



HOUSE BILL No. 4585

March 14, 1995, Introduced by Reps. Schroer, Baird, Brater, Agee, LaForge, DeHart and Dolan 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. 432 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. 432 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, being sections 24.201 to 24.328 of the Michigan
27 Compiled Laws, except when an ordinance of the home rule city

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

15 (5) After October 1, 1994, a handicapper may apply, on a
16 form prescribed by the secretary of state, for a serially num-
17 bered nontransferable temporary or permanent windshield placard
18 for the personal use of the handicapper. An individual who has a
19 religious objection to having a medical examination by a physi-
20 cian may personally apply at a branch office of the secretary of
21 state for a serially numbered nontransferable temporary or per-
22 manent windshield placard for the personal use of the handicapped
23 individual. If it appears obvious that the individual has a
24 qualifying handicap, the individual shall not be required to
25 present a medical statement attesting to the handicap. The
26 application for and the issuance of the serially numbered

1 nontransferable temporary or permanent windshield placard is
2 subject to all of the following:

3 (a) The secretary of state may issue to a handicapper with a
4 temporary handicap a temporary windshield placard that is valid
5 for a period of not more than 6 months.

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

9 (c) An original certificate of identification or permanent
10 windshield placard shall expire on the handicapper's fifth birth-
11 day after the date of issuance.

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

14 (e) A person holding a certificate of identification or per-
15 manent windshield placard at any time within 45 days before the
16 expiration of his or her certificate or placard may make applica-
17 tion for a new or renewal placard as provided for in this
18 section. However, if the person will be out of state during the
19 45 days immediately preceding expiration of the certificate or
20 placard or for other good cause shown cannot apply for a placard
21 within the 45-day period, application for a new or renewal plac-
22 ard may be made not more than 6 months before expiration of the
23 certificate or placard. A placard issued or renewed under this
24 subdivision shall expire as provided for in this subsection.

25 (f) Upon application in the manner prescribed by the secre-
26 tary of state for replacement of a lost, stolen, or destroyed
27 certificate or placard described in this section, a handicapper

1 or organization that provides specialized services to
2 handicappers may be issued a placard that in substance duplicates
3 the original certificate or placard for a fee of \$10.00.

4 (g) A certificate or placard described in this section may
5 be used by a person other than the handicapper for the sole pur-
6 pose of transporting the handicapper. An organization that pro-
7 vides specialized services to handicappers may apply for and
8 receive a permanent windshield placard to be used in any motor
9 vehicle actually transporting a handicapper. If the organization
10 ceases to transport handicappers, the placard shall be returned
11 to the secretary of state for cancellation and destruction.

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

1 (7) An application for an initial free parking sticker shall
2 contain a certification by a physician licensed to practice in
3 this state attesting to the nature and estimated duration of the
4 applicant's handicap condition and verifying that the applicant
5 qualifies for a free parking sticker. An individual who has a
6 religious objection to having a medical examination by a physi-
7 cian may personally apply at a branch office of the secretary of
8 state for an initial free parking sticker. If it appears obvious
9 that the individual is unable to do 1 or more of the acts listed
10 in subdivisions (a) to (d), the individual shall not be required
11 to present a certification by a physician attesting to the nature
12 and estimated duration of the applicant's handicap condition or
13 verifying that the applicant qualifies for a free parking
14 sticker. The applicant qualifies for a free parking sticker if
15 the applicant is a licensed driver and the physician certifies
16 or, if an individual is not required to have a certification by a
17 physician, it is obvious that the applicant is unable to do 1 or
18 more of the following:

19 (a) Manage, manipulate, or insert coins, or obtain tickets
20 or tokens in parking meters or ticket machines in parking lots or
21 parking structures, due to the lack of fine motor control of both
22 hands.

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

26 (c) Approach a parking meter due to his or her use of a
27 wheelchair or other device.

1 (d) Walk more than 20 feet due to an orthopedic,
2 neurological, cardiovascular, or lung condition in which the
3 degree of debilitation is so severe that it almost completely
4 impedes the ability to walk.

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

8 (a) A windshield placard bearing a free parking sticker
9 issued pursuant to this act.

10 (b) A valid certificate of identification issued before ~~the~~
11 ~~effective date of this act~~ OCTOBER 1, 1994.

12 (c) A valid windshield placard issued by another state.

13 (d) A certificate of identification issued by another
14 state.

15 (e) A handicapper license plate issued by another state.

16 (f) A special registration plate with a handicapper tab
17 attached issued by another state.

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

23 (10) Blindness that is not accompanied by an incapacity
24 described in subsection (7) does not entitle a person to a free
25 parking sticker.

26 (11) The secretary of state shall attach a free parking
27 sticker, in contrasting colors, to the windshield placard of a

1 person certified as having an incapacity described in subsection
2 (7).

3 (12) A windshield placard issued under this section shall be
4 displayed on the interior rearview mirror of the vehicle or, if
5 there is no interior rearview mirror, on the lower left corner of
6 the dashboard while the vehicle is parked or being parked by or
7 under the direction of a handicapper pursuant to this section.

