

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4574**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 675 (MCL 257.675), as amended by 2018 PA 62.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

6 (2) A local authority may by ordinance permit parking of a
7 vehicle on a 1-way roadway with the vehicle's left wheels adjacent
8 to and within 12 inches of any curb existing at the left of the
9 vehicle.

10 (3) A local authority may by ordinance permit angle parking on
11 a roadway, except that angle parking is not permitted on a state

1 trunk line highway unless authorized by the state transportation
2 department.

3 (4) The state transportation commission with respect to state
4 trunk line highways and a board of county road commissioners with
5 respect to county roads, acting jointly with the director of the
6 department of state police, may place signs prohibiting or
7 restricting the stopping, standing, or parking of vehicles on a
8 highway where, in the opinion of the officials as determined by an
9 engineering survey, the stopping, standing, or parking is dangerous
10 to those using the highway or where the stopping, standing, or
11 parking of vehicles would unduly interfere with the free movement
12 of traffic on the highway or street. The signs shall be official
13 signs and a person shall not stop, stand, or park a vehicle in
14 violation of the restrictions stated on the signs. The signs shall
15 be installed only after a proper traffic order is filed with the
16 county clerk. Upon the application to the state transportation
17 commission by a home rule city affected by an order, opportunity
18 shall be given to the city for a hearing before the state
19 transportation commission, under the administrative procedures act
20 of 1969, 1969 PA 306, MCL 24.201 to 24.328, except when an
21 ordinance of the home rule city prohibits or restricts the parking
22 of vehicles on a state trunk line highway; when the home rule city,
23 by lawfully authorized official action, requests the state
24 transportation department to prohibit or restrict parking on a
25 state trunk line highway; or when the home rule city enters into a
26 construction agreement with the state transportation department
27 providing for the prohibition or restriction of parking on a state

1 trunk line highway during or after the period of construction.
2 Traffic control orders, so long as they affect parking upon a state
3 trunk line highway within the corporate limits of a home rule city,
4 are considered "rules" within the meaning of the administrative
5 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and upon
6 application for a hearing by a home rule city, the proceedings
7 before the state transportation commission shall be considered a
8 "contested case" within the meaning of that act.

9 (5) A disabled person may apply, on a form prescribed by the
10 secretary of state, for a serially numbered nontransferable
11 temporary or permanent windshield placard for the personal use of
12 the disabled person. An individual who has a religious objection to
13 having a medical examination may personally apply at a branch
14 office of the secretary of state for a serially numbered
15 nontransferable temporary or permanent windshield placard for the
16 personal use of the disabled individual. If it appears obvious that
17 the individual has a qualifying disability, the individual is not
18 required to present a medical statement attesting to the
19 disability. The application for and the issuance of the serially
20 numbered nontransferable temporary or permanent windshield placard
21 is subject to all of the following:

22 (a) The secretary of state may issue to a disabled person with
23 a temporary disability 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 disabled person with
26 a permanent disability an original or renewal permanent windshield
27 placard that is valid for a period of not more than 4 years.

1 (c) An original or permanent windshield placard expires on the
2 disabled person's fifth birthday after the date of issuance.

3 (d) A renewal permanent windshield placard expires on the
4 disabled person's fourth birthday after the date of renewal.

5 (e) Except as otherwise provided in this subsection, not more
6 than 45 days immediately preceding the expiration of his or her
7 certificate or placard, a person holding a permanent windshield
8 placard may apply for a new or renewal placard as provided in this
9 section. However, if the person will be out of state during the 45
10 days immediately preceding expiration of the placard or for other
11 good cause shown cannot apply for a placard within the 45-day
12 period, the person may apply for a new or renewal placard not more
13 than 6 months before the placard expires. A placard issued or
14 renewed under this subdivision expires as provided in this
15 subsection.

16 (f) Upon application in the manner prescribed by the secretary
17 of state for replacement of a lost, stolen, or destroyed placard
18 described in this section, a disabled person or organization that
19 provides specialized services to disabled persons may be issued a
20 placard that in substance duplicates the original certificate or
21 placard for a fee of \$10.00.

22 (g) A placard described in this section may be used by a
23 person other than the disabled person for the sole purpose of
24 transporting the disabled person. An organization that provides
25 specialized services to disabled persons may apply for and receive
26 a permanent windshield placard to be used in any motor vehicle
27 actually transporting a disabled person. If the organization ceases

1 to transport disabled persons, the placard shall be returned to the
2 secretary of state for cancellation and destruction.

3 **(H) THE SECRETARY OF STATE SHALL NOT ISSUE A PERMANENT PLACARD**
4 **TO AN INDIVIDUAL UNDER THIS SECTION UNLESS THAT INDIVIDUAL HAS**
5 **PROVIDED PROOF OF MICHIGAN RESIDENCY.**

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

22 (7) Except as otherwise provided in subsection (20), an
23 application for an initial free parking sticker shall contain a
24 certification by a physician, physician assistant, certified nurse
25 practitioner, or physical therapist licensed to practice in this
26 state attesting to the nature and estimated duration of the
27 applicant's disabling condition and verifying that the applicant

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

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

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

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

27 (d) Walk more than 20 feet due to an orthopedic, neurological,

1 cardiovascular, or lung condition in which the degree of
2 debilitation is so severe that it almost completely impedes the
3 ability to walk.

