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SENATE BILL 172

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Mark Boitano

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING PARKING PLACARDS FOR
PREGNANT WOMEN; CLARIFYING THE USE OF DISABLED PERSONS PARKING
PLACARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-16 NMSA 1978 (being Laws 1978,
Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. SPECIAL REGISTRATION PLATES--DISABLED PERSONS--
SEVERE MOBILITY IMPAIRMENT--PREGNANCY--PARKING PLACARD.--

A. The [~~division~~] department shall issue a
distinctive registration [~~plates to any~~] plate to a disabled
person who so requests and who proves satisfactorily to the
[~~division~~] department that [~~he~~] the person has suffered the
loss, or the complete and total loss of use of, one or both
legs at or above the ankle or of one or both arms at or above

underscored material = new
[bracketed material] = delete

1 the wrist for use on motor vehicles owned by the person. The
2 distinctive registration plate shall allow the disabled person
3 meeting the requirements of this subsection to park the
4 person's motor vehicle in designated disabled person parking
5 spaces. No fee in addition to the regular registration fee, if
6 any, applicable to the motor vehicle shall be collected for
7 issuance of a special registration [plates] plate pursuant to
8 this section.

9 B. No person shall falsely [~~represent himself~~]
10 claim to be disabled or suffer from a severe mobility
11 impairment as defined in Subsection H of this section so as to
12 be eligible to be issued a special registration plate or a
13 parking placard pursuant to this section when [~~he~~] the person
14 is in fact not disabled or does not suffer from a severe
15 mobility impairment. Upon notice and opportunity to be heard,
16 the [~~division~~] department may revoke and demand return of [~~any~~]
17 a special registration plate or parking placard when:

18 (1) it was issued in error or with false
19 information;

20 (2) the person receiving [~~the placard~~] it is
21 no longer eligible; or

22 (3) [~~the placard~~] it is being used by
23 ineligible persons.

24 C. Upon written application to the [~~division~~]
25 department accompanied by a medical statement by a licensed

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1 physician attesting to the permanent [~~disability~~] severe
2 mobility impairment, a resident of the state who has a
3 [~~disability that limits or impairs the ability to walk, as~~
4 ~~provided~~] permanent severe mobility impairment as defined in
5 Subsection [G] H of this section, may [~~apply for and be granted~~
6 ~~the issuance of~~] be issued no more than two parking placards,
7 which allow the resident to park in designated disabled person
8 parking spaces, for display upon a motor vehicle registered to
9 [~~him~~] the resident or motor vehicle owned by another person who
10 is transporting [~~him~~] the resident. The physician shall
11 provide the [~~division~~] department all information and records
12 necessary to issue a [~~permanent~~] parking placard. Once
13 approved for use of a [~~permanent~~] parking placard pursuant to
14 this subsection, a person shall not be required to furnish
15 further medical information about [~~his~~] the person's severe
16 mobility impairment.

17 D. A parking placard issued pursuant to Subsection
18 C of this section shall expire on the same date the person's
19 license or identification card issued pursuant to Section
20 66-5-401 NMSA 1978 expires.

21 E. The [~~division~~] department shall issue two-sided
22 hanger-style parking placards with the following
23 characteristics:

24 (1) the international symbol of access shall
25 be displayed on both sides of the placard and shall be at least

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1 three inches in height, centered on the placard and white on a
2 blue field;

3 (2) an identification number enabling the
4 ~~[division]~~ department to identify the holder of each placard.
5 The ~~[division]~~ department shall maintain this information in a
6 readily retrievable format, provide it to the governor's
7 ~~[committee on concerns of the handicapped]~~ commission on
8 disability and make it available on demand to any law
9 enforcement agency just as it provides vehicle registration and
10 driver's license information;

11 (3) the date of expiration; and

12 (4) the ~~[division]~~ department seal or other
13 identification of the issuing authority.

14 F. Upon written application to the ~~[division]~~
15 department accompanied by a medical statement from a licensed
16 physician attesting to [~~a~~] the temporary ~~[disability]~~ severe
17 mobility impairment, a person who has a temporary ~~[disability~~
18 ~~that limits or impairs the ability to walk may be issued a~~
19 ~~temporary placard]~~ severe mobility impairment as defined in
20 Subsection H of this section may be issued a parking placard
21 that allows the person to park in designated disabled person
22 parking spaces for no more than one year. The physician shall
23 provide ~~[the division]~~ to the department all information and
24 records necessary to issue a ~~[temporary]~~ parking placard.

25 G. Upon written application to the department

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1 accompanied by a medical statement from a licensed physician
2 attesting to the pregnancy, a pregnant woman may be issued a
3 parking placard that shall allow her to park in designated
4 disabled person parking spaces for no more than one year.

5 ~~[G. For the purpose of obtaining a placard, a~~
6 ~~person with a]~~

7 H. As used in this section, "severe mobility
8 impairment" means the person:

9 (1) cannot walk one hundred feet without
10 stopping to rest;

11 (2) cannot walk without the use of a brace, a
12 cane, a crutch, assistance from another person, a prosthetic
13 device, a wheelchair or another assistive device;

14 (3) is restricted by lung disease to such an
15 extent that the person's forced respiratory volume, when
16 exhaling for one second, when measured by spirometry, is less
17 than one liter or the arterial oxygen tension is less than
18 sixty millimeters on room air at rest;

19 (4) uses portable oxygen;

20 (5) has a severe cardiac condition; or

21 (6) is so severely limited in [~~his~~] the
22 ability to walk due to an arthritic, neurologic or orthopedic
23 condition that the person cannot ascend or descend more than
24 ten stair steps.

25 [~~H.~~] I. Special registration plates or parking

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1 placards issued to a [~~person~~] disabled person or a person with
2 severe mobility impairment by another state or foreign
3 jurisdiction shall be honored until the disabled person's
4 vehicle is registered or the placard holder establishes
5 residency in this state.

6 [~~F.~~] J. All parking placards issued on or after
7 July 1, 1999 shall be issued in accordance with the provisions
8 of this section."

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