

House Bill 614

By: Representative Marin of the 96<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to prestige license plates and plates for certain persons and vehicles, so as to provide  
3 for special parking permits issued to persons with disabilities to include the name and a  
4 recent photograph of the person issued the permit; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
9 prestige license plates and plates for certain persons and vehicles, is amended by revising  
10 Code Section 40-2-74.1, relating to temporary, permanent, and special permanent parking  
11 permits for persons with disabilities, as follows:

12 "40-2-74.1.

13 (a) The department shall issue parking permits for persons with disabilities and may  
14 delegate to county tag agents the responsibility for issuance of such permits to residents of  
15 the county served by the tag agent. The department shall receive applications for and issue  
16 parking permits by mail to persons with disabilities upon presentation of an affidavit of a

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17 licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of  
18 podiatric medicine, licensed optometrist, or licensed chiropractor stating that such person  
19 is a disabled person, the specific disability that limits or impairs the person's ability to walk,  
20 and that he or she is a person with disabilities as specified in paragraph (5) of Code  
21 Section 40-6-221. Permits shall be in such form as the department prescribes but shall be  
22 of sufficient size and sufficiently distinctively marked to be easily visible when placed on  
23 or affixed to the driver's side of the dashboard or hung from the rearview mirror of the  
24 parked vehicle. Permits shall be made of a substrate as determined by the commissioner  
25 and shall be of sufficient quality to ensure that the coloring of the permit and the ink used  
26 thereon will resist fading for a period of at least four years. Permits shall be issued to  
27 individuals, and the name of the individual, a recent photograph of such individual, and an  
28 identification number shall appear on the permit. The individual to whom a permit is  
29 issued may use the permit for any vehicle he or she is operating or in which he or she is a  
30 passenger. Permits shall also be issued to institutions when the primary purpose of a  
31 vehicle operated by the institution is to transport individuals with disabilities. The name  
32 of the institution, the license number of the particular vehicle, and an identification number  
33 shall appear on the permit. The institution shall use such permit only for a vehicle which  
34 is operated by the institution and which is used primarily to transport individuals with  
35 disabilities.

36 (b) The department shall issue a temporary permit to any temporarily disabled person upon  
37 presentation of an affidavit of a licensed doctor of medicine, licensed doctor of osteopathic  
38 medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed  
39 chiropractor stating that such person is a temporarily disabled person, the specific disability  
40 that limits or impairs the person's ability to walk, that he or she is a person with disabilities  
41 as specified in paragraph (5) of Code Section 40-6-221, and a date until which such person  
42 is likely to remain disabled. The temporary permit shall show prominently on its face the  
43 name and a recent photograph of the person issued such temporary permit and an

44 expiration date the same as the date specified by such doctor for the likely termination of  
45 the disability, which date shall not be more than 180 days after the date the permit is issued.  
46 The expiration date shall be printed with permanent ink and in boldface type of sufficient  
47 size to be legible when the permit is displayed on the driver's side of the dashboard or hung  
48 from the rearview mirror.

49 (c) The department shall issue a permanent permit to any permanently disabled person  
50 upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of  
51 osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or  
52 licensed chiropractor stating that such person is a permanently disabled person. The  
53 affidavit shall further state the specific disability that limits or impairs the person's ability  
54 to walk or that he or she is a person with disabilities as specified in paragraph (5) of Code  
55 Section 40-6-221. Permits issued to a permanently disabled person shall include the name  
56 and a recent photograph of the person to whom such permit was issued. The department  
57 shall also issue a permanent permit to an institution which operates vehicles used primarily  
58 for the transportation of individuals with disabilities upon presentation of a certification  
59 from the institution regarding use of its vehicles. The institution shall receive permits only  
60 for the number of vehicles so used and shall affix the permits to the driver's side of the  
61 dashboards of such vehicles. The permanent permit shall be predominantly blue in color  
62 and shall show prominently on its face an expiration date four years from the date it is  
63 issued. The expiration date shall be machine printed, not handwritten, in boldface type of  
64 sufficient size to be legible when the permit is displayed on the driver's side of the  
65 dashboard or hung from the rearview mirror.

66 (d) Any individual to whom a specially designated disabled veteran's license plate has  
67 been issued pursuant to Code Sections 40-2-69 through 40-2-72 and any individual to  
68 whom a specially designated disabled person's license plate has been issued pursuant to  
69 Code Section 40-2-74 shall be authorized to park the passenger motor vehicle on which the  
70 specially designated license plate is attached in a parking place for persons with disabilities

71 without the necessity of obtaining a parking permit for persons with disabilities pursuant  
72 to this Code section.

73 (e) The department shall issue a special permanent permit to any person who:

74 (1) Because of a physical disability drives a motor vehicle which has been equipped with  
75 hand controls for the operation of the vehicle's brakes and accelerator; or

76 (2) Is physically disabled due to the loss of, or loss of use of, both upper extremities.

77 This special permanent permit shall be gold in color, include the name and a recent  
78 photograph of the person issued such permit, and shall show prominently on its face an  
79 expiration date four years from the date it is issued. The expiration date shall be printed  
80 in a size of print that is legible when the permit is displayed on the driver's side of the  
81 dashboard or hung from the rearview mirror. Such a special permit shall be used in the  
82 same manner as, and shall be subject to the provisions of this Code section relating to,  
83 other permanent parking permits for persons with disabilities and shall also be used as  
84 provided in Code Section 10-1-164.1. In addition to any other required printing, the  
85 following shall be printed upon this special gold permit:

86 'Code Section 10-1-164.1 of the Official Code of Georgia Annotated requires that any  
87 owner or operator of a gasoline station that sells full-service gasoline at one price and  
88 self-service at a lower price shall provide the service of dispensing gasoline at the  
89 self-service price for the holder of this special permit when such holder requests such  
90 service and is the operator of the vehicle and is not accompanied by another person 16  
91 years of age or older who is not mobility impaired or blind.'

92 (f) The department and county tag agents shall not charge or collect any fee for issuing  
93 parking permits for persons with disabilities under this Code section.

94 (g) Any special disabled person decal issued under the former provisions of this Code  
95 section shall be valid until its expiration date but shall not be reissued.

96 (h) For purposes of this Code section, an active duty military physician shall be entitled  
97 to submit an affidavit in support of the application of active duty or retired military

98 personnel for parking permits for persons with disabilities whether or not such physician  
99 is licensed to practice in Georgia. Such affidavit shall state that the applicant is in active  
100 military service and is stationed in Georgia pursuant to military orders or is retired from  
101 the military and is a resident of Georgia and that such person is a disabled person, the  
102 specific disability that limits or impairs the person's ability to walk, and that he or she is  
103 a person with disabilities as specified in paragraph (5) of Code Section 40-6-221.

104 (i) For purposes of this Code section, the department shall accept, in lieu of an affidavit,  
105 a signed and dated statement from the doctor which includes the same information as  
106 required in an affidavit written upon security paper as defined in paragraph (38.5) of Code  
107 Section 26-4-5."

108 **SECTION 2.**

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