



General Assembly

February Session, 2006

Raised Bill No. 650

LCO No. 3081

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Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING DESIGNATION OF PARKING PLACES FOR WHEELCHAIR-BOUND INDIVIDUALS AND WHEELCHAIR TRANSFER SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-253a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 (a) For the purposes of this section:

4 (1) "Special license plate" means a license plate displaying the
5 international symbol of access in a size identical to that of the letters or
6 numerals on the plate and in a color that contrasts with the
7 background color of the plate;

8 (2) "Removable windshield placard" means a two-sided, hanger-
9 style placard [which] that bears on both of its sides: (A) The
10 international symbol of access in a height of three inches or more
11 centered on such placard and colored white on a blue background; (B)
12 a unique identification number; (C) a date of expiration; and (D) a
13 statement indicating that the Connecticut Department of Motor
14 Vehicles issued such placard;

15 (3) "Temporary removable windshield placard" means a placard
16 that is the same as a removable windshield placard except that the
17 international symbol of access appears on a red background;

18 (4) "Permanent wheelchair-only disabled parking space" means any
19 space, including an access aisle, marked and reserved for the parking
20 of a passenger motor vehicle displaying a parking placard indicating a
21 permanent wheelchair-only disability and designated by a
22 conspicuously posted sign bearing the international symbol of a
23 wheelchair and, if paved, by a clearly visible depiction of such symbol
24 painted in distinctive colors other than blue on the pavement of the
25 space.

26 (b) The Commissioner of Motor Vehicles shall accept applications
27 and renewal applications for special license plates and removable
28 windshield placards from (1) any person who is blind, as defined in
29 section 1-1f; (2) any person with disabilities [which] that limit or
30 impair the ability to walk, as defined in 23 CFR Part 1235.2, or render
31 the person permanently wheelchair-bound; (3) any parent or guardian
32 of any blind person or person with disabilities who is under eighteen
33 years of age at the time of application; and (4) any organization
34 [which] that meets criteria established by the commissioner and
35 [which] that certifies to the commissioner's satisfaction that the vehicle
36 for which a plate or placard is requested is primarily used to transport
37 blind persons or persons with disabilities [which] that limit or impair
38 their ability to walk or render them permanently wheelchair-bound.
39 Such applications shall be on a form prescribed by the commissioner
40 and shall include certification of disability from a licensed physician or
41 advanced practice registered nurse, licensed in accordance with the
42 provisions of chapter 378, or of blindness from an ophthalmologist or
43 an optometrist. In the case of persons with disabilities [which] that
44 limit or impair the ability to walk or render the persons permanently
45 wheelchair-bound, the application shall also include certification from
46 a licensed physician, an advanced practice registered nurse, licensed in
47 accordance with the provisions of chapter 378, or a member of the

48 handicapped driver training unit established pursuant to section
49 14-11b that the applicant meets the definition of persons with
50 disabilities [which] that limit or impair the ability to walk, as defined
51 in 23 CFR Section 1235.2, or render the persons permanently
52 wheelchair-bound. The commissioner, in said commissioner's
53 discretion, may accept the discharge papers of a disabled veteran, as
54 defined in section 14-254, in lieu of such certification. The
55 commissioner may require additional certification at the time of the
56 original application or at any time thereafter. If a person who has been
57 requested to submit additional certification fails to do so [within] by
58 the date thirty days [of] after the request, or if such additional
59 certification is deemed by the commissioner to be unfavorable to the
60 applicant, the commissioner may refuse to issue or, if already issued,
61 suspend or revoke such special license plate or removable windshield
62 placard. The fee for the issuance of a temporary removable windshield
63 placard shall be five dollars. Any person whose application has been
64 denied or whose special license plate or removable windshield placard
65 has been suspended or revoked shall be afforded an opportunity for a
66 hearing in accordance with the provisions of chapter 54.

