

Senate Bill 297 - Prefile

By: Senator Seay of the 34th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-2-74 of the Official Code of Georgia Annotated, relating to
2 special license plates for persons with disabilities, so as to require submission of an updated
3 affidavit by a practitioner of the healing arts; to amend Code Section 40-2-74.1 of the
4 Official Code of Georgia Annotated, relating to special parking permits for persons with
5 disabilities, so as to require submission of an updated affidavit by a practitioner of the
6 healing arts; to amend Code Section 40-6-226 of the Official Code of Georgia Annotated,
7 relating to offenses and penalties for violation of certain provisions relating to parking for
8 persons with disabilities, so as to provide for a definition; to provide for an effective date and
9 applicability; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 40-2-74 of the Official Code of Georgia Annotated, relating to special license
13 plates for persons with disabilities, is amended by adding a new subsection as follows:

14 "(b.1) A submission of proof of disability by affidavit, as required in subsections (a) and
15 (a.1) of this Code section, shall be valid for five years. Following the expiration of the
16 affidavit, a specially designated disabled person's metal license plate shall only be renewed
17 or replaced upon the submission of a new updated affidavit of a practitioner of the healing
18 arts stating that the person continues to be a person with disabilities as defined in Code
19 Section 40-6-221. A revalidation decal shall not be issued for a specially designated
20 disabled person's metal license plate unless such person has complied with the
21 requirements of this subsection by submitting a valid affidavit to the department."

22 **SECTION 2.**

23 Code Section 40-2-74.1 of the Official Code of Georgia Annotated, relating to special
24 parking permits for persons with disabilities, is amended by revising subsection (c) as
25 follows:

26 "(c) The department shall issue a permanent permit to any permanently disabled person
 27 upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of
 28 osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or
 29 licensed chiropractor stating that such person is a permanently disabled person. The
 30 affidavit shall further state the specific disability that limits or impairs the person's ability
 31 to walk or that he or she is a person with disabilities as specified in paragraph (5) of Code
 32 Section 40-6-221. The department shall also issue a permanent permit to an institution
 33 which operates vehicles used primarily for the transportation of individuals with disabilities
 34 upon presentation of a certification from the institution regarding use of its vehicles. The
 35 institution shall receive permits only for the number of vehicles so used and shall affix the
 36 permits to the driver's side of the dashboards of such vehicles. The permanent permit shall
 37 be predominantly blue in color and shall show prominently on its face an expiration date
 38 four years from the date it is issued. The expiration date shall be machine printed, not
 39 handwritten, in boldface type of sufficient size to be legible when the permit is displayed
 40 on the driver's side of the dashboard or hung from the rearview mirror. A permanent
 41 permit issued pursuant to this subsection shall not be renewed following the expiration date
 42 of such permit without submission of a new updated affidavit of a practitioner of the
 43 healing arts stating that the person continues to be a person with disabilities as defined in
 44 Code Section 40-6-221. A permanent permit to an institution shall be renewed following
 45 the expiration date only upon presentation of an updated certification from the institution
 46 regarding use of its vehicles."

47 **SECTION 3.**

48 Code Section 40-6-226 of the Official Code of Georgia Annotated, relating to offenses and
 49 penalties for violation of certain provisions relating to parking for persons with disabilities,
 50 is amended by redesignating subsections (a) through (h) as subsections (b) through (k) and
 51 adding a new subsection (a) as follows:

52 "(a) For purposes of this Code section, the term 'displayed' shall mean that the expiration
 53 date of a parking permit is clearly visible from the vehicle's front windshield."

54 **SECTION 4.**

55 This Act shall become effective on July 1, 2010, and shall apply to offenses committed on
 56 or after such date.

57 **SECTION 5.**

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