HB 1158 - AS INTRODUCED

2022 SESSION

22-2418
12/08

HOUSE BILL ***1158***

AN ACT relative to the use of handicap placards.

SPONSORS: Rep. Green, Rock. 13

COMMITTEE: Transportation

ANALYSIS

This bill requires removable handicap placards be displayed only on a rearview mirror, when the vehicle is parked, and imposes fines for a violation of this requirement. This bill also imposes fines for displaying a removable handicap placard on an unauthorized vehicle.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the use of handicap placards.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Walking Disability Plates and Placards. Amend RSA 261:88, V and VI to read as follows:

V.***(a)*** Upon application and payment of a $5 fee to cover the costs of printing and mailing, the department shall furnish a hanging windshield placard to a person with a walking disability who satisfactorily furnishes proof of such disability to the director. Any nonprofit agency serving a person with a walking disability may apply to the department for a hanging windshield placard. An applicant for such placard shall furnish the director with satisfactory proof, as the director may require, that the applicant will use the placard solely for the transportation of a person with a walking disability. The quantity of placards issued under this paragraph shall be at the discretion of the director. This placard shall meet the standards set forth in 23 C.F.R. part 1235, appendix A.

(b) The removable windshield placard shall be displayed in such a manner that it may be viewed from the front and rear of the vehicle by hanging it from the front windshield rearview mirror of a vehicle utilizing a parking space reserved for persons with disabilities. ***A removable windshield placard shall not be displayed on the windshield unless the vehicle is parked.*** [~~When there is no rearview mirror, the placard shall be displayed on the dashboard.~~] ***A removable windshield placard shall be displayed on a dashboard only when there is no rearview mirror.***

(c) A request from any nonprofit agency for a placard shall be approved by the administrator of the nonprofit agency and any other application for such a placard shall be accompanied by the certification of a licensed physician, physician assistant, podiatrist, or advanced practice registered nurse that the applicant has a walking disability as defined in paragraph I.

(d) The placard shall expire on the date when the applicant's driver's license or nondriver's identification card expires or 5 years from the date of placard issuance in the case where no New Hampshire driver's license or nondriver's identification card exists and the expiration date shall be noted on the placard or on a sticker affixed to the placard.

(e) The placard shall be renewed, upon application on forms provided by the director, if the director determines that the disability which necessitated the issuance of the placard continues or if the person is a veteran who has been evaluated by the United States Department of Veterans Affairs to be permanently and totally disabled from a service-connected disability. Upon request of the applicant and payment of a $5 fee to cover the costs of printing and mailing, the director shall issue one additional placard to the applicant if the applicant does not have special license plates.

VI.***(a)*** Upon the application of a person with a temporary walking disability and payment of a $5 fee to cover the costs of printing and mailing, the director shall issue a temporary removable windshield placard. The placard shall comply with the standards set forth in 23 C.F.R. part 1235, appendix B.

(b) The temporary removable windshield placard shall be displayed in such a manner that it may be viewed from the front and the rear of the vehicle by hanging it from the front windshield rearview mirror of a vehicle utilizing a parking space reserved for persons with disabilities. ***A temporary removable windshield placard shall not be displayed on the windshield unless the vehicle is parked.*** [~~When there is no rearview mirror, the placard shall be displayed on the dashboard.~~] ***A temporary removable windshield placard shall be displayed on a dashboard only when there is no rearview mirror.***

(c) Upon request and payment of a $5 fee to cover the costs of printing and mailing, the director shall issue one additional temporary removable windshield placard to applicants. Application for a temporary removable windshield placard shall be accompanied by the certification of a licensed physician, physician assistant, podiatrist, or advanced practice registered nurse that the applicant has a walking disability as defined in paragraph I. The certification shall also include the period of time that the physician, physician assistant, podiatrist, or advanced practice registered nurse determines the applicant will have the disability, which period of time shall not exceed 6 months. The expiration date of the temporary placard shall be noted on the placard.

2 New Section; Walking Disability Plates and Placards; Penalties. Amend RSA 261 by inserting after section 88 the following new section:

261:88-a Walking Disability Plates and Placards; Penalties.

I. A person who violates RSA 261:88, V(b) and VI(b) shall be fined a minimum of $100 for a first offense, $300 for a second offense, and $500 for a third or subsequent offense.

II. If a person has not renewed their removable placard, pursuant to RSA 261:88, V(e), within 90 days of the expiration date of the placard, they shall be fined a minimum of $100 for a first offense, $300 for a second offense, and $500 for a third or subsequent offense.

III. No person shall display a removable handicap placard, or a temporary removable handicap placard, unless they are the owner of a motor vehicle listed in RSA 261:8, II. The placard shall only be displayed in said vehicle. Any person found in violation of this paragraph shall be fined a minimum of $100 for a first offense, $300 for a second offense, and $500 for a third or subsequent offense.

3 Effective Date. This act shall take effect 60 days after its passage.