



HOUSE BILL No. 5987

December 7, 1994, Introduced by Rep Schroer and referred to the Committee on Transportation

A bill to amend section 675 of Act No 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No 104 of the Public Acts of 1994, being section 257 675 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 675 of Act No 300 of the Public Acts of
2 1949, as amended by Act No 104 of the Public Acts of 1994 being
3 section 257 675 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 675 (1) Except as otherwise provided in this section
6 and this chapter, a vehicle stopped or parked upon a highway or
7 street shall be stopped or parked with the wheels of the vehicle
8 parallel to the roadway and within 12 inches of any curb existing
9 at the right of the vehicle

1 (2) A local authority may by ordinance permit parking of a
2 vehicle on a 1-way roadway with the vehicle's left wheels adja-
3 cent to and within 12 inches of any curb existing at the left of
4 the vehicle

5 (3) A local authority may by ordinance permit angle parking
6 on a roadway, except that angle parking shall not be permitted on
7 a state trunk line highway

8 (4) The state transportation commission with respect to
9 state trunk line highways and the board of county road commis-
10 sioners with respect to county roads, acting jointly with the
11 director of the department of state police, may place signs pro-
12 hibiting or restricting the stopping, standing, or parking of
13 vehicles on a highway where in the opinion of the officials as
14 determined by an engineering survey, the stopping, standing, or
15 parking is dangerous to those using the highway or where the
16 stopping standing or parking of vehicles would unduly interfere
17 with the free movement of traffic on the highway or street The
18 signs shall be official signs and a person shall not stop, stand,
19 or park a vehicle in violation of the restrictions stated on the
20 signs The signs shall be installed only after a proper traffic
21 order is filed with the county clerk Upon the application to
22 the state transportation commission by a home rule city affected
23 by an order, opportunity shall be given to the city for a hearing
24 before the state transportation commission, pursuant to the
25 administrative procedures act of 1969, Act No 306 of the Public
26 Acts of 1969 as amended being sections 24 201 to 24 328 of the
27 Michigan Compiled Laws except when an ordinance of the home rule

1 city prohibits or restricts the parking of vehicles on a state
2 trunk line highway when the home rule city by lawfully autho-
3 rized official action, requests the state transportation depart-
4 ment to prohibit or restrict parking on a state trunk line high-
5 way or when the home rule city enters into a construction agree-
6 ment with the state transportation department providing for the
7 prohibition or restriction of parking on a state trunk line high-
8 way during or after the period of construction Traffic control
9 orders, so long as they affect parking upon a state trunk line
10 highway within the corporate limits of a home rule city, are con-
11 sidered "rules" within the meaning of Act No 306 of the Public
12 Acts of 1969, as amended, and upon application for a hearing by a
13 home rule city, the proceedings before the state transportation
14 commission shall be considered a "contested case" within the
15 meaning of that act

16 (5) After ~~the effective date of the amendatory act that~~
17 ~~added subdivisions (a) through (g) to this subsection~~ OCTOBER 1,
18 1994, a handicapper may apply, on a form prescribed by the secre-
19 tary of state, for a serially numbered nontransferable temporary
20 or permanent windshield placard for the personal use of the hand-
21 icapper, subject to all of the following

22 (a) The secretary of state may issue to a handicapper with a
23 temporary handicap a temporary windshield placard that is valid
24 for a period of not more than 6 months

25 (b) The secretary of state may issue to a handicapper with a
26 permanent handicap an original or renewal permanent windshield
27 placard that is valid for at least 4 years

1 (c) An original certificate of identification or permanent
2 windshield placard shall expire on the handicapper's fifth birth-
3 day after the date of issuance

4 (d) A renewal permanent windshield placard shall expire on
5 the handicapper's fourth birthday after the date of renewal

6 (e) A person holding a certificate of identification or per-
7 manent windshield placard at any time within 45 days before the
8 expiration of his or her certificate or placard may make applica-
9 tion for a new or renewal placard as provided for in this
10 section However, if the person will be out of state during the
11 45 days immediately preceding expiration of the certificate or
12 placard or for other good cause shown cannot apply for a placard
13 within the 45-day period, application for a new or renewal plac-
14 ard may be made not more than 6 months before expiration of the
15 certificate or placard A placard issued or renewed under this
16 subdivision shall expire as provided for in this subsection

17 (f) Upon application in the manner prescribed by the secre-
18 tary of state for replacement of a lost, stolen, or destroyed
19 certificate or placard described in this section, a handicapper
20 or organization that provides specialized services to handicap-
21 pers may be issued a placard that in substance duplicates the
22 original certificate or placard for a fee of \$10 00

