

AMENDED IN ASSEMBLY APRIL 4, 2016
AMENDED IN ASSEMBLY MARCH 18, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2602

Introduced by Assembly Member Gatto

February 19, 2016

An act to amend Sections ~~22511.5~~ 4461 and 22511.55 ~~of of~~, to add Section 22511.551 to, and to repeal and add Section 22511.5 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2602, as amended, Gatto. Disabled parking placards.

Existing law authorizes a disabled person *or disabled veteran* to apply to the Department of Motor Vehicles (DMV) for the issuance of a distinguishing license plate or placard that entitles the person *or veteran* to ~~park various privileges, including parking in spaces designated for owners of those license plates and placards, parking for unlimited periods in a restricted zone, as specified, and to park parking in metered spaces without paying parking meter fees.~~ Existing law requires the distinguishing placard to be returned to the DMV not later than 60 days after the death of the person to whom the placard was issued. Existing law prohibits the DMV from issuing a distinguishing placard unless a certificate substantiating the person's disability is signed by a physician, nurse practitioner, certified nurse midwife, or physician assistant, unless the person's disability is readily observable and uncontested.

This bill would authorize a local authority to require a disabled person or disabled veteran to pay parking meter fees and to prohibit a disabled person or disabled veteran from parking for a period that exceeds the

~~length of time permitted for that parking zone, pursuant to an ordinance or resolution adopted by the local authority at an open meeting, if specified conditions are satisfied. The bill would also require the DMV, if it becomes aware that a person to whom a disabled person parking placard was issued is deceased, to notify the informant identified on the certificate of death of his or her legal responsibility to return the placard and to provide instructions on how to do so. The bill would require, as a prerequisite for the issuance or renewal of a distinguishing placard, that the certificate substantiating the person's disability be signed under penalty of perjury.~~

~~By expanding the crime of perjury, this bill would impose a state-mandated local program.~~

This bill would delete the authority of a disabled person or disabled veteran who has been issued a placard as described above to park for an unlimited period in restricted zones and to park in metered spaces without parking meter fees. The bill would also authorize specified disabled persons and disabled veterans to apply for a free-parking sticker, which, when properly affixed to the distinguishing placard, additionally would authorize the owner to park in any metered parking space, as defined, without being required to pay fees and for an unlimited period of time.

Under existing law, a person to whom a disabled person placard has been issued is prohibited from various acts, including lending the placard to another person and knowingly permitting use for parking purposes of the placard by one not entitled to it. Existing law also prohibits a person from displaying a placard that was not issued to him or her or that has been canceled or revoked. These acts are subject to the issuance of a notice of parking violation imposing a civil penalty, as prescribed, and constitute a misdemeanor punishable by a specified fine, imprisonment in the county jail, or both the fine and imprisonment.

This bill would extend the above penalty provisions to acts involving misuse of a free-parking sticker. By creating new crimes, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 **SECTION 1.** *Section 4461 of the Vehicle Code is amended to*
2 *read:*

3 4461. (a) A person shall not lend a certificate of ownership,
4 registration card, license plate, special plate, validation tab, or
5 permit issued to him or her if the person desiring to borrow it would
6 not be entitled to its use, and a person shall not knowingly permit
7 its use by one not entitled to it.

8 (b) A person to whom a disabled person placard *or sticker* has
9 been issued shall not lend the placard *or sticker* to another person,
10 and a disabled person shall not knowingly permit the use for
11 parking purposes of the ~~placard~~ *placard, sticker*, or identification
12 license plate issued pursuant to Section 5007 by one not entitled
13 to it. A person to whom a disabled person placard *or sticker* has
14 been issued may permit another person to use the placard only
15 while in the presence or reasonable proximity of the disabled
16 person for the purpose of transporting the disabled person. A
17 violation of this subdivision is subject to the issuance of a notice
18 of parking violation imposing a civil penalty of not less than two
19 hundred fifty dollars (\$250) and not more than one thousand dollars
20 (\$1,000), for which enforcement shall be governed by the
21 procedures set forth in Article 3 (commencing with Section 40200)
22 of Chapter 1 of Division 17 or is a misdemeanor punishable by a
23 fine of not less than two hundred fifty dollars (\$250) and not more
24 than one thousand dollars (\$1,000), imprisonment in the county
25 jail for not more than six months, or both that fine and
26 imprisonment.

