

LEGISLATIVE BILL 13

Approved by the Governor March 3, 1977

Introduced by Barnett, 26

AN ACT relating to rules of the road; to designate parking spaces for paraplegics and other handicapped persons as prescribed; to provide for the removal of unauthorized vehicles; to provide for identification cards as prescribed; to provide a fee; to provide for rules and regulations; and to provide penalties.

Be it enacted by the people of the State of Nebraska,

Section 1. A city or village may by ordinance or resolution designate parking spaces for the exclusive use of paraplegics whose vehicles display the distinguishing license plates issued to paraplegics pursuant to section 60-311.14, Reissue Revised Statutes of Nebraska, 1943, and such other handicapped persons, as certified by the city or village, whose vehicles display some identification as determined by the city or village. Whenever a city or village so designates a parking space, it shall be indicated either by blue paint on the curb or edge of the paved portion of the street adjacent to the space or by a sign as described in section 2 of this act. In addition to blue paint, the space may also be indicated by signs or other suitable means.

Sec. 2. (1) Any city or village, by ordinance or resolution, and any person in lawful possession thereof may designate stalls or spaces in an off-street parking facility owned or operated by the city or village or person for the exclusive use of paraplegics whose vehicles display the distinguishing license plates issued to such individuals pursuant to section 60-311.14, Reissue Revised Statutes of Nebraska, 1943, and such other handicapped persons, as certified by the city or village, whose vehicles display some identification as determined by the city or village. Such designation shall be made by posting immediately adjacent to and visible from each stall or space a sign consisting of a profile view of a wheelchair with occupant in white on a blue background.

(2) The owner or person in lawful possession of an off-street parking facility, after notifying the police or sheriff's department, as the case may be, and any city or village owning or operating an on-street or off-street parking facility, may cause the removal, from a stall or space designated for paraplegics or other

handicapped persons in such facility, of any vehicle not displaying proper identification or one of the distinguishing license plates specified in this section if there is posted immediately adjacent to and visible from such stall or space a sign which clearly and conspicuously states the area so designated as a tow-in zone and that anyone parking there in violation of the designation shall be subject to a fine of not less than ten dollars nor more than fifty dollars.

Sec. 3. The clerk of any city or village may issue a permit to physically handicapped persons who have reached school age and persons who drive a motor vehicle for a visually handicapped person which will entitle the holder thereof to park in those spaces provided for by section 1 of this act. For the purpose of this section, physically handicapped persons shall mean those physically handicapped persons using crutches, canes, walkers, wheelchairs, or having definite walking problems, including but not limited to amputees, and those persons who have respiratory problems which incapacitate their walking. Visually handicapped persons shall mean those persons using the white cane or seeing eye dog.

Sec. 4. The permit shall be a suitable card containing the letter H and an identifying number on the front of the card. The name, address, phone number, date of birth, and age of the party to whom issued shall appear on the reverse side.

Sec. 5. All permits authorized under this section shall be issued for a period of one year. Permits shall be renewable yearly. A permit may be reissued upon a change of address by the holder. A permit fee of one dollar shall be charged for each permit, except that the fee for reissuance upon a change of address shall be fifty cents.

Sec. 6. Permits issued under this act shall not be transferable and shall be used only by the party to whom issued. Use by any other party shall be cause for suspension of such permit for a period of six months. At the expiration of such period, a suspended permit may be renewed upon the payment of the one dollar fee.

Sec. 7. The Department of Motor Vehicles shall adopt rules and regulations to implement the provisions of this act relating to the issuance of permits for handicapped persons.