67 (c) Any person who is eligible to obtain a special license plate
68 pursuant to subsection (b) of this section and who has a motor vehicle
69 registered in his or her name as a passenger vehicle, passenger and
70 commercial vehicle or motorcycle shall be issued, upon approval of the
71 application, number plates in accordance with the provisions of
72 subsection (a) of section 14-21b, which shall bear letters or numerals or
73 any combination thereof followed by the international access symbol.
74 The registration of any motor vehicle for which a special license plate
75 is issued shall expire and be renewed as provided in section 14-22 and
76 be subject to the fee provisions of section 14-49, as amended. Any
77 person eligible to obtain a special license plate pursuant to this section
78 who transfers the expired registration of a motor vehicle owned by
79 [him] such person and replaces [his] such person's number plate with a
80 special license plate shall be exempt from payment of any fee for such
81 transfer or replacement. Any special license plate issued pursuant to

82 this section shall be returned to the commissioner upon the subsequent
83 change of residence to another state or death of the person to whom
84 such special license plate was issued.

85 (d) Any removable windshield placard issued pursuant to this
86 section shall be displayed by hanging it from the front windshield
87 rearview mirror of the vehicle when utilizing a parking space reserved
88 for persons with disabilities. If there is no rearview mirror in such
89 vehicle, the placard shall be displayed in clear view on the dashboard
90 of such vehicle. Upon request and payment of a fee prescribed by the
91 commissioner, one additional placard shall be issued to applicants
92 who do not have special license plates.

93 (e) Vehicles displaying a special license plate or a removable
94 windshield placard issued pursuant to this section or by authorities of
95 other states or countries for the purpose of identifying vehicles
96 permitted to utilize permanent wheelchair-only disabled parking
97 spaces or parking spaces reserved for persons with disabilities [which]
98 that limit or impair their ability to walk or blind persons, shall be
99 allowed to park in an area where parking is legally permissible, for an
100 unlimited period of time without penalty, notwithstanding the period
101 of time indicated as lawful by any (1) parking meter, or (2) sign erected
102 and maintained in accordance with the provisions of chapter 249,
103 provided the operator of or a passenger in such motor vehicle is a
104 blind person or a person with disabilities. A removable windshield
105 placard shall not be displayed on any motor vehicle when such vehicle
106 is not being operated by or carrying as a passenger the blind person or
107 a person with disabilities to whom the removable windshield placard
108 was issued. Vehicles bearing a special license plate shall not utilize
109 parking spaces reserved for persons with disabilities when such
110 vehicles are not being operated by or carrying as a passenger the blind
111 person or a person with disabilities to whom such special license plate
112 was issued.

113 (f) Only those motor vehicles displaying a plate or placard issued

114 pursuant to this section shall be authorized to park in public or private
115 areas reserved for exclusive use by blind persons or persons with
116 disabilities, except that any ambulance, as defined in section 19a-175,
117 [which] that is transporting a patient may park in such area for a
118 period not to exceed fifteen minutes while assisting such patient. Any
119 motor vehicle parked in violation of the provisions of this subsection
120 for the third or subsequent time shall be subject to being towed from
121 such designated area. Such vehicle shall be impounded until payment
122 of any fines incurred is received. No person, firm or corporation
123 engaged in the business of leasing or renting motor vehicles without
124 drivers in this state may be held liable for any acts of the lessee
125 constituting a violation of the provisions of this subsection.

126 (g) Only those motor vehicles displaying a permanent wheelchair-
127 only disabled plate or placard issued pursuant to this section shall be
128 authorized to park in permanent wheelchair disabled parking spaces,
129 except that any ambulance, as defined in section 19a-175, that is
130 transporting a patient may park in such area for a period not to exceed
131 fifteen minutes while assisting such patient. Any motor vehicle parked
132 in violation of the provisions of this subsection for a third or
133 subsequent time shall be subject to being towed from such designated
134 area. Such vehicle shall be impounded until payment of any fines
135 incurred is received. No person, firm or corporation engaged in the
136 business of leasing or renting motor vehicles without drivers in this
137 state may be held liable for any acts of the lessee constituting a
138 violation of the provisions of this subsection.