27 (c) Except for the purpose of transporting a disabled person as
28 specified in subdivision (b), a person shall not display a disabled
29 person placard *or sticker* that was not issued to him or her or that
30 has been canceled or revoked pursuant to Section 22511.6. A
31 violation of this subdivision is subject to the issuance of a notice
32 of parking violation imposing a civil penalty of not less than two
33 hundred fifty dollars (\$250) and not more than one thousand dollars
34 (\$1,000), for which enforcement shall be governed by the
35 procedures set forth in Article 3 (commencing with Section 40200)
36 of Chapter 1 of Division 17 or is a misdemeanor punishable by a
37 fine of not less than two hundred fifty dollars (\$250) and not more
38 than one thousand dollars (\$1,000), imprisonment in the county

1 jail for not more than six months, or both that fine and
2 imprisonment.

3 (d) Notwithstanding subdivisions (a), (b), and (c), a person using
4 a vehicle displaying a special identification license plate issued to
5 another pursuant to Section 5007 shall not park in those parking
6 stalls or spaces designated for disabled persons pursuant to Section
7 22511.7 or 22511.8, unless transporting a disabled person. A
8 violation of this subdivision is subject to the issuance of a notice
9 of parking violation imposing a civil penalty of not less than two
10 hundred fifty dollars (\$250) and not more than one thousand dollars
11 (\$1,000), for which enforcement shall be governed by the
12 procedures set forth in Article 3 (commencing with Section 40200)
13 of Chapter 1 of Division 17 or is a misdemeanor punishable by a
14 fine of not less than two hundred fifty dollars (\$250) and not more
15 than one thousand dollars (\$1,000), imprisonment in the county
16 jail for not more than six months, or both that fine and
17 imprisonment.

18 (e) For the purposes of subdivisions (b) and (c), “disabled person
19 placard” means a placard issued pursuant to Section 22511.55 or
20 ~~22511.59~~; *22511.59*, and “sticker” means a free-parking sticker
21 issued pursuant to Section 22511.551.

22 *SEC. 2. Section 22511.5 of the Vehicle Code is repealed.*

23 ~~22511.5. (a) (1) A disabled person or disabled veteran~~
24 ~~displaying special license plates issued under Section 5007 or a~~
25 ~~distinguishing placard issued under Section 22511.55 or 22511.59~~
26 ~~is allowed to park for unlimited periods in any of the following~~
27 ~~zones:~~

28 ~~(A) In any restricted zone described in paragraph (5) of~~
29 ~~subdivision (a) of Section 21458 or on streets upon which~~
30 ~~preferential parking privileges and height limits have been given~~
31 ~~pursuant to Section 22507.~~

32 ~~(B) In any parking zone that is restricted as to the length of time~~
33 ~~parking is permitted as indicated by a sign erected pursuant to a~~
34 ~~local ordinance.~~

35 ~~(2) A disabled person or disabled veteran is allowed to park in~~
36 ~~any metered parking space without being required to pay parking~~
37 ~~meter fees.~~

38 ~~(3) This subdivision does not apply to a zone for which state~~
39 ~~law or ordinance absolutely prohibits stopping, parking, or standing~~
40 ~~of all vehicles, or which the law or ordinance reserves for special~~

1 types of vehicles, or to the parking of a vehicle that is involved in
2 the operation of a street vending business.

3 ~~(b) A disabled person or disabled veteran is allowed to park a
4 motor vehicle displaying a special disabled person license plate
5 or placard issued by a foreign jurisdiction with the same parking
6 privileges authorized in this code for any motor vehicle displaying
7 a special license plate or a distinguishing placard issued by the
8 Department of Motor Vehicles.~~

9 *SEC. 3. Section 22511.5 is added to the Vehicle Code, to read:*

10 *22511.5. (a) (1) A disabled person or disabled veteran
11 displaying special license plates issued under Section 5007 or a
12 distinguishing placard issued under Section 22511.55 or 22511.59
13 is allowed to park in any restricted zone described in paragraph
14 (5) of subdivision (a) of Section 21458 or on streets upon which
15 preferential parking privileges and height limits have been given
16 pursuant to Section 22507.*

