

Disabled parking draft bill changes; UNDERLINING INDICATES PROPOSED NEW LANGUAGE

P6, L 20-23;

20 (III) THE DEPARTMENT MAY ISSUE ~~TWO~~ ONE IDENTIFYING PLATES, ~~TWO~~ OR ONE

21 IDENTIFYING PLACARDS, ~~OR ONE PLATE AND ONE PLACARD~~ TO EACH
22 PARENT OR GUARDIAN OF A CHILD WITH A DISABILITY WHO IS UNDER
23 SIXTEEN YEARS OF THE AGE, NOT TO EXCEED A TOTAL OF TWO OF EITHER,
OR ONE OF EACH. *Clarifies each parent can have one plate or placard*

P9, L26 – P10, L2

26 (IV) A STATE AGENCY OR BUSINESS ENTITY THAT TRANSPORTS
27 PERSONS WITH DISABILITIES MAY OBTAIN A PERMANENT IDENTIFYING
PLATE OR

1 PLACARD FOR RESERVED PARKING. TO QUALIFY FOR AN EXTENDED OR
2 PERMANENT IDENTIFYING PLATE OR PLACARD, THE AGENCY OR BUSINESS
Allows an agency to get a plate

P9, After L25, insert

(IV) IF AN IDENTIFYING PLATE IS ISSUED FOR A PERSON UNDER SIXTEEN
YEARS OF AGE USING A PARENT'S OR GUARDIAN'S IDENTIFICATION
DOCUMENT, THE DEPARTMENT SHALL PLACE A "C" ON THE REGISTRATION
CARD ISSUED UNDER SECTION 42-3-113 (2). *Delete duplicate language at P12, L7-*
10 and P13, L2-5. Renumber.

P10, L 10-21

10 (i) **Requirements for identifying figure on disabled veteran**

11 **license plate.** (A) TO QUALIFY FOR A DISABLED VETERAN LICENSE PLATE WITH
12 AN IDENTIFYING FIGURE, THE APPLICANT MUST QUALIFY FOR A
13 PERMANENT IDENTIFYING PLATE UNDER SUBPARAGRAPH (I) OF PARAGRAPH
14 (h) OF THIS SUBSECTION (5) AND MEET THE ELIGIBILITY CRITERIA IN

15 SECTION 42-3-213 (5) FOR A DISABLED VETERAN LICENSE PLATE. A
16 DISABLED VETERAN LICENSE PLATE WITH AN IDENTIFYING FIGURE EXPIRES
17 IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY THE DEPARTMENT
18 FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102 (1) (a). EVERY
19 ~~NINE~~ THREE YEARS, THE HOLDER ~~MAY~~SHALL RESUBMIT TO THE
DEPARTMENT THE STATEMENT REQUIRED IN

20 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF THIS
21 SUBSECTION (5) BY MAIL, OR IN PERSON AND PRESENTING A COLORADO
DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT, OR AN
IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES, IN THE OFFICE OF
AN AUTHORIZED AGENT,

B) AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE PERSON TO
WHOM THE PLATE IS ISSUED REMAINS ELIGIBLE TO USE THE PLATE;

(C) THE DATE OF BIRTH AND IDENTIFICATION NUMBER OF THE PERSON WHO MAY USE RESERVED PARKING; AND

(D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO QUALIFY TO RENEW THE LICENSE PLATE. *Makes the standard and process to renew a disabled veteran plate consistent with a permanent disabled plate, as is required for issuance (see L13).*

P11, L 11-12

11 (A) A CURRENT VERIFICATION FORM THE STATEMENT REQUIRED IN SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF THIS SUBSECTION (5) BY MAIL, OR IN PERSON AND PRESENTING A COLORADO DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT, OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES, IN THE OFFICE OF AN AUTHORIZED AGENT; *Clarifies applicant can either get a docs signature and renew by mail, OR appear at the county and show ID (proof of life, passed last year)*

P13, AFTER L5 INSERT;

(II) IF THE HOLDER IS AN ENTITY, THE HOLDER MAY RENEW THE PLATE UPON RESUBMITTING AND UPDATING THE INFORMATION NECESSARY TO BE ISSUED THE PLATE UNDER SUBPARAGRAPH (IV) OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION. *Allows an agency to renew a plate*

P14, L26 – P15, L2

26 (f) (I) Penalty. A PERSON WHO FAILS TO RETURN A REVOKED IDENTIFYING PLACARD OR PLATE, OR WHO ATTEMPTS TO OBTAIN AN IDENTIFYING PLATE OR PLACARD WHEN UNDER REVOCATION PURSUANT TO THIS SUBSECTION (7), COMMITS A CLASS B TRAFFIC INFRACTION SHALL BE SUBJECT TO THE PENALTIES AT CRS 42-4-1208 (7)(c)

(II) A PERSON WHO ATTEMPTS TO OBTAIN AN IDENTIFYING PLATE OR PLACARD WHEN UNDER REVOCATION PURSUANT TO THIS SUBSECTION (7), SHALL BE SUBJECT TO THE PENALTIES AT CRS 42-4-1208 (7)(b)(II). *This is an increased penalty for attempting to get a new placard while under revocation, from a \$150 fine to the same penalty as using someone else's tag.*

P17, L3

3 (3) Misuse of reserved parking, disabled placard or plate. (a) A PERSON WITHOUT *Omission*