23 (g) A certificate or placard described in this section may
24 be used by a person other than the handicapper for the sole pur-
25 pose of transporting the handicapper An organization that pro-
26 vides specialized services to handicappers may apply for and
27 receive a permanent windshield placard to be used in any motor

1 vehicle actually transporting a handicapper If the organization
2 ceases to transport handicappers the placard shall be returned
3 to the secretary of state for cancellation and destruction

4 (6) A handicapper with a certificate of identification,
5 windshield placard, special registration plates issued under sec-
6 tion 803d, a special registration plate issued under section 803f
7 that has a handicapper tab attached, a certificate of identifica-
8 tion or windshield placard from another state, or special handi-
9 capper registration plates from another state is entitled to
10 courtesy in the parking of a vehicle The courtesy shall relieve
11 the handicapper or the person transporting the handicapper from
12 liability for a violation with respect to parking, other than in
13 violation of this act A local authority may by ordinance pro-
14 hibit parking on a street or highway to create a fire lane or to
15 provide for the accommodation of heavy traffic during morning and
16 afternoon rush hours, and the privileges extending to veterans
17 and physically handicapped persons under this subsection do not
18 supersede that ordinance

19 (7) An application for an initial free parking sticker shall
20 contain a certification by a physician licensed under part 170 or
21 175 of the public health code, Act No 368 of the Public Acts of
22 1978, being sections 333 17001 to ~~333 17088~~ 333 17084 and
23 333 17501 to 333 17556 of the Michigan Compiled Laws, attesting
24 to the nature and estimated duration of the applicant s handicap
25 condition and verifying that the applicant qualifies for a free
26 parking sticker The applicant qualifies for a free parking
27 sticker if the applicant is a licensed driver and the physician

1 certifies that the applicant is unable to do 1 or more of the
2 following

3 (a) Manage, manipulate, or insert coins, or obtain tickets
4 or tokens in parking meters or ticket machines in parking lots or
5 parking structures, due to the lack of fine motor control of both
6 hands

7 (b) Reach above his or her head to a height of 42 inches
8 from the ground, due to a lack of finger, hand, or upper extrem-
9 ity strength or mobility

10 (c) Approach a parking meter due to his or her use of a
11 wheelchair or other device

12 (d) Walk more than 20 feet due to an orthopedic, neurolo-
13 gical, cardiovascular, or lung condition in which the degree of
14 debilitation is so severe that it almost completely impedes the
15 ability to walk

16 (8) To be entitled to free parking in a metered space or in
17 a publicly owned parking structure or area, a vehicle must prop-
18 erly display 1 of the following

19 (a) A windshield placard bearing a free parking sticker
20 issued pursuant to this act

21 (b) A valid certificate of identification issued before the
22 effective date of this act

23 (c) A valid windshield placard issued by another state

24 (d) A certificate of identification issued by another
25 state

26 (e) A handicapper license plate issued by another state

1 (f) A special registration plate with a handicapper tab
2 attached issued by another state

3 (9) A vehicle that does not properly display 1 of the items
4 listed in subsection (8) is not entitled to free parking in a
5 metered parking space or in a publicly owned parking area or
6 structure, and the handicapper or vehicle operator shall pay all
7 parking fees and may be responsible for a civil infraction

8 (10) Blindness that is not accompanied by an incapacity
9 described in subsection (7) does not entitle a person to a free
10 parking sticker

11 (11) The secretary of state shall attach a free parking
12 sticker, in contrasting colors, to the windshield placard of a
13 person certified as having an incapacity described in subsection
14 (7)

15 (12) A windshield placard issued under this section shall be
16 displayed on the interior rearview mirror of the vehicle or, if
17 there is no interior rearview mirror, on the lower left corner of
18 the dashboard while the vehicle is parked or being parked by or
19 under the direction of a handicapper pursuant to this section

20 (13) A certificate of identification issued before February
21 11, 1992 shall be displayed on the lower left corner of the dash-
22 board of the parked vehicle

23 (14) Upon conviction of an offense involving a violation of
24 the special privileges conferred upon a holder of a certificate
25 of identification, windshield placard, or free parking sticker, a
26 magistrate or judge trying the case, as a part of any penalty
27 imposed may confiscate the serially numbered certificate of

1 identification, windshield placard or free parking sticker and
2 return the confiscated item or items to the secretary of state
3 together with a certified copy of the sentence imposed Upon
4 receipt of a certificate of identification, windshield placard,
5 or free parking sticker from a judge or magistrate, the secretary
6 of state shall cancel and destroy the certificate, placard, or
7 sticker, and the handicapper to whom it was issued shall not
8 receive another certificate placard or sticker until he or she
9 submits a completed application and presents a current medical
10 statement attesting to his or her condition A law enforcement
11 officer who observes a misuse of a certificate of identification,
12 windshield placard, or free parking sticker may immediately con-
13 fiscate the certificate, placard, or sticker and forward it with
14 a copy of his or her report to the secretary of state