17 *(2) This subdivision does not apply to a zone for which state
18 law or ordinance absolutely prohibits stopping, parking, or
19 standing of all vehicles, or which the law or ordinance reserves
20 for special types of vehicles, or to the parking of a vehicle that is
21 involved in the operation of a street vending business.*

22 *(b) A disabled person or disabled veteran is allowed to park a
23 motor vehicle displaying a special disabled person license plate
24 or placard issued by a foreign jurisdiction with the same parking
25 privileges authorized in this code for any motor vehicle displaying
26 a special license plate or a distinguishing placard issued by the
27 Department of Motor Vehicles.*

28 *SEC. 4. Section 22511.55 of the Vehicle Code is amended to
29 read:*

30 *22511.55. (a) (1) A disabled person or disabled veteran may
31 apply to the department for the issuance of a distinguishing placard.
32 The placard may be used in lieu of the special license plate or
33 plates issued under Section 5007 for parking purposes described
34 in Section 22511.5 when (A) suspended from the rearview mirror,
35 (B) if there is no rearview mirror, when displayed on the dashboard
36 of a vehicle, or (C) inserted in a clip designated for a distinguishing
37 placard and installed by the manufacturer on the driver's side of
38 the front window. It is the intent of the Legislature to encourage
39 the use of distinguishing placards because they provide law
40 enforcement officers with a more readily recognizable symbol for*

1 distinguishing vehicles qualified for the parking privilege. The
2 placard shall be the size, shape, and color determined by the
3 department and shall bear the International Symbol of Access
4 adopted pursuant to Section 3 of Public Law 100-641, commonly
5 known as the “wheelchair symbol.” The department shall
6 incorporate instructions for the lawful use of a placard, *instructions*
7 *for affixing a free-parking sticker issued pursuant to Section*
8 *22511.551*, and a summary of the penalties for the unlawful use
9 of a placard, into the identification card issued to the placard owner.

10 (2) (A) The department may establish procedures for the
11 issuance and renewal of the placards. The procedures shall include,
12 but are not limited to, advising an applicant in writing on the
13 application for a placard of the procedure to apply for a special
14 license plate or plates, as described in Section 5007, and the fee
15 exemptions established pursuant to Section 9105 and in subdivision
16 (a) of Section 10783 of the Revenue and Taxation Code. The
17 placards shall have a fixed expiration date of June 30 every two
18 years. A portion of the placard shall be printed in a contrasting
19 color that shall be changed every two years. The size and color of
20 this contrasting portion of the placard shall be large and distinctive
21 enough to be readily identifiable by a law enforcement officer in
22 a passing vehicle.

23 (B) As used in this section, “year” means the period between
24 the inclusive dates of July 1 through June 30.

25 (C) Prior to the end of each year, the department shall, for the
26 most current three years available, compare its record of disability
27 placards issued against the records of the Office of Vital Records
28 of the State Department of Public Health, or its successor, and
29 withhold any renewal notices that otherwise would have been sent
30 for a placardholder identified as deceased.

31 (3) Except as provided in paragraph (4), a person shall not be
32 eligible for more than one placard at a time.

33 (4) Organizations and agencies involved in the transportation
34 of disabled persons or disabled veterans may apply for a placard
35 for each vehicle used for the purpose of transporting disabled
36 persons or disabled veterans.

37 (b) (1) Except as provided in paragraph (4), prior to issuing an
38 original distinguishing placard to a disabled person or disabled
39 veteran, the department shall require the submission of a certificate,
40 in accordance with paragraph (2), signed by the physician and

1 surgeon, or to the extent that it does not cause a reduction in the
2 receipt of federal aid highway funds, by a nurse practitioner,
3 certified nurse midwife, or physician assistant, substantiating the
4 disability, unless the applicant's disability is readily observable
5 and uncontested. The disability of a person who has lost, or has
6 lost use of, one or more lower extremities or one hand, for a
7 disabled veteran, or both hands, for a disabled person, or who has
8 significant limitation in the use of lower extremities, may also be
9 certified by a licensed chiropractor. The blindness of an applicant
10 shall be certified by a licensed physician and surgeon who
11 specializes in diseases of the eye or a licensed optometrist. The
12 physician and surgeon, nurse practitioner, certified nurse midwife,
13 physician assistant, chiropractor, or optometrist certifying the
14 qualifying disability shall provide a full description of the illness
15 or disability on the form submitted to the department.

