

HOUSE BILL No. 2635

By Committee on Transportation

1-18

9 AN ACT relating to motor vehicles; allowing certain eligible persons to
10 park in accessible parking spaces.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) As used in this section “eligible person” means any
14 person who meets the definition of “person with a disability” under K.S.A.
15 8-1,124, and amendments thereto, but who has not made application for
16 a placard or license plate under K.S.A. 8-1,124 through 8-1,131, and
17 amendments thereto, or any person who is 75 years of age or older.

18 (b) Any Kansas resident who submits satisfactory proof to the director
19 of vehicles, on a form provided by the director, that such person is re-
20 sponsible for the transportation of an eligible person or persons shall be
21 issued a permanent or temporary placard for any motor vehicle owned
22 by such applicant, allowing such motor vehicle to be parked in an acces-
23 sible parking space. Authorized parking under this subsection shall only
24 be for a sufficient period of time to allow the eligible person or persons
25 to exit the motor vehicle or to enter the motor vehicle. The placard shall
26 be suspended immediately below the rear view mirror of any motor ve-
27 hicle used for the transportation of an eligible person or persons to be
28 maximally visible from outside the motor vehicle.

29 (c) Any placard issued under this subsection shall be distinguishable
30 from placards issued under K.S.A. 8-1,125 through 8-1,132, and amend-
31 ments thereto, and such placards shall not display the international sym-
32 bol of access to the physically disabled.

33 (d) Placards issued pursuant to this section shall be issued for such
34 period of time as the person to who issued continues to be a person
35 responsible for the transportation of an eligible person, except that an-
36 nually the secretary of revenue shall make a determination of continued
37 eligibility for such placards. Placards shall be returned to the department
38 of revenue upon the expiration of the placard. Failure to return such
39 placards shall be an unclassified misdemeanor punishable by a fine of not
40 more than \$50.

41 (e) Any person who willfully and falsely represents that such person
42 has the qualifications to obtain a permanent placard or temporary placard
43 pursuant to this section shall be guilty of a class C misdemeanor.

- 1 (f) (1) Any person who has in such person's possession any placard
2 issued under this subsection which has expired or has been revoked or
3 suspended by the secretary of revenue pursuant to subsection (d) of
4 K.S.A. 8-1,125, and amendments thereto, or subsection (g) shall be guilty
5 of an unclassified misdemeanor punishable by a fine of not less than \$100
6 nor more than \$300.
- 7 (2) Any person who utilizes any placard issued under this section
8 which was issued to another person, an agency or a business, to park in
9 any accessible parking space shall be guilty of an unclassified misde-
10 meanor punishable by a fine of not less than \$100 nor more than \$300.
- 11 (g) (1) The secretary of revenue shall revoke, in accordance with
12 rules and regulations adopted pursuant to paragraph (3), any placards
13 issued under this section of any person who is convicted under the pro-
14 visions of subsections (e).
- 15 (2) The secretary of revenue shall suspend or revoke, in accordance
16 with rules and regulations adopted pursuant to paragraph (3), a placard
17 issued under this section, when the person, agency or business to which
18 a placard is issued, authorizes the use of such placard or the use of a
19 vehicle displaying such placard to a person not authorized by law to use
20 such placard and such unauthorized person is convicted under subsection
21 (f)(2).
- 22 (3) The secretary of revenue shall adopt rules and regulations pre-
23 scribing procedures for the reissuance, suspension and revocation of ac-
24 cessible parking privileges under this section, including the issuance or
25 orders to return placards, notification of law enforcement agencies and
26 personnel with regard to the validity or invalidity of any placards and
27 revocation of placards.
- 28 Sec. 2. This act shall take effect and be in force from and after its
29 publication in the statute book.