8 (13) A certificate of identification issued before February
9 11, 1992 shall be displayed on the lower left corner of the dash-
10 board of the parked vehicle.

11 (14) Upon conviction of an offense involving a violation of
12 the special privileges conferred upon a holder of a certificate
13 of identification, windshield placard, or free parking sticker, a
14 magistrate or judge trying the case, as a part of any penalty
15 imposed, may confiscate the serially numbered certificate of
16 identification, windshield placard, or free parking sticker and
17 return the confiscated item or items to the secretary of state
18 together with a certified copy of the sentence imposed. Upon
19 receipt of a certificate of identification, windshield placard,
20 or free parking sticker from a judge or magistrate, the secretary
21 of state shall cancel and destroy the certificate, placard, or
22 sticker, and the handicapper to whom it was issued shall not
23 receive another certificate, placard, or sticker until he or she
24 submits a completed application and presents a current medical
25 statement attesting to his or her condition. A law enforcement
26 officer who observes a misuse of a certificate of identification,
27 windshield placard, or free parking sticker may immediately

1 confiscate the certificate, placard, or sticker and forward it
2 with a copy of his or her report to the secretary of state.

3 (15) A person who intentionally makes a false statement of
4 material fact or commits or attempts to commit a deception or
5 fraud on a medical statement attesting to a handicap, submitted
6 in support of an application for a certificate of identification,
7 windshield placard, free parking sticker, special registration
8 plate, or handicapper tab under this section, section 803d, or
9 section 803f, is guilty of a ~~misdemeanor, punishable by a fine~~
10 ~~of not more than \$500.00 or imprisonment for not more than 30~~
11 ~~days, or both~~ FELONY.

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

16 (a) Using a certificate of identification, windshield plac-
17 ard, or free parking sticker issued under this section or by
18 another state to provide transportation to a handicapper, when
19 the person is not providing transportation to a handicapper.

20 (b) Altering, modifying, or selling a certificate of identi-
21 fication, windshield placard, or free parking sticker issued
22 under this section or by another state.

23 (c) Copying or forging a certificate of identification,
24 windshield placard, or free parking sticker described in this
25 section or selling or using a certificate, placard, or sticker
26 described in this subdivision.

1 (d) Making a false statement of material fact to obtain or
2 assist an individual in obtaining a certificate, placard, or
3 sticker described in this section, a special registration plate
4 under section 803d, or a handicapper tab under section 803f.

5 (e) Knowingly using or displaying a certificate, placard, or
6 sticker described in this section that has been canceled by the
7 secretary of state.

8 (17) Except as otherwise provided in this section, a person
9 who violates this section is responsible for a civil infraction.

10 (18) A certificate of identification issued before
11 October 1, 1994 and containing an expiration date is valid for
12 free parking in a space controlled or regulated by a meter on a
13 public highway or in a publicly owned parking area or structure
14 when the time for parking indicated on the meter has expired, or
15 in a parking space clearly identified by an official sign as
16 being reserved for use by handicappers that is on public property
17 or private property available for public use, until the expira-
18 tion date printed on the certificate. The certificate expires
19 and shall be canceled on its expiration date.

20 (19) A certificate of identification issued before ~~the~~
21 ~~effective date of this act~~ OCTOBER 1, 1994 that does not contain
22 an expiration date expires and shall be canceled on ~~the effec-~~
23 ~~tive date of the amendatory act that added this subsection~~
24 OCTOBER 1, 1994.

25 (20) A certificate of identification shall not be issued or
26 renewed by the secretary of state after October 1, 1994.

1 (21) The secretary of state may cancel, revoke, or suspend a
2 windshield placard, free parking sticker, or certificate of
3 identification under any of the following circumstances:

4 (a) The secretary of state determines that a windshield
5 placard, free parking sticker, or certificate of identification
6 was fraudulently or erroneously issued.

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

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

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

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

20 (f) A person has violated this act and the secretary of
21 state is authorized under this act to cancel, revoke, or suspend
22 a windshield placard, free parking sticker, or certificate of
23 identification for that violation.

24 (g) The secretary of state receives notice from another
25 state or foreign country that a windshield placard, free parking
26 sticker, or certificate of identification issued by the secretary
27 of state has been surrendered by the owner or seized in

1 conformity with the laws of that other state or foreign country,
2 or has been improperly used or displayed in violation of the laws
3 of that other state or foreign country.

4 (22) Before a cancellation, revocation, or suspension under
5 subsection (21), the person affected thereby shall be given
6 notice and an opportunity to be heard.

7 (23) A windshield placard issued to a handicapper shall bear
8 the handicapper's driver's or chauffeur's license number or the
9 number on his or her official state personal identification card
10 issued under Act No. 222 of the Public Acts of 1972, being sec-
11 tions 28.291 to 28.295 of the Michigan Compiled Laws.