16 (2) The physician and surgeon, nurse practitioner, certified nurse
17 midwife, physician assistant, chiropractor, or optometrist who
18 signs a certificate submitted under this subdivision shall retain
19 information sufficient to substantiate that certificate and, upon
20 request of the department, shall make that information available
21 for inspection by the Medical Board of California or the appropriate
22 regulatory board.

23 (3) The department shall maintain in its records all information
24 on an applicant's certification of permanent disability and shall
25 make that information available to eligible law enforcement or
26 parking control agencies upon a request pursuant to Section
27 22511.58.

28 (4) For a disabled veteran, the department shall accept, in lieu
29 of the certificate described in paragraph (1), a certificate from the
30 United States Department of Veterans Affairs that certifies that
31 the applicant is a disabled veteran as described in Section 295.7.

32 (c) A person who is issued a distinguishing placard pursuant to
33 subdivision (a) may apply to the department for a substitute placard
34 without recertification of eligibility, if that placard is lost or stolen.

35 (d) The distinguishing placard shall be returned to the
36 department not later than 60 days after the death of the disabled
37 person or disabled veteran to whom the placard was issued.

38 (e) The department shall print on any distinguishing placard
39 issued on or after January 1, 2005, the maximum penalty that may
40 be imposed for a violation of Section 4461. For purposes of this

1 subdivision, the “maximum penalty” is the amount derived from
2 adding all of the following:

3 (1) The maximum fine that may be imposed under Section 4461.

4 (2) The penalty required to be imposed under Section 70372 of
5 the Government Code.

6 (3) The penalty required to be levied under Section 76000 of
7 the Government Code.

8 (4) The penalty required to be levied under Section 1464 of the
9 Penal Code.

10 (5) The surcharge required to be levied under Section 1465.7
11 of the Penal Code.

12 (6) The penalty authorized to be imposed under Section 4461.3.

13 *SEC. 5. Section 22511.551 is added to the Vehicle Code, to*
14 *read:*

15 *22511.551. (a) (1) Notwithstanding any other law, a disabled*
16 *person or disabled veteran who has been issued a distinguishing*
17 *placard under Section 22511.55 or 22511.59 and who meets the*
18 *criteria specified in subdivision (b) may apply, pursuant to this*
19 *section, for a free-parking sticker, which shall be yellow in color*
20 *and shall be affixed to a placard issued pursuant to Section*
21 *22511.55 or 22511.59.*

22 *(2) The owner of a sticker that is properly affixed to a placard*
23 *may park in any metered parking space without being required to*
24 *pay parking fees and for an unlimited period of time. For purposes*
25 *of this section, “metered parking space” includes a parking space*
26 *regulated by a parking meter designated for an individual parking*
27 *space and a parking payment center designated for one or more*
28 *parking spaces.*

29 *(3) The department may establish procedures for the issuance*
30 *and renewal of the stickers. The procedures shall include, but are*
31 *not limited to, advising an applicant in writing on the application*
32 *for a sticker of the procedure to apply for a special license plate*
33 *or plates, as described in Section 5007. The stickers shall have a*
34 *fixed expiration date of June 30 every four years.*

35 *(b) An applicant for a free-parking sticker under this section*
36 *shall provide certification pursuant to subdivision (c) that the*
37 *applicant is unable to perform one or more of the following*
38 *activities:*

1 (1) *Manage, manipulate, or insert coins, or obtain tickets or*
2 *tokens at parking meters or parking payment centers, due to the*
3 *lack of fine motor control of both hands.*

4 (2) *Reach above his or her head to a height of 42 inches from*
5 *the ground due to a lack of finger, hand, or upper extremity*
6 *strength or mobility.*

7 (3) *Approach a parking meter due to his or her use of a*
8 *wheelchair or other device.*

9 (4) *Walk more than 20 feet due to an orthopedic, neurological,*
10 *cardiovascular, or lung condition in which the degree of*
11 *debilitation is so severe that it almost completely impedes the*
12 *ability to walk.*

