a webicle may receive a card described in subsection (1) to
23	be displayed in a webicle in which the bandicapped person is
24	being conveyed when the parking privilege is being used.
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-3-

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2	bandicapped_person="
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6	111_the death of the permittee: or
7	[2] certification by a physician that the permittee*
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9	Section 5. Section 10-2-301, MCA, is amended to read
LO	"10-2-301. License plates to disabled veterans $\pm$
11	special inscriptions. 111 Any person who is a veteran of th
12	armed service of the United States and 100% disabled becaus
13	of an injury which has been determined by the veteran
14	administration to be service connected and who is a citize
15	and resident of the state of Montana and who is the owner o
16	a passenger automobile or of a truck up to and includin
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HB 232

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5	renewed_upon_payment_of_the_fees_required_in_subsection_fl
6	and_compliance_with_the_rules_of_the_division.**
7	<u>NEW SECTION</u> Section 6. Penalty. A person who parks a
8	motor vehicle in violation of 49-4-302(2) is guilty of a
9	misdemeanor and is punishable by a fine of not less than #26
10	£25 or more than \$100 or-by-imprisonment-for-notmorether
11	<del>10-day</del> s.
12	YEW_SECTION: Section 7. Codification instruction.
13	Section 5 6 is intended to be codified as an integral part
14	of Title 49, chapter 4, part 3, and the provisions of Title
15	49, chapter 4, part 3, apply to section 5 6.
16	YEM_SECTION. Section 8. Effective date. This act is
17	offective January 1, 1984.

-End-

#### SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 232 be amended as follows:

- 1. Title, line 11.
  Strike: "10-2-301,"
- 2. Title, line 12.
  Strike: "49-4-302,"
- 3. Page 2, line 10. Strike: Section 2 in its entirety. renumber: subsequent sections
- 4. Page 3, line 9
  Following: "Special license plate"
  Strike: "and"
  Insert: "or"
- 5. Page 3, line 11
  Following: "special license plate"
  Strike: "and"
  Insert: "or"
- 6. Page 3, line 15
  Following: "61-3-301,"
  Strike: "and"
  Insert: "or"
- 7. Page 3, line 25
  Following: "special license plate"
  Strike: "and"
  Insert: "or"
- 8. Page 4, line 9
  Strike: Sections 5, 6, and 7 in their entirety
  renumber: subsequent section

HP 0232/03 HB 0232/03

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2	INTRODUCED BY CONNELLY, MANUEL, J. BROWN, PISTORIA
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9	EXPINATION OF PERMIT ON RECOVERY OR DEATH OF PERMITTEE;
0	AUTHORIZING SPECIAL LICENSE PLATES FOR LOO-PERCENT DISABLED
1	VETERANS: PROVIDING A PENALTY: AMENDING SECTIONS 18-2-301+
2	49-4-301: 49-4-302+ 49-4-304+ AND 49-4-305+ MCA; AND
3	PROVIDING A DELAYED EFFECTIVE DATE."
4	- PROVING A DECRICO CALCOLIA OVICE
5	SE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
	SECTION 1. SECTION 4974-301. MCa. IS AMENDED IO READ:
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7	"49-4-301. Who eligible for special parking permit.
5	(1) The division of motor vehicles, department of justice.
9	shall issue a special parking permit to a person who:
n	(+) holds a valid Montana driver's license and owns >
1	motor vehicle, other than a commercial vehicle, and has a
2	permanent physical handicap that impairs his mobility when
3	not in a motor vehicle; or
4	(a) regardless of whether he holds a driver's license
5	or owns a motor venicle, has a permanent physical handicap

48th Legislature

1	that impairs his driving ability and impairs his mobilit
2	when not in a motor vehicle to such an extent that he need
3	to be driven by another person to a destination <u>wior</u>
4	<pre>(cl_bas_a_temporary_physical_handicap_that_impairs_bi</pre>
5	driving_ability_or_bis_mobility_when_not_in_a_motor_yebicl
6	to such an extent that be needs to be driven by another
7	person to a destination.
8	(2) No one applicant may receive more than or
9	permit.*
10	Saction-2Section-49-4-382-MEA-is-amended-toread
11	#49-4-302*Privileges-of permit-holder <u>permitholder</u>
12	exemptions==from==time=limits= fil The-parking-permit-issue
13 .	under-this-party-when-displayedy-entitles-a-person-to-park-
14	motorvehicleinspecialparkingspacesreservedfo
15	handicappedpersons whather-renrabblis-property-or-privat
16	property=axailable=for=public=use*
17	f2}==No=yebiste=otber=theo=one==lewfwlty==displaying==
18	norkingampermitaminauedampeddesabbiaamportamondamporexioga
19	nandicaccedicersco-wox-ben-parked-nina-a-sparking-uscases-c
20	public mornariyotemproperty that is clearly mideatified by me
21	official:sigo:as::being::reserved::for::bas::bx::bandicopps
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23	tile==sexecoing=bod==atile=sexec==atile=sexe
24	exempt=vehicles=towfullx=disploxing=packing==packmits==issue
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HB 0232/03 HB 0232/03