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

7 (a) A windshield placard bearing a free parking sticker issued
8 under this act.

9 (b) A valid windshield placard issued by another state.

10 (c) A certificate of identification issued by another state.

11 (d) A license plate for persons with disabilities issued by
12 another state.

13 (e) A special registration plate with a tab for persons with
14 disabilities attached issued by another state.

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

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

23 (11) The secretary of state shall attach a free parking
24 sticker, in contrasting colors, to the windshield placard of a
25 person certified as having an incapacity described in subsection
26 (7).

27 (12) A windshield placard issued under this section shall be

1 displayed on the interior rearview mirror of the vehicle or, if
2 there is no interior rearview mirror, on the lower left corner of
3 the dashboard while the vehicle is parked or being parked by or
4 under the direction of a disabled person pursuant to this section.

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

22 (14) A person who intentionally makes a false statement of
23 material fact or commits or attempts to commit a deception or fraud
24 on a medical statement attesting to a disability, submitted in
25 support of an application for a windshield placard, free parking
26 sticker, special registration plate, or tab for persons with
27 disabilities under this section, section 803d, or section 803f, is

1 guilty of a misdemeanor punishable by a fine of not more than
2 \$500.00 or imprisonment for not more than 30 days, or both.

3 (15) A person who commits or attempts to commit a deception or
4 fraud by 1 or more of the following methods is guilty of a
5 misdemeanor punishable by a fine of not more than \$500.00 or
6 imprisonment for not more than 30 days, or both:

7 (a) Using a windshield placard or free parking sticker issued
8 under this section or by another state to provide transportation to
9 a disabled person, if the person is not providing transportation to
10 a disabled person.

11 (b) Altering, modifying, or selling a windshield placard or
12 free parking sticker issued under this section or by another state.

13 (c) Copying or forging a windshield placard or free parking
14 sticker described in this section or selling a copied or forged
15 placard or sticker described in this section. In the case of a
16 violation of this subdivision, the fine described in this
17 subsection shall be not less than \$250.00.

18 (d) Using a copied or forged windshield placard or free
19 parking sticker described in this section.

20 (e) Making a false statement of material fact to obtain or
21 assist an individual in obtaining a placard or sticker described in
22 this section, a special registration plate under section 803d, or a
23 tab for persons with disabilities under section 803f.

24 (f) Knowingly using or displaying a placard or sticker
25 described in this section that has been canceled by the secretary
26 of state.

27 (16) Except as otherwise provided in this section, a person

1 who violates this section is responsible for a civil infraction.

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

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

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

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

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

18 (e) The secretary of state determines that the owner has
19 committed an offense under this act involving a windshield placard
20 or free parking sticker.

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

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

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

3 (18) Before a cancellation, revocation, or suspension under
4 subsection (17), the person affected by that action shall be given
5 notice and an opportunity to be heard.

6 (19) A windshield placard issued to a disabled person shall
7 bear the first letter and the last 3 digits of the disabled
8 person's ~~driver's~~ **DRIVER** or chauffeur's license number or ~~the first~~
9 ~~letter and the last 4 digits of the number on his or her official~~
10 ~~state personal identification card issued under 1972 PA 222, MCL~~
11 ~~28.291 to 28.300.~~ **NUMBER.**

12 (20) For purposes of this section only, the secretary of state
13 may accept an application for a windshield placard, special
14 registration plate, or free parking sticker from a disabled person
15 that is signed by a physician, physician assistant, certified nurse
16 practitioner, or physical therapist licensed or certified to
17 practice in another state if the application is accompanied by a
18 copy of that physician's, physician assistant's, certified nurse
19 practitioner's, or physical therapist's current medical license or
20 certification issued by that state.

21 (21) This section does not require new or additional third
22 party reimbursement or worker's compensation benefits for services
23 rendered.

24 (22) As used in this section, "disabled person" means a person
25 who is determined by a physician, a physician assistant, a physical
26 therapist, or an optometrist as specifically provided in this
27 section licensed to practice in this state to have 1 or more of the

1 following physical characteristics:

2 (a) Blindness as determined by an optometrist, a physician, or
3 a physician assistant.

4 (b) Inability to walk more than 200 feet without having to
5 stop and rest.

6 (c) Inability to do both of the following:

7 (i) Use 1 or both legs or feet.

8 (ii) Walk without the use of a wheelchair, walker, crutch,
9 brace, prosthetic, or other device, or without the assistance of
10 another person.

11 (d) A lung disease from which the person's forced expiratory
12 volume for 1 second, when measured by spirometry, is less than 1
13 liter, or from which the person's arterial oxygen tension is less
14 than 60 mm/hg of room air at rest.

15 (e) A cardiovascular condition that causes the person to
16 measure between 3 and 4 on the New York heart classification scale,
17 or that renders the person incapable of meeting a minimum standard
18 for cardiovascular health that is established by the American ~~heart~~
19 ~~association~~ **HEART ASSOCIATION** and approved by the department of
20 public health.

21 (f) An arthritic, neurological, or orthopedic condition that
22 severely limits the person's ability to walk.

23 (g) The persistent reliance upon an oxygen source other than
24 ordinary air.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.