13 (c) (1) *Prior to issuing an original sticker to a disabled person*
14 *or disabled veteran, the department shall require the submission*
15 *of a certificate, in accordance with paragraph (2), signed by the*
16 *physician and surgeon, or to the extent that it does not cause a*
17 *reduction in the receipt of federal aid highway funds, by a nurse*
18 *practitioner, certified nurse midwife, or physician assistant,*
19 *substantiating the disability, unless the applicant's disability is*
20 *readily observable and uncontested. The physician and surgeon,*
21 *nurse practitioner, certified nurse midwife, physician assistant,*
22 *chiropractor, or optometrist certifying the qualifying disability*
23 *shall provide a full description of the qualifying condition on the*
24 *form submitted to the department.*

25 (2) *The physician and surgeon, nurse practitioner, certified*
26 *nurse midwife, physician assistant, chiropractor, or optometrist*
27 *who signs a certificate submitted under this subdivision shall retain*
28 *information sufficient to substantiate that certificate and, upon*
29 *request of the department, shall make that information available*
30 *for inspection by the Medical Board of California or the*
31 *appropriate regulatory board.*

32 (3) *A person who is issued a sticker pursuant to subdivision (a)*
33 *may apply to the department for a substitute sticker without*
34 *recertification of eligibility, if that sticker is lost or stolen.*

35 (d) *The department may establish a fee for issuance of a sticker*
36 *pursuant to this section, which shall not exceed the reasonable*
37 *costs of implementing the sticker program.*

38 (e) *Notwithstanding any other law, the maximum fine that may*
39 *be imposed under Section 4461 constitutes the maximum penalty*

1 *that may be imposed for a violation of Section 4461 based on the*
2 *misuse of a sticker issued under this section.*

3 ~~SECTION 1. Section 22511.5 of the Vehicle Code is amended~~
4 ~~to read:~~

5 ~~22511.5. (a) (1) A disabled person or disabled veteran~~
6 ~~displaying a special license plate issued under Section 5007 or a~~
7 ~~distinguishing placard issued under Section 22511.55 or 22511.59~~
8 ~~may park for unlimited periods in any of the following zones:~~

9 ~~(A) In any restricted zone described in paragraph (5) of~~
10 ~~subdivision (a) of Section 21458 or on streets upon which~~
11 ~~preferential parking privileges and height limits have been given~~
12 ~~pursuant to Section 22507.~~

13 ~~(B) In any parking zone that is restricted as to the length of time~~
14 ~~parking is permitted as indicated by a sign erected pursuant to a~~
15 ~~local ordinance.~~

16 ~~(2) A disabled person or disabled veteran may park in any~~
17 ~~metered parking space without being required to pay parking meter~~
18 ~~fees.~~

19 ~~(3) This subdivision does not apply to a zone for which state~~
20 ~~law or ordinance absolutely prohibits stopping, parking, or standing~~
21 ~~of all vehicles, or that the law or ordinance reserves for special~~
22 ~~types of vehicles, or to the parking of a vehicle that is involved in~~
23 ~~the operation of a street vending business.~~

24 ~~(b) Notwithstanding subdivision (a), a local authority may~~
25 ~~require a disabled person or disabled veteran to pay parking meter~~
26 ~~fees, and may prohibit a disabled person or disabled veteran from~~
27 ~~parking for a period that exceeds the length of time permitted for~~
28 ~~that parking zone, pursuant to an ordinance or resolution adopted~~
29 ~~by the local authority at an open meeting, if all of the following~~
30 ~~requirements are satisfied:~~

31 ~~(1) The local authority performs a self-assessment of its~~
32 ~~compliance with the federal Americans with Disabilities Act of~~
33 ~~1990 (42 U.S.C. Sec. 12101 et seq.) with regard to its provision~~
34 ~~of parking spaces that are accessible to disabled persons.~~

35 ~~(2) The assessment is made publicly available on an Internet~~
36 ~~Web site at least 30 days prior to the meeting to discuss the~~
37 ~~proposed ordinance or resolution.~~

38 ~~(3) The public is provided with an opportunity to comment on~~
39 ~~the assessment and proposed ordinance or resolution at the meeting.~~

1 ~~(4) The local authority posts signs indicating that a person~~
2 ~~displaying a special license plate or placard is required to pay~~
3 ~~parking meter fees and is prohibited from parking for a period that~~
4 ~~exceeds the permitted length of time.~~

5 ~~(5) The local authority makes all reasonable accommodations,~~
6 ~~including the provision of free parking for individuals who, by~~
7 ~~virtue of their disability, are unable to insert payment into a parking~~
8 ~~meter.~~