139 ~~[(g)]~~ (h) The State Traffic Commission, on any state highway, or
140 local traffic authority, on any highway or street under its control, shall
141 establish parking spaces in parking areas for twenty or more cars in
142 which parking shall be prohibited to all motor vehicles except vehicles
143 displaying a special license plate or a removable windshield placard
144 issued pursuant to this section. Parking spaces in which parking shall
145 be prohibited to all motor vehicles except vehicles displaying such
146 special plate or placard shall be established in private parking areas for

147 two hundred or more cars according to the following schedule:

T1	Total Number	Number of Special
T2	Of Parking Lot Spaces	Parking Spaces Required
T3	0 - 200	Exempt
T4	201 - 1000	1.0%
T5	1001 - 2000	10 plus 0.8% of spaces
T6		over 1000
T7	2001 - 3000	18 plus 0.6% of spaces
T8		over 2000
T9	3001 - 4000	24 plus 0.4% of spaces
T10		over 3000
T11	4001 or more	28 plus 0.2% of spaces
T12		over 4000

148 All such spaces shall be designated as reserved for exclusive use by
149 handicapped persons and identified by the use of signs in accordance
150 with subsection [(h)] (i) of this section. Such parking spaces shall be
151 adjacent to curb cuts or other unobstructed methods permitting
152 sidewalk access to a blind or handicapped person and shall be fifteen
153 feet wide, including three feet of cross hatch, or be parallel to a
154 sidewalk. The provisions of this subsection shall not apply (1) in the
155 event the State Building Code imposes more stringent requirements as
156 to the size of the private parking area in which special parking spaces
157 are required or as to the number of special parking spaces required, or
158 (2) in the event a municipal ordinance imposes more stringent
159 requirements as to the size of existing private parking areas in which
160 special parking spaces are required or as to the number of special
161 parking spaces required.

162 [(h)] (i) Parking spaces designated for the handicapped on or after
163 October 1, 1979, and prior to October 1, 2004, shall be as near as

164 possible to a building entrance or walkway and shall be fifteen feet
165 wide including three feet of cross hatch, or parallel to a sidewalk on a
166 public highway. On and after October 1, 2004, parking spaces for
167 passenger motor vehicles designated for the handicapped shall be as
168 near as possible to a building entrance or walkway and shall be fifteen
169 feet wide including five feet of cross hatch. On and after October 1,
170 2004, parking spaces for passenger vans designated for the
171 handicapped shall be as near as possible to a building entrance or
172 walkway and shall be sixteen feet wide including eight feet of cross
173 hatch. Such spaces shall be designated by above grade signs with
174 white lettering against a blue background and shall bear the words
175 "handicapped parking permit required" and "violators will be fined".
176 Such sign shall also bear the international symbol of access. When such
177 a sign is replaced, repaired or erected it shall indicate the minimum
178 fine for a violation of subsection (f) of this section. Such indicator may
179 be in the form of a notice affixed to such a sign.

180 [(i)] (j) Any public parking garage or terminal, as defined in the
181 State Building Code, constructed under a building permit application
182 filed on or after October 1, 1985, and prior to October 1, 2004, shall
183 have nine feet six inches vertical clearance at a primary entrance and
184 along the route to at least two parking spaces which conform with the
185 requirements of subsection [(h)] (i) of this section and which have nine
186 feet six inches' vertical clearance unless an exemption has been granted
187 pursuant to the provisions of subsection (b) of section 29-269, as
188 amended by this act. Each public parking garage or terminal, as
189 defined in the State Building Code, constructed under a building
190 permit application filed on or after October 1, 2004, shall have eight
191 feet two inches' vertical clearance at a primary entrance and along the
192 route to at least two parking spaces for passenger vans which conform
193 with the requirements of subsection [(h)] (i) of this section and which
194 have eight feet two inches' vertical clearance unless an exemption has
195 been granted pursuant to the provisions of subsection (b) of section 29-
196 269, as amended by this act.

