

1 AN ACT relating to parking permits for persons with certain disabilities.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 186.042 is amended to read as follows:

- 4 (1) For the purposes of this section, "persons with disabilities which limit or impair the  
5 ability to walk" means persons who, as determined by a licensed physician:
- 6 (a) Cannot walk two hundred (200) feet or sixty-one (61) meters without stopping  
7 to rest;
  - 8 (b) Cannot walk without the use of, or assistance from, a brace, cane, crutch,  
9 another person, prosthetic device, wheelchair, or other assistant device;
  - 10 (c) Are restricted by lung disease to the extent that the person's forced respiratory  
11 and expiratory volume for one (1) second, when measured by spirometry, is  
12 less than one (1) liter, or the arterial oxygen tension is less than sixty (60)  
13 mm/hg on room air at rest;
  - 14 (d) Use portable oxygen;
  - 15 (e) Have a cardiac condition to the extent that the person's functional limitations  
16 are classified in severity as Class III or Class IV according to standards set by  
17 the American Heart Association; or
  - 18 (f) Are severely limited in their ability to walk due to an arthritic, neurological, or  
19 orthopedic condition.
- 20 (2) On the application of any person with disabilities which limit or impair the ability to  
21 walk, who has lost the use of an arm or both arms, or who is blind, the  
22 Transportation Cabinet shall issue the person with a disability an accessible parking  
23 registration plate or renewal decal designating the vehicle licensed as being owned  
24 by or leased by a person with a disability. The license plate or renewal decal may be  
25 issued for a passenger car as set forth in KRS 186.050(1), for a motorcycle as set  
26 forth in KRS 186.050(2), or for a commercial vehicle as set forth in KRS  
27 186.050(3)(a). The registration plates issued shall bear the international symbol of

1 access adopted by Rehabilitation International in 1969, reading from left to right  
2 and shall be followed by numbers or letters the cabinet finds expedient. The cabinet  
3 shall not issue the registration plates so designated to any person other than a person  
4 with a disability as described above. The fee for a disabled license plate shall be as  
5 established in KRS 186.162.

6 (3) The application for a license plate for a person with a disability shall be made on a  
7 form prepared by the Transportation Cabinet. For every person seeking this  
8 accessible parking license plate, proof of the disability shall be required by:

9 (a) The county clerk issuing the license plate ascertaining that the applicant is  
10 obviously disabled as described in this section; or

11 (b) A statement from a licensed physician, physician assistant, chiropractor, or  
12 advanced practice registered nurse that the applicant is a person with  
13 disabilities which limit or impair the ability to walk, a person who has lost the  
14 use of an arm, or any person who is blind.

15 (4) When a motor vehicle bearing plates issued to a person with a disability as  
16 prescribed in this section is being operated by or for the benefit of the person with a  
17 disability, who is in the motor vehicle when the motor vehicle is being operated, the  
18 motor vehicle may be parked for a period of two (2) hours in excess of the legal  
19 parking period permitted by local authorities, except if local ordinances or police  
20 regulations prohibit parking on a highway for the purpose of creating a fire lane; if  
21 the ordinances or police regulations provide for the accommodation of heavy traffic  
22 during morning, afternoon, or evening hours; or if the motor vehicle is parked in  
23 such a manner as to clearly be a traffic hazard.

24 (5) Registration under this section shall expire July 31.

25 ➔Section 2. KRS 189.456 is amended to read as follows:

26 (1) On the application of any person who has a severe visual, audio, or physical  
27 impairment, including partial paralysis, lower limb amputation, chronic heart

1 condition, emphysema, arthritis, rheumatism, or other debilitating condition which  
2 limits or impairs one's personal mobility or ability to walk, the county clerk in the  
3 county of the person's residence shall issue the person with a disability an accessible  
4 parking placard. In addition, any agency or organization which transports persons  
5 with a disability as a part of the service provided by that agency or organization  
6 shall receive an accessible parking placard upon application to the county clerk for  
7 each vehicle used in the transportation of persons with a disability. The accessible  
8 parking placard issued shall be a two (2) sided hanger style placard and shall on  
9 each side bear the international symbol of access adopted by Rehabilitation  
10 International in 1969, the date of expiration of the placard, a seal or other  
11 identification of the Kentucky Transportation Cabinet, and shall contain the  
12 accessible parking placard identification number and other information the  
13 Transportation Cabinet may by regulation require. The international symbol of  
14 access shall be at least three (3) inches in height, be centered on the placard and in a  
15 white color on a blue shield. Any information contained on the placard shall be  
16 written in indelible ink or inscribed in other permanent fashion so as to prevent  
17 tampering with or the changing of information contained on the placard.

