

Senate Bill 481

By: Senators Hill of the 4th and Thomas of the 10th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Part 2 of Article 10 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, known as the "Parking Law for Persons with Disabilities," so as to redefine certain terms; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 10 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, known as the "Parking Law for Persons with Disabilities," is amended by striking Code Section 40-6-221, relating to definitions, and inserting in its place the following:

"40-6-221.

As used in this part, the term:

(1) 'Counterfeit' means any copy of any kind of parking permit for persons with disabilities which is not authorized by and does not carry the official seal of the Department of Motor Vehicle Safety.

(2) 'Institution' means an institution for which a permit or conditional permit may be issued under Article 1 of Chapter 7 of Title 31.

(3) 'Parking place for persons with disabilities' means any area on public or private property which has been designated as reserved for use of persons with disabilities as follows:

(A) By a blue metal reflective sign which is at least 12 inches in width and 18 inches in length and is erected at a height of seven feet from the bottom of the sign to its ground surface and in such manner that it will not be obscured by a vehicle parked in the space and bearing the following words: 'Permit Parking Only,' 'Tow-Away Zone,' and the international symbol for accessibility. The warnings required in this subparagraph shall be centered on the sign, printed in white, and shall occupy not less than 75 percent of the surface area of the sign. The sign required by this subparagraph shall be the official authorized sign for parking place designations for persons with

disabilities in this state. In addition, parking spaces which are required by Code Section 30-3-6 shall be designated as 'For Disabled Persons With Ambulatory Assistive Devices Only'; or

(B) Where the parking place is on private property, is constructed solely from concrete, was used by the public or finished prior to July 1, 1987, and which is designated by having imprinted and maintained in reflective paint upon each such place the words 'Tow-Away Zone' or 'Parking Only for Persons with Disabilities' or the universal symbol of accessibility, that designation shall be deemed to meet the requirements of subparagraph (A) of this paragraph until such time as that concrete lot is renovated, repaired, or remodeled, at which time a sign shall be erected which shall comply with the requirements of subparagraph (A) of this paragraph.

(4) 'Permanently disabled person' means a person with disabilities whose disability or incapacity can be expected to last for more than 180 days.

(5) 'Person with disabilities' means a person who:

(A) Is so ambulatorily disabled that he or she cannot walk 200 feet without stopping to rest;

(B) Cannot walk without the use of or assistance from a brace, a cane, a crutch, another person, a prosthetic device, a wheelchair, or other assistive device;

(C) Is restricted by lung disease to such an extent that his or her forced respiratory volume for one second, when measured by spirometry, is less than one liter, or when at rest, his or her arterial oxygen tension is less than 60 millimeters of mercury on room air;

(D) Uses portable oxygen;

(E) Has a cardiac condition to the extent that his or her functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; ~~or~~

(F) Is severely limited in his or her ability to walk due to an arthritic, neurological, or orthopedic condition or complications due to pregnancy; or

(G) Has systemic lupus or any other condition which results in a severe adverse reaction caused by brief periods of exposure to sunlight.

(5.1) 'Practitioner of the healing arts' means a person holding a license to practice medicine, podiatric medicine, or chiropractic issued pursuant to Article 2 of Chapter 34 of Title 43, Chapter 35 of Title 43, or Chapter 9 of Title 43, respectively.

(6) 'Ramp' shall mean, in addition to any other specified meanings:

(A) Any ramp or curb ramp as defined in ANSI A117.1-1986 by Chapter 3 of Title 30; and

1 (B) Any vehicle mounted lift used by handicapped persons for the purpose of access
2 to and from the vehicle upon which it is mounted.

3 (7) 'Temporarily disabled person' means a person with disabilities whose disability or
4 incapacity can be expected to last for not more than 180 days and shall include, but not
5 be limited to, any woman who is pregnant and who presents a sworn affidavit of a
6 medical doctor attesting to a medical need for access to parking for persons with
7 disabilities."

8 **SECTION 2.**

9 All laws and parts of laws in conflict with this Act are repealed.