

HOUSE BILL No. 4574

May 2, 2017, Introduced by Reps. Rendon, Kahle, Whiteford, Miller, Allor, VanderWall, Lucido, Crawford, Robinson, Dianda, Peterson, Cochran and Gay-Dagnogo and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 675 (MCL 257.675), as amended by 2013 PA 247.

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 shall not be permitted on a

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

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

19 (7) Except as otherwise provided in subsection (24), an
20 application for an initial free parking sticker shall contain a
21 certification by a physician, physician assistant, or certified
22 nurse practitioner licensed to practice in this state attesting to
23 the nature and estimated duration of the applicant's disabling
24 condition and verifying that the applicant qualifies for a free
25 parking sticker. An individual who has a religious objection to
26 having a medical examination may personally apply at a branch
27 office of the secretary of state for an initial free parking

1 sticker. If it appears obvious that the individual is unable to do
2 1 or more of the acts listed in subdivisions (a) to (d), the
3 individual is not required to present a certification by a
4 physician, a physician assistant, or a certified nurse practitioner
5 attesting to the nature and estimated duration of the applicant's
6 disabling condition or verifying that the applicant qualifies for a
7 free parking sticker. The applicant qualifies for a free parking
8 sticker if the applicant is a licensed driver and the physician,
9 physician assistant, or certified nurse practitioner certifies or,
10 if an individual is not required to have a certification by a
11 physician, a physician assistant, or a certified nurse
12 practitioner, it is obvious that the applicant is unable to do 1 or
13 more of the following:

14 (a) Manage, manipulate, or insert coins, or obtain tickets or
15 tokens in parking meters or ticket machines in parking lots or
16 parking structures, due to the lack of fine motor control of both
17 hands.

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

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

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

27 (8) To be entitled to free parking in a metered space or in a

1 publicly owned parking structure or area, a vehicle must properly
2 display 1 of the following:

3 (a) A windshield placard bearing a free parking sticker issued
4 under this act.

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

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

7 (d) A license plate for persons with disabilities issued by
8 another state.

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

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

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

19 (11) The secretary of state shall attach a free parking
20 sticker, in contrasting colors, to the windshield placard of a
21 person certified as having an incapacity described in subsection
22 (7).

23 (12) A windshield placard issued under this section shall be
24 displayed on the interior rearview mirror of the vehicle or, if
25 there is no interior rearview mirror, on the lower left corner of
26 the dashboard while the vehicle is parked or being parked by or
27 under the direction of a disabled person pursuant to this section.

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

18 (14) A person who intentionally makes a false statement of
19 material fact or commits or attempts to commit a deception or fraud
20 on a medical statement attesting to a disability, submitted in
21 support of an application for a windshield placard, free parking
22 sticker, special registration plate, or tab for persons with
23 disabilities under this section, section 803d, or section 803f, is
24 guilty of a misdemeanor punishable by a fine of not more than
25 \$500.00 or imprisonment for not more than 30 days, or both.

26 (15) A person who commits or attempts to commit a deception or
27 fraud by 1 or more of the following methods is guilty of a

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

3 (a) Using a windshield placard or free parking sticker issued
4 under this section or by another state to provide transportation to
5 a disabled person, if the person is not providing transportation to
6 a disabled person.

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

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

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

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

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

23 (16) Except as otherwise provided in this section, a person
24 who violates this section is responsible for a civil infraction.

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

1 (a) The secretary of state determines that a windshield
2 placard or free parking sticker was fraudulently or erroneously
3 issued.

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

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

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

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

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

20 (g) The secretary of state receives notice from another state
21 or foreign country that a windshield placard or free parking
22 sticker issued by the secretary of state has been surrendered by
23 the owner or seized in conformity with the laws of that other state
24 or foreign country or has been improperly used or displayed in
25 violation of the laws of that other state or foreign country.

26 (18) Before a cancellation, revocation, or suspension under
27 subsection (17), the person affected by that action shall be given

1 notice and an opportunity to be heard.

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

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

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

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