P17, L21-22

21 (III) SUBPARAGRAPH (II) OF THIS SUBSECTION (3) DOES NOT APPLY TO PRIVATELY OWNED
22 PARKING SPACES. *Clarifies specifically where Subsection 3 does not apply.*

P18, AFTER L11, INSERT

(f) A PERSON WHO DOES NOT HAVE A DISABILITY AND WHO USES AN IDENTIFYING LICENSE PLATE OR PLACARD IN ORDER TO RECEIVE THE BENEFITS OR PRIVILEGES AVAILABLE TO A PERSON WITH A DISABILITY UNDER THIS SECTION SHALL BE SUBJECT TO THE PENALTIES IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF SUBSECTION (7) OF THIS SECTION. *Omission.*

P18, I12-20

12 (4) **Blocking access.** (a) REGARDLESS OF WHETHER A PERSON
13 DISPLAYS AN IDENTIFYING PLATE OR PLACARD, A PERSON SHALL NOT PARK
14 A VEHICLE SO AS TO BLOCK REASONABLE ACCESS TO CURB RAMPS,
15 PASSENGER LOADING ZONES, OR ACCESSIBLE ROUTES, AS IDENTIFIED IN 28
16 CFR PART 36 APPENDIX A, THAT ARE CLEARLY IDENTIFIED UNLESS THE
17 PERSON IS ACTIVELY LOADING OR UNLOADING A PERSON WITH A
18 DISABILITY.

19 (b) A PERSON WHO VIOLATES THIS SUBSECTION (4) IS SUBJECT TO
20 THE PENALTIES IN PARAGRAPH ~~(e)~~ (a) OF SUBSECTION (7) OF THIS SECTION.
Makes it the same penalty for illegally parking in a disabled space.

P18, L16-18

16 (b) (I) A PEACE OFFICER OR AUTHORIZED AND UNIFORMED
17 PARKING ENFORCEMENT OFFICIAL SHALL CONFISCATE AN IDENTIFYING
18 PLACARD THAT IS BEING USED IN VIOLATION OF THIS SECTION. *County sheriffs
have asked for language to allow for consideration of extenuating circumstances.*

P18, L21-26

21 (5) **Fraud and trafficking.** ~~(1) A PERSON IS GUILTY OF A~~
22 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED AS PROVIDED
23 ~~IN PARAGRAPH (d) OF SUBSECTION (7) OF THIS SECTION~~ 18-5-104 CRS IF THE
PERSON:

24 (a) KNOWINGLY AND FRAUDULENTLY ALTERS, OBTAINS, POSSESSES, USES,
25 OR TRANSFERS AN IDENTIFYING PLACARD ISSUED TO A PERSON WITH A
26 DISABILITY; *the current penalty is less than illegally parking in a disabled space. This
makes it second degree forgery, also a misdemeanor, but more severe penalty. Also adds
"alters", which was an omission in 2010 reform.*

P19, L5, insert

(a) ANY PEACE OFFICER OR PARKING ENFORCEMENT OFFICIAL MAY ISSUE A
CITATION (not sure this is correct term) FOR ANY VIOLATION OF THIS SECTION.
(b) ANY LAW ENFORCEMENT OFFICER, PARKING ENFORCEMENT OFFICIAL OR
PRIVATE PROPERTY OWNER IS AUTHORIZED TO HAVE A VEHICLE REMOVED
FOR A VIOLATION OF SUBSECTION (3) OR (4). *renumber accordingly. Omission, and
authorizes towing.*

P19, L14, at the end of the line insert;

IN WHICH CASE THE PEACE OFFICER OR PARKING ENFORCEMENT OFFICIAL SHALL SEND NOTICE TO THE DEPARTMENT OF THE CONFISCATION AND PENDING CHARGES. *Makes sure DMV knows if a tag is confiscated but held by local government pending trial so the person cannot just go get another.*

P22, L16

16 (b) (i) A PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION BY
renumbering

P22, after line 20, insert

(II) A PERSON WHO VIOLATES PARAGRAPH (f) OF SUBSECTION (3) IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY THE SURCHARGE AND A FINE OF TWICE THE PENALTY IMPOSED IN PARAGRAPH (a) OF THIS SUBSECTION (7). *Doubles the penalty for using someone else's tag*

P23, L4-7

~~4 (d) (i) A PERSON WHO VIOLATES SUBSECTION (5) OF THIS SECTION
5 IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE
6 PUNISHED BY THE CRIMINAL AND CIVIL PENALTIES PROVIDED UNDER
7 SECTION 42-6-139 (3) AND (4).~~ *This is no longer necessary if penalty for Fraud and Trafficking is corrected.*

P23, L8-12, move to P19, after L4

8 (II) A PERSON WHO WILLFULLY RECEIVES REMUNERATION FOR
9 VIOLATING SUBSECTION (5) OF THIS SECTION IS GUILTY OF A
10 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY TWICE THE
11 CIVIL AND CRIMINAL PENALTIES THAT WOULD BE IMPOSED UNDER
12 ~~SUBPARAGRAPH (1) OF THIS PARAGRAPH (d)~~ SUBSECTION (5) OF THIS SECTION. *Doubles penalty for selling fake or stolen tags*

Other significant clarification (FYI);

P7, L25

25 (e) **Personalized and other specialty plate s authorized.** *Authorizes DMV to issue personalized, disabled plates, the lack of which is likely an ADA violation.*