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7	the=day=in=order=to=accommodete=heavy=troffic="
H	Section 2. Section 49~4~304, MCA, is amended to read:
9	*49-4-304. Eard <u>Special license plate</u> and <u>US</u> card to
10	be provided and displayed. $(1)$ The division of motor
11	vehicles shall provide a <u>special license plate and OR</u> card
12	orphatethat-may to be displayed $on_{or}$ in a motor vehicle
13	to indicate a parking privilege granted under this part. The
14	spacial license_plate_shall_be_affixed_to_the_webicle
15	according to 61=3=301. and OR the card or-plate shall be
16	prominently displayed in the windshield of a vehicle when
17	the parking privilege is being used <u>by the handicapped</u>
18	person in a vehicle other than the one to which his special
19	license_plate_is_affixed.
50	421_Upon_application_under_49=4=303:_a_bandicapped
21	person_who_does_not_bold_a_driver's_license_or_does_not_own
22	avebicle_may_receive_a_card_described_in_subsection_(1)_to
23	be_displayed_in_a_vehicle_in_which_the_handicapped_person_is
24	being_conveyed_when_the_parking_privilege_is_being_used.
25	(3) The special license plate and DR card must each

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1	bear_a_representation_of_a_wheelshair_as_the_symbol_of_a
2	bandicapped_person."
3	Section 3. Section 49-4-305. MCA, is amended to read
4	#49-4-305. Expiration of permit. A permit expires on
5	Becember-31-of-the-year-of-tasue
5	(1) the death of the permittee; or
7	121_cectification_py_a_physician_that_theoermittee1:
8	physical_handicap_impairing_bis_mobility_no_longer_exists.
9	Section-5vSection-10-2-301v-M6Ay-is-amended-toread
10	#18-2-381treenseplatestodisabledveterans
11	<u>apaciel-inacciptionav fil-Any-person-who-is-p-veteran-of-the</u>
12	ormed-service-of-the-United-States-and-100%-disabled-because
13	of-sm-injury-which-chasbeendeterminedbytheveteran
14	administrationto-be-service-connected-and-who-is-a-citize
15	and-resident-of-the-state-of-Hontona-and-who-is-the-owner-o
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17	three-quarterton-6VW-rated-capacity-shall-se-provided-with
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4tW-5667794g--5eetion-7g--6odification----instructions Section--5 \_ <u>£</u> is-intended-to-be-codified-as-sa-integral-part of-Fither-494-chapter-44-post-34-and-the-provisions-of--fithe 49y-chapter-4y-part-3y-apply-to-section 5 &w 13 14 15 71

3EM\_SECTIONs Section 4. Effective date. This act is 1.6

effective January 1, 1984. 11

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HS 232

April 11, 1983

19

# FREE CONFERENCE COMMITTEE REPORT HOUSE BILL 232 (Report No. 1, 4:00 P.M.)

Mr. Speaker:

We, your Free Conference Committee on House Bill 232, met and considered Senate Committee of the Whole amendments of March 26, 1983. We recommend as follows:

That the Senate recede from Senate Committee amendments 2, 3,

and 8;

That the House accede to Senate Committee amendments 1, and 4 through 7;

That House Bill 232 be further amended as indicated in Clerical Instructions 2 and 3; and

That this Free Conference Committee report be adopted.

#### CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)

- Strike Senate Committee of the Whole amendments 2, 3 and 8
- 2) Page 2, line 15

Following: "Ar"

Insert: ", upon the request of the private property owner, on"

3) Page 5, line 10

Strike: "<del>\$25</del>" Insert: "\$10"

FOR THE HOUSE

FOR THE SENATE

CONNELLY, CHAIR

DOZIER

WINSLOW

DEVIRSON, CIMII

GAGE

NORMAN

1	HOUSE BILL NO. 232
_	
2	INTRODUCED BY CONNELLY, MANUEL, J. BROWN, PISTORIA
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT BROADENING PRIVILEGES
5	OF SPECIAL PARKING PERMITHOLDERS AND ALLOWING EXEMPTIONS
6	FROM TIME LIMITS; ALLOWING PERMITS FOR TEMPORARILY
7	HANDICAPPED PERSONS: REQUIRING SPECIAL LICENSE PLATES OR
8	CARDS TO BEAR THE WHEELCHAIR EMBLEM; PROVIDING FOR
9	EXPIRATION OF PERMIT ON RECOVERY OR DEATH OF PERMITTEE;
10	AUTHORIZING SPECIAL LICENSE PLATES FOR 100-PERCENT DISABLED
11	VETERANS: PROVIDING A PENALTY: AMENDING SECTIONS 10-2-301.
12	10-2-301: 49-4-301: 49-4-302: 49-4-304: AND
13	49-4-305, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."
14	
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16	SECTION 1. SECTION 49-5-301. MCA. IS AMENDED TO READ:
17	#49-4-301. Who eligible for special parking permit.
18	(1) The division of motor vehicles, department of justice,
19	shall issue a special parking permit to a person who:
20	(a) holds a valid Montana driver's license and owns a
21	motor vehicle, other than a commercial vehicle, and has a
22	permanent physical handicap that impairs his mobility when
23	not in a motor vehicle; <del>or</del>
24	(b) regardless of whether he holds a driver's license
25	or owns a motor uphicle, but a normanent obviced handican

1	that impairs his driving ability and impairs his mobility
2	when not in a motor vehicle to such an extent that he needs
3	to be driven by another person to a destination $\pm c$
4	1cl_bas_a_temporary_physical_bandicap_that impairs his
5	driving ability or his mobility when not in a motor vehicle
6	to such an extent that he needs to be driven by another
7 -	person to a destination.
3	(2) No one applicant may receive more than one
9	permit• <sup>m</sup>
10	Section-2Section-49-4-302y-MCAy-is-amended-toreads
11	#49-4-302wPriviteges-of permit-holder germitholder
12	<pre>exemptions==from==time=limita= fil The-parking-permit-issued</pre>
13	under-this-party-when-displayedy-entitles-a-person-to-park-a
14	motorvehicleinspecialparkingspacesreservedfor
15	handicappedpersons whatherancoublic-property-or-private
16	property-available-for-public-use-
17	ill=No-yehicle_other_thon_poslowfully_displaying_de
18	parking==parmit==isswed==under==this==part==and==conveying=a
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23	filte:The governing-body-of-s-cityx-towny-of-sounty-may
24	exempt-yebistes-towfully-displaying-porkingpermiteissued
25	under this part and parked to public places along public

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5	fbipoly-special-yehicles-way-be-parkedt-or
6	teleperkingsisenet-ollowed-duringsspecific-periods-of
7	the-day-in-order-to-accommodate-heavy-troffic="
8	SECTION 2. SECTION 49-4-302. MCA. IS AMENDED TO READS
9	749-4-302. Privileges of permit-holder permitholder
10	exemptions from time limits. (1) The parking permit issued
11	under this part, when displayed, entitles a person to park a
12	motor vehicle in special parking spaces reserved for
13	handicapped persons whether on public property or UPON INC
14	REQUEST DE THE PRIVATE PROPERTY DANER ON private property
15	available for public use.
16	(21 No vehicle other than one lawfully displaying a
1.7	parking permit issued under this part and conveying a
18	handicapped person may be parked in a parking space on
19	public of private property that is clearly identified by an
20	official_sign_as_being_reserved_for_use_by_bandicapped
<b>21</b>	persons.
22	(3) The governing body of a city, town, or county may
23	exempt vehicles lawfully displaying parking permits issued
24	under this part and parked in public places along public
25	streets from any time limitation imposed upon parking in