9 ~~(e) A disabled person or disabled veteran may park a motor~~
10 ~~vehicle displaying a special disabled person license plate or placard~~
11 ~~issued by a foreign jurisdiction with the same parking privileges~~
12 ~~authorized in this code for any motor vehicle displaying a special~~
13 ~~license plate or a distinguishing placard issued by the Department~~
14 ~~of Motor Vehicles.~~

15 ~~SEC. 2. Section 22511.55 of the Vehicle Code is amended to~~
16 ~~read:~~

17 ~~22511.55. (a) (1) A disabled person or disabled veteran may~~
18 ~~apply to the department for the issuance of a distinguishing placard.~~
19 ~~The placard may be used in lieu of the special license plate or~~
20 ~~plates issued under Section 5007 for parking purposes described~~
21 ~~in Section 22511.5 when (A) suspended from the rearview mirror,~~
22 ~~(B) if there is no rearview mirror, when displayed on the dashboard~~
23 ~~of a vehicle, or (C) inserted in a clip designated for a distinguishing~~
24 ~~placard and installed by the manufacturer on the driver's side of~~
25 ~~the front window. It is the intent of the Legislature to encourage~~
26 ~~the use of distinguishing placards because they provide law~~
27 ~~enforcement officers with a more readily recognizable symbol for~~
28 ~~distinguishing vehicles qualified for the parking privilege. The~~
29 ~~placard shall be the size, shape, and color determined by the~~
30 ~~department and shall bear the International Symbol of Access~~
31 ~~adopted pursuant to Section 3 of Public Law 100-641, commonly~~
32 ~~known as the "wheelchair symbol." The department shall~~
33 ~~incorporate instructions for the lawful use of a placard, and a~~
34 ~~summary of the penalties for the unlawful use of a placard, into~~
35 ~~the identification card issued to the placard owner.~~

36 ~~(2) (A) The department may establish procedures for the~~
37 ~~issuance and renewal of the placards. The procedures shall include,~~
38 ~~but are not limited to, advising an applicant in writing on the~~
39 ~~application for a placard of the procedure to apply for a special~~
40 ~~license plate or plates, as described in Section 5007, and the fee~~

1 exemptions established pursuant to Section 9105 and in subdivision
2 (a) of Section 10783 of the Revenue and Taxation Code. The
3 placards shall have a fixed expiration date of June 30 every two
4 years. A portion of the placard shall be printed in a contrasting
5 color that shall be changed every two years. The size and color of
6 this contrasting portion of the placard shall be large and distinctive
7 enough to be readily identifiable by a law enforcement officer in
8 a passing vehicle.

9 (B) As used in this section, “year” means the period between
10 the inclusive dates of July 1 through June 30.

11 (C) Prior to the end of each year, the department shall, for the
12 most current three years available, compare its record of disability
13 placards issued against the records of the Office of Vital Records
14 of the State Department of Public Health, or its successor, and
15 withhold any renewal notices that otherwise would have been sent
16 for a placardholder identified as deceased.

17 (3) Except as provided in paragraph (4), a person shall not be
18 eligible for more than one placard at a time.

19 (4) Organizations and agencies involved in the transportation
20 of disabled persons or disabled veterans may apply for a placard
21 for each vehicle used for the purpose of transporting disabled
22 persons or disabled veterans.

23 (b) (1) Except as provided in paragraph (4), prior to issuing or
24 renewing a distinguishing placard to a disabled person or disabled
25 veteran, the department shall require the submission of a certificate,
26 in accordance with paragraph (2), signed under penalty of perjury
27 by the physician and surgeon, or to the extent that it does not cause
28 a reduction in the receipt of federal aid highway funds, by a nurse
29 practitioner, certified nurse midwife, or physician assistant,
30 substantiating the disability, unless the applicant’s disability is
31 readily observable and uncontested. The disability of a person who
32 has lost, or has lost use of, one or more lower extremities or one
33 hand, for a disabled veteran, or both hands, for a disabled person,
34 or who has significant limitation in the use of lower extremities,
35 may also be certified by a licensed chiropractor. The blindness of
36 an applicant shall be certified by a licensed physician and surgeon
37 who specializes in diseases of the eye or a licensed optometrist.
38 The physician and surgeon, nurse practitioner, certified