197 [(j)] (k) The commissioner may suspend or revoke any plate or
198 placard issued pursuant to this section when, after affording the
199 person to whom such plate or placard was issued an opportunity for a
200 hearing in accordance with chapter 54, the commissioner or his
201 representative determines that such person has used or permitted the
202 use of such plate or placard in a manner which violates the provisions
203 of this section.

204 [(k)] (l) Nothing in this section may be construed to allow a blind
205 person or a person with disabilities who is a bona fide resident of the
206 state to park in a public or private area reserved for the exclusive use
207 of handicapped persons as provided in this section if such person does
208 not display upon or within his vehicle a plate or placard issued
209 pursuant to this section.

210 [(l)] (m) Violation of any provision of this section shall be an
211 infraction, provided the fine for violation of the provisions of
212 subsection (f) of this section shall be not less than eighty-five dollars.

213 [(m)] (n) The Commissioner of Motor Vehicles shall adopt
214 regulations in accordance with the provisions of chapter 54, to carry
215 out the provisions of this chapter and to establish a uniform system for
216 the issuance, renewal and regulation of special license plates,
217 removable windshield placards and temporary removable windshield
218 placards. Such plates and placards shall be used only by persons to
219 whom such plates and placards are issued.

220 Sec. 2. Subsection (b) of section 29-269 of the general statutes is
221 repealed and the following is substituted in lieu thereof (*Effective July*
222 *1, 2006*):

223 (b) Any variation of or exemption from any provision of (1) the State
224 Building Code relating to accessibility to, and use of, buildings and
225 structures by persons with disabilities, (2) subsection [(g)] (h) of section
226 14-253a, as amended by this act, (3) section 29-273, or (4) section 29-
227 274, shall be permitted only when approved by the State Building

228 Inspector and the director of the Office of Protection and Advocacy for
229 Persons with Disabilities acting jointly. Any person, agent of the state,
230 municipality or any other political subdivision of the state may apply
231 to the State Building Inspector to vary or set aside standards
232 incorporated in the State Building Code pursuant to the provisions of
233 subsection (a) of this section. The State Building Inspector, within
234 seven days of receipt of any such application, shall forward a copy of
235 such application to said director, who shall, within thirty days of
236 receipt, review the application, and acting jointly with the State
237 Building Inspector, render a decision to accept or reject the application
238 in whole or in part. The State Building Inspector and said director may
239 approve a variation of or exemption from any such standard or
240 specification when they jointly determine that it would not be feasible
241 or would unreasonably complicate the construction, alteration or
242 repair in question. Such determination shall be in writing, shall state
243 the reasons therefor and if it sets aside any such standard or
244 specification, a copy of such determination shall be sent to said
245 director. Any person aggrieved by any such decision may appeal to the
246 Codes and Standards Committee within thirty days after such decision
247 has been rendered.

248 Sec. 3. (NEW) (*Effective October 1, 2006*) The Commissioner of Public
249 Health shall adopt regulations, in accordance with the provisions of
250 section 54 of the general statutes, establishing minimum safety
251 standards for restraining an individual in a wheelchair while
252 transferring such individual (1) from the ground into an ambulance or
253 motor vehicle in livery service, and (2) from an ambulance or motor
254 vehicle in livery service to the ground. For purposes of this section,
255 "motor vehicle in livery service" has the same meaning as provided in
256 section 13b-101 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	14-253a
Sec. 2	<i>July 1, 2006</i>	29-269(b)

Sec. 3	October 1, 2006	New section
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Statement of Purpose:

To authorize the designation of parking places for wheelchair-bound individuals and to require the establishment of minimum safety standards for transporting wheelchair-bound individuals.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]