18 (2) The county clerk shall issue an accessible parking placard at no charge that shall be  
19 valid for a period of two (2) years and which may be twice renewed for a period of  
20 two (2) years, without any fee being charged to the applicant. The application shall  
21 be made on a form prepared by the Transportation Cabinet. Placards shall be printed  
22 at cabinet expense and distributed to the county clerk of each county who shall keep  
23 a record of applications filed and placards issued.

24 (3) For every person seeking an accessible parking placard, proof of the disability shall  
25 be required by:

26 (a) Evidence that the individual has a license plate for a person with a disability  
27 as provided by KRS 186.041 or 186.042;

- 1 (b) The county clerk issuing the permit ascertaining that the applicant is obviously  
2 disabled; or
- 3 (c) A statement from a licensed physician, physician assistant, chiropractor, or  
4 advanced practice registered nurse that the applicant is a person whose  
5 mobility, flexibility, coordination, respiration, or perceptiveness is  
6 significantly reduced by a permanent disability to that person's arms, legs,  
7 lungs, heart, ears, or eyes.
- 8 (4) For every agency or organization seeking an accessible parking placard for a person  
9 with a disability, application for the placard shall include:
- 10 (a) Name of the agency or organization requesting use of an accessible parking  
11 placard;
- 12 (b) Number of vehicles being used in the transportation of persons with a  
13 disability; and
- 14 (c) A statement from the director of the agency or organization verifying the need  
15 for the parking placard.
- 16 (5) The accessible parking placard shall, when the vehicle is parked in a parking space  
17 identified as accessible to a person with a disability, be displayed so that it may be  
18 viewed from the front and rear of the vehicle by hanging the placard from the front  
19 windshield rear view mirror. When there is no rear view mirror, the placard shall be  
20 displayed on the dashboard.
- 21 (6) A person who has not been issued a license plate for a person with a disability under  
22 the provisions of KRS 186.041 or 186.042 may be issued a second parking placard  
23 at no charge.
- 24 (7) A person with a disability who has been issued a parking placard pursuant to this  
25 section may make application for a replacement placard by swearing in an affidavit  
26 that the original placard has been lost, stolen, or destroyed. The replacement parking  
27 placard shall be issued at no charge by the county clerk.

1 (8) The Transportation Cabinet may promulgate administrative regulations pursuant to  
2 KRS Chapter 13A to implement or administer this section.

3 ➔Section 3. KRS 189.458 is amended to read as follows:

4 (1) Upon application of any person who has a severe temporary visual, audio, or  
5 physical impairment, including partial paralysis, heart condition, emphysema,  
6 arthritis, rheumatism, or other debilitating condition which limits or impairs one's  
7 personal mobility or ability to walk as defined in KRS 186.042, the county clerk in  
8 the county of the person's residence shall issue the person with a disability a  
9 temporary accessible parking placard.

10 (2) The accessible parking placard issued shall be a two (2) sided hanger style placard  
11 and shall on each side bear the international symbol of access adopted by  
12 Rehabilitation International in 1969, the date of expiration of the placard, a seal or  
13 other identification of the Kentucky Transportation Cabinet, and shall contain the  
14 accessible parking placard identification number and other information the  
15 Transportation Cabinet may by administrative regulation require. The international  
16 symbol of access shall be at least three (3) inches in height, be centered on the  
17 placard and in a white color on a red shield.

18 (3) A temporary accessible parking placard shall be issued at no charge by the county  
19 clerk, and the placard shall be valid for a period of not more than three (3) months.

20 (4) The application shall be made on a form prepared by the Transportation Cabinet.  
21 Placards shall be printed at cabinet expense and distributed to the county clerk of  
22 each county who shall keep a record of applications filed and placards issued.

23 (5) For every person seeking a temporary accessible parking placard, proof of the  
24 disability shall be required by a statement from a licensed physician, **physician**  
25 **assistant**, chiropractor, or advanced practice registered nurse that the applicant is a  
26 person whose mobility, flexibility, coordination, respiration, or perceptiveness is  
27 significantly reduced by a temporary disability to that person's arms, legs, lungs,

- 1 heart, ears, or eyes.
- 2 (6) The temporary accessible parking placard, when the vehicle is parked in a parking  
3 space designated as accessible to and for the use of a person with a disability, shall  
4 be displayed so that it may be viewed from the front and rear of the vehicle by  
5 hanging it from the front windshield rear view mirror. When there is no rear view  
6 mirror, the placard shall be displayed on the dashboard.
- 7 (7) The Transportation Cabinet may promulgate administrative regulations pursuant to  
8 KRS Chapter 13A to implement or administer this section.