

Senate BILL NO. 1282

INTRODUCED BY

Speech *Parlow* *John Johnson*
Luis W. Ryan *Menaker Ron*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LICENSED CHIROPRACTOR TO CERTIFY AN APPLICATION FOR A SPECIAL PARKING PERMIT FOR THE DISABLED; AND AMENDING SECTIONS 49-4-301, 49-4-303, AND 49-4-305, MCA." *Beaudry* *Wood* *Amundson* *Beck*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 49-4-301, MCA, is amended to read:

"49-4-301. Eligibility for special parking permit. (1) The department of justice shall issue a special parking permit to a person who has a disability that limits or impairs the person's mobility and who, as determined by a licensed physician or a licensed chiropractor, meets one of the following criteria:

- (a) cannot walk 200 feet without stopping to rest;
- (b) is severely limited in ability to walk because of an arthritic, neurological, or orthopedic condition;
- (c) is so severely disabled that the person cannot walk without the use of or assistance from a brace, cane, another person, prosthetic device, wheelchair, or other assistive device;
- (d) uses portable oxygen;
- (e) is restricted by lung disease to ~~such an~~ the extent that forced expiratory respiratory volume, when measured by spirometry, is less than 1 liter per second or the arterial oxygen tension is less than 60 mm/hg on room air at rest;
- (f) has impairment because of cardiovascular disease or a cardiac condition to the extent that the person's functional limitations are classified as class III or IV under standards accepted by the American heart association; or
- (g) has a disability resulting from an acute sensitivity to automobile emissions or from another disease or physical condition that limits or impairs the person's mobility and that is documented by the licensed physician or the licensed chiropractor as being comparable in severity to the other conditions listed in this subsection (1).

(2) A person who has a condition expected to improve within 6 months may be issued a temporary

1 placard for a period not to exceed 6 months but may not be issued a special license plate under
 2 61-3-332(10)(g). If the condition exists after 6 months, a new temporary placard must be issued for the
 3 time period prescribed by the applicant's physician or chiropractor, not to exceed 24 months, upon receipt
 4 of a new certification from the disabled person's physician or chiropractor that the conditions specified in
 5 subsection (1) continue to exist and are expected to continue for the time specified.

6 (3) The department of justice may issue special parking permits to an agency or business that
 7 provides transportation as a service for persons with a disability. The permits must be used only to load
 8 and unload persons with a disability in the special parking place provided for in 49-4-302. As used in this
 9 subsection, "disability" means a physical impairment that severely limits a person's ability to walk.

10 (4) Except as provided in subsection (3), an applicant may not receive more than one permit."
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12 **Section 2.** Section 49-4-303, MCA, is amended to read:

13 **"49-4-303. Applications for permit.** (1) Applications for a special parking permit may be made to
 14 the department of justice on forms provided by the department, ~~which must~~ that require sufficient
 15 information to determine eligibility for a permit. The application must be accompanied by:

16 (a) a certificate from a licensed physician or a licensed chiropractor describing the extent of the
 17 applicant's disability; and

18 (b) a fee of \$1.

19 (2) Applications ~~shall~~ must be available at the office of the county treasurer in each county and
 20 directly from the department."
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22 **Section 3.** Section 49-4-305, MCA, is amended to read:

23 **"49-4-305. Expiration of permit.** (1) Except as provided in subsection (2), a permit expires on the
 24 occurrence of either of the following:

25 (a) 3 years from the date of issuance, unless the permit was issued to a person who has a
 26 condition expected to improve within 6 months. A person may renew a permit if a licensed physician or
 27 a licensed chiropractor certifies that the person's mobility disability still exists and that one of the criteria
 28 specified in 49-4-301 continues to be met.

29 (b) certification by a licensed physician or a licensed chiropractor that the person's mobility
 30 disability no longer exists or that the criteria specified in 49-4-301 can no longer be met.

APPROVED BY COM ON PUBLIC HEALTH, WELFARE & SAFETY

1 INTRODUCTION BY *Sen. Frank* *Sen. Bill No. 282*
 2 *Sen. Farnham* *Sen. Johnson*
 3 *Sen. Ryan* *Sen. Menckhoff*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LICENSED CHIROPRACTOR TO CERTIFY AN
 5 APPLICATION FOR A SPECIAL PARKING PERMIT FOR THE DISABLED; AND AMENDING SECTIONS
 6 49-4-301, 49-4-303, AND 49-4-305, MCA." *Sen. Beaudry* *Sen. Moore* *Sen. Snygg* *Sen. Beck*

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 28 specified in 49-4-301 continues to be met.

29 (b) certification by a licensed physician or a licensed chiropractor that the person's mobility
 30 disability no longer exists or that the criteria specified in 49-4-301 can no longer be met.

- 1 (2) A permit issued before October 1, 1993, expires on:
- 2 (a) the death of the permittee; or
- 3 (b) certification by a licensed physician or a licensed chiropractor that the person's mobility
- 4 disability no longer exists or that the criteria specified in 49-4-301 can no longer be met."

5 -END-

SENATE BILL NO. 282

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LICENSED CHIROPRACTOR TO CERTIFY AN APPLICATION FOR A SPECIAL PARKING PERMIT FOR THE DISABLED; AND AMENDING SECTIONS 49-4-301, 49-4-303, AND 49-4-305, MCA."

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5 -END-

APPROVED BY
COM ON TRANSPORTATION

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Sponsor BILL NO. 1282

INTRODUCED BY Lynne Farnham John Johnson
Laurie W. Ryan & Mendelsohn
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5 -END-

1 SENATE BILL NO. 282

2 INTRODUCED BY LYNCH, PAVLOVICH, J. JOHNSON, MILLS, QUILICI, RYAN, GRADY, MENAHAN,
3 ROSE, SLITER, LAWSON, KITZENBERG, DOWELL, BOHLINGER, ELLIS, CRIPPEN, MCCARTHY,
4 BEAUDRY, MOOD, SWYSGOOD, BECK

5
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