15 (15) A person who intentionally makes a false statement of
16 material fact or commits or attempts to commit a deception or
17 fraud on a medical statement attesting to a handicap, submitted
18 in support of an application for a certificate of identification,
19 windshield placard, free parking sticker special registration
20 plate, or handicapper tab under this section, section 803d, or
21 section 803f, is guilty of a ~~misdemeanor, punishable by a fine~~
22 ~~of not more than \$500.00 or imprisonment for not more than 30~~
23 ~~days, or both~~ FELONY

24 (16) A person who commits or attempts to commit a deception
25 or fraud by 1 or more of the following methods is guilty of a
26 ~~misdemeanor punishable by a fine of not more than \$500.00 or~~
27 ~~imprisonment for not more than 30 days, or both~~ FELONY

1 (a) Using a certificate of identification windshield
2 placard, or free parking sticker issued under this section or by
3 another state to provide transportation to a handicapper, when
4 the person is not providing transportation to a handicapper

5 (b) Altering, modifying, or selling a certificate of identi-
6 fication, windshield placard, or free parking sticker issued
7 under this section or by another state

8 (c) Copying or forging a certificate of identification,
9 windshield placard, or free parking sticker described in this
10 section or selling or using a certificate, placard, or sticker
11 described in this subdivision

12 (d) Making a false statement of material fact to obtain or
13 assist an individual in obtaining a certificate, placard, or
14 sticker described in this section, a special registration plate
15 under section 803d, or a handicapper tab under section 803f

16 (e) Knowingly using or displaying a certificate, placard, or
17 sticker described in this section that has been canceled by the
18 secretary of state

19 (17) Except as otherwise provided in this section a person
20 who violates this section is responsible for a civil infraction

21 (18) A certificate of identification issued before ~~the~~
22 ~~effective date of the amendatory act that added this subsection~~
23 OCTOBER 1, 1994 and containing an expiration date is valid for
24 free parking in a space controlled or regulated by a meter on a
25 public highway or in a publicly owned parking area or structure
26 when the time for parking indicated on the meter has expired, or
27 in a parking space clearly identified by an official sign as

1 being reserved for use by handicappers that is on public property
2 or private property available for public use, until the expira-
3 tion date printed on the certificate The certificate expires
4 and shall be canceled on its expiration date

5 (19) A certificate of identification issued before the
6 effective date of this act that does not contain an expiration
7 date expires and shall be canceled on the effective date of the
8 amendatory act that added this subsection

9 (20) A certificate of identification shall not be issued or
10 renewed by the secretary of state after the effective date of the
11 amendatory act that added this subsection

12 (21) The secretary of state may cancel, revoke, or suspend a
13 windshield placard free parking sticker, or certificate of iden-
14 tification under any of the following circumstances

15 (a) The secretary of state determines that a windshield
16 placard free parking sticker, or certificate of identification
17 was fraudulently or erroneously issued

18 (b) The secretary of state determines that a person has made
19 or is making an unlawful use of his or her windshield placard
20 free parking sticker, or certificate of identification

21 (c) The secretary of state determines that a check or draft
22 used to pay the required fee is not paid on its first presenta-
23 tion and is not paid upon reasonable notice or demand or that the
24 required fee is paid by an invalid credit card

25 (d) The secretary of state determines that the person is no
26 longer eligible to receive or use a windshield placard, free
27 parking sticker or certificate of identification

1 (e) The secretary of state determines that the owner has
2 committed an offense under this act involving a windshield plac-
3 ard, free parking sticker, or certificate of identification

4 (f) A person has violated this act and the secretary of
5 state is authorized under this act to cancel, revoke, or suspend
6 a windshield placard, free parking sticker, or certificate of
7 identification for that violation

8 (g) The secretary of state receives notice from another
9 state or foreign country that a windshield placard, free parking
10 sticker, or certificate of identification issued by the secretary
11 of state has been surrendered by the owner or seized in con-
12 formity with the laws of that other state or foreign country, or
13 has been improperly used or displayed in violation of the laws of
14 that other state or foreign country

15 (22) Before a cancellation, revocation, or suspension under
16 subsection (21), the person affected thereby shall be given
17 notice and an opportunity to be heard

18 (23) A windshield placard issued to a handicapper shall bear
19 the handicapper s driver s or chauffeur s license number or the
20 number on his or her official state personal identification card
21 issued under Act No 222 of the Public Acts of 1972 being sec-
22 tions 28 291 to 28 295 of the Michigan Compiled Laws