

House Bill 961 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Sims of the 169<sup>th</sup>, Lewis of the 15<sup>th</sup>, and Forster of the 3rd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so  
2 as to change certain provisions relating to special parking permits and license plates for  
3 persons with disabilities; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended  
7 in Code Section 40-2-74.1, relating to special parking permits for persons with disabilities,  
8 by revising subsections (a), (b), and (c) as follows:

9 "(a) The department shall issue parking permits for persons with disabilities and may  
10 delegate to county tag agents the responsibility for issuance of such permits to residents of  
11 the county served by the tag agent. The department shall receive applications for and issue  
12 parking permits by mail to persons with disabilities upon presentation of an affidavit of a  
13 ~~practitioner of the healing arts~~ licensed doctor of medicine, licensed doctor of osteopathic  
14 medicine, licensed doctor of podiatric medicine, or licensed optometrist stating that such  
15 person is a disabled person, the specific disability that limits or impairs the person's ability  
16 to walk, and that he or she is a person with disabilities as specified in paragraph (5) of Code  
17 Section 40-6-221. Permits shall be in such form as the department prescribes but shall be  
18 of sufficient size and sufficiently distinctively marked to be easily visible when placed on  
19 or affixed to the driver's side of the dashboard or hung from the rearview mirror of the  
20 parked vehicle. Permits shall be made of plastic or heavyweight cardboard and shall be of  
21 sufficient quality to ensure that the coloring of the permit and the ink used thereon will  
22 resist fading for a period of at least four years. The front and back surfaces of the permit  
23 shall be laminated to prevent alteration of the information printed underneath on the permit.  
24 Permits shall be issued to individuals, and the name of the individual and an identification  
25 number shall appear on the permit. The individual to whom a permit is issued may use the  
26 permit for any vehicle he or she is operating or in which he or she is a passenger. Permits

1 shall also be issued to institutions when the primary purpose of a vehicle operated by the  
 2 institution is to transport individuals with disabilities. The name of the institution, the  
 3 license number of the particular vehicle, and an identification number shall appear on the  
 4 permit. The institution shall use such permit only for a vehicle which is operated by the  
 5 institution and which is used primarily to transport individuals with disabilities.

6 (b) The department shall issue a temporary permit to any temporarily disabled person upon  
 7 presentation of an affidavit of a ~~practitioner of the healing arts~~ licensed doctor of medicine,  
 8 licensed doctor of osteopathic medicine, licensed doctor of podiatric medicine, or licensed  
 9 optometrist stating that such person is a temporarily disabled person, the specific disability  
 10 that limits or impairs the person's ability to walk, that he or she is a person with disabilities  
 11 as specified in paragraph (5) of Code Section 40-6-221, and a date until which such person  
 12 is likely to remain disabled. The temporary permit shall ~~be predominantly red in color~~ vary  
 13 in color from one period to the next renewal period and shall show prominently on its face  
 14 an expiration date the same as the date specified by ~~the physician~~ such doctor for the likely  
 15 termination of the disability, which date shall not be more than 180 days after the date the  
 16 permit is issued. The expiration date shall be machine printed, not handwritten, in a  
 17 boldface type of sufficient size of print that is to be legible when the permit is displayed  
 18 on the driver's side of the dashboard or hung from the rearview mirror. (c) The department  
 19 shall issue a permanent permit to any permanently disabled person upon presentation of an  
 20 affidavit of a ~~practitioner of the healing arts~~ licensed doctor of medicine, licensed doctor  
 21 of osteopathic medicine, licensed doctor of podiatric medicine, or licensed optometrist  
 22 stating that such person is a permanently disabled person. The affidavit shall further state  
 23 the specific disability that limits or impairs the person's ability to walk or that he or she is  
 24 a person with disabilities as specified in ~~subparagraph (G)~~ of paragraph (5) of Code Section  
 25 40-6-221. The department shall also issue a permanent permit to an institution which  
 26 operates vehicles used primarily for the transportation of individuals with disabilities upon  
 27 presentation of a certification from the institution regarding use of its vehicles. The  
 28 institution shall receive permits only for the number of vehicles so used and shall affix the  
 29 permits to the driver's side of the dashboards of such vehicles. The permanent permit shall  
 30 be predominantly blue in color and shall show prominently on its face an expiration date  
 31 four years from the date it is issued. The expiration date shall be machine printed, not  
 32 handwritten, in a boldface type of sufficient size of print that is to be legible when the  
 33 permit is displayed on the driver's side of the dashboard or hung from the rearview mirror."

**SECTION 2.**

Said title is further amended in said Code Section 40-2-74.1 by adding a new subsection to read as follows:

"(h) For purposes of this Code section, an active duty military physician shall be entitled to submit an affidavit in support of the application of active duty or retired military personnel for parking permits for persons with disabilities whether or not such physician is licensed to practice in Georgia. Such affidavit shall state that the applicant is in active military service and is stationed in Georgia pursuant to military orders or is retired from the military and is a resident of Georgia and that such person is a disabled person, the specific disability that limits or impairs the person's ability to walk, and that he or she is a person with disabilities as specified in paragraph (5) of Code Section 40-6-221."

**SECTION 3.**

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