

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 952

H.P. 655

House of Representatives, March 10, 2009

### **An Act To Authorize Issuance of Permanent Disability Plates and Placards**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CRAFTS of Lisbon.  
Cosponsored by Representatives: AYOTTE of Caswell, HAMPER of Oxford, PETERSON of  
Rumford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §521, sub-§3, ¶B**, as amended by PL 1995, c. 645, Pt. A,  
3 §4, is further amended to read:

4 B. The placard must be blue with white print and contain the International Symbol  
5 of Access, at least 3 inches high, centered on the placard. The placard must contain  
6 the permit number, the expiration date and the seal of the Secretary of State, except  
7 that if an individual is determined to be permanently disabled under subsection 5,  
8 then the placard must indicate by sticker that the placard is permanent. In the case of  
9 an organization or agency, the placard must be green with white print and contain the  
10 same information, except that the name of the organization must appear along with  
11 the expiration date that must be determined by the Secretary of State. A placard  
12 issued to a person with a disability under this section expires in the applicant's month  
13 of birth in the 4th year following the date of issuance.

14 **Sec. 2. 29-A MRSA §521, sub-§5**, as amended by PL 2007, c. 703, §13, is  
15 further amended to read:

16 **5. Application; issuance.** An application for a disability plate or placard must be  
17 accompanied by the certificate of a physician, physician assistant, nurse practitioner or  
18 registered nurse attesting to that person's physical disability as defined in subsection 1.  
19 The Secretary of State shall issue to an eligible applicant disability plates and windshield  
20 placards upon request. Proof of a disability must be submitted every 4 years on a form  
21 prescribed by the Secretary of State, ~~except, when the Secretary of State determines the~~  
22 ~~disability to be permanent, the time may be extended upon a determination of permanent~~  
23 disability status by a qualified physician, the Secretary of State shall issue permanent  
24 plates or windshield placards. When the applicant's need for the disability placard  
25 terminates or the applicant dies, the plate or placard must be immediately returned to the  
26 Secretary of State.

27 **Sec. 3. 29-A MRSA §521, sub-§11**, as amended by PL 2001, c. 77, §1, is further  
28 amended to read:

29 **11. Violation.** A person other than a person with a disability or an organization  
30 transporting a person with a disability using a set of disability registration plates or a  
31 windshield placard commits a traffic infraction and is subject to a penalty of not less than  
32 \$100 nor more than \$500. The disability registration plates or removable windshield  
33 placard may be suspended for improper use. A 2nd or subsequent violation of this  
34 subsection is a Class E crime for which the fine under this subsection may be doubled.

35 **SUMMARY**

36 This bill allows a permanently disabled person to submit proof of the permanent  
37 disability once instead of the current requirement of having to submit a new form every 4  
38 years. It also makes a 2nd or subsequent violation of the law against misusing a disability  
39 plate or placard a Class E crime, with the potential for doubled fines.