-3-

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2	(a) stooping, standing, or parking of all vehicles is
3	prohibitedi
4	(b) only special vehicles may be parked: or
5	(c) parking is not allowed during specific periods of
6	the_day in_order to accommodate heavy traffic."
7	Section 3. Section 49-4-304, MCA, is amended to read
8	#49-4-304. Ford Special license plate and UR card to
9	be provided and displayed. [1] The division of motor
0	vehicles shall provide a special license plate and OR care
.1	or-plate-that-may to be displayed on or in a motor vehicle
.2	to indicate a parking privilege granted under this part. The
.3	special license plate shall be affixed to the vehicle
4	according to 61-3-301. and OR the card or-plate shall be
5	prominently displayed in the windshield of a vehicle when
.6	the parking privilege is being used by the bandicapper
7	person in a vehicle other than the one to which his special
8	license plate is affixed.
9	(21 Upon application under 49-4-303. a handicapped
0	person who does not hold a driver's license or does not own
1	avebicle_may_receive_a_card_described_in_subsection_(1)_to
2	be displayed in a yebicle in which the bandicapped person is
3	being conveyed when the parking privilege is being used.
4	(3) The special license plate and OR card must each
5	bear a representation of a wheelchair as the symbol of

•	nadarrakkan saraada
2	Section 4. Section 49-4-305, MCA, is amended to read:
3	#49-4-305. Expiration of permit. A permit expires on:
4	December-31-of-the-year-of-issue
5	(11tbe_death_of_tbe_permitteei_or
6	(2) certification by a physician that the permittee's
7	physical_handicap_impairing_his_mobility_no_longer_exists.*
3	Section-5Section-10-2-301;-MGAy-is-amended-10reads
9 .	#10-2-301ticenseplatestodisabledveterons ==
10	appoint inacriptions the Any-person-who-ts-e-veteran-of-the
11	armod-service-of-the-United-States-and-1884-disabled-becouse
12	of-nn-injury-whichhasbeendeterminedbytheveterans
13	administrationto-be-service-connected-and-who-is-a-citizen
14	- and-resident-of-the-state-of-Montana-and-who-is-the-owner-of
15	a-passenger-automobile-or-of-a-truckuptaandincluding
16	three-quarterton-64W-rated-capacity-shall-be-provided-with
17	appecially-inacribed license-plates-upon-payment-of-e-feeof
18	#5forsuchautomobileartruckand-upan-proof-af-188%
19	service-connected-disability*
20	<u> </u>
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23	henring-the.letters-ond-choracter=89-8-followed-by-a-number
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5	and:compliance with:the-rules-of-the-division="
6	NEN-SECTIONSection-Gr-PenaltyA-person-who-parks
7	a-mator-vehicle-in-violation-of-49-4-382(2)-la-guiltyofa
8	misdemeanor-a <del>nd-is-punishabie-by-a-fine-of-not-less-than-s</del> id
9	全記気 ormore-than-\$188-or-by-imprisonment-for-not-more-than
10	±8-days v
11	NEW-SECTIONsSection-7sCodifficationinstructions
12	Section5 & is-intended-to-be-codified-as-an-integral-part
13	of-Title-49y-chapter-4y-part-3y-and-the-provisions-ofTitle
14	49y-chapter-4y-part-3y-apply-to-section 5 ga
15	SECTION 5. SECTION 10-2-301. MCA. IS AMENDED TO READ:
16	#10-2-301. License plates to disabled veterans
17	special_inscriptions. (1) Any person who is a veteran of the
18	armed service of the United States and 100% disabled because
19	of an injury which has been determined by the veterans
20	administration to be service connected and who is a citizen
21	and resident of the state of Montana and who is the owner of
22	a passenger automobile or of a truck up to and including
23	three-quarter ton GVW-rated capacity shall be provided with
24	specially_inscribed license plates upon payment of a fee of
25	\$5 for such automobile or truck and upon proof of 100%

1 service-connected disability
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- 2 (21 The motor vehicle division shall assign to each 3 veteran qualified under subsection [11] who applies according to the rules of the division a registration designation bearing the letters and character "DY-" followed by a number matching the sequence in which the designations are assigned, and the division shall issue to the disabled veteran two special license plates bearing the inscription assigned to him-
- 10 131 The special license plates may be reregistered or 11 renewed upon payment of the fees required in subsection (1) 12 and compliance with the rules of the division."

MEH SECTION. Section 6. Penalty. A person who parks a motor vehicle in violation of 49-4-302(2) is quilty of a misdemeanor and is punishable by a fine of not less than \$10 \$25 \$10 or more than \$100 or by imprisonment for not more than-la-days.

NEW SECTION. Section 7. Codification instruction. Section 5 & is intended to be codified as an integral part of Title 49, chapter 4, part 3, and the provisions of Title 49, chapter 4, part 3, apply to section 5 6.

22 NEW SECTION. Section 8. Effective date. This act is 23 effective January 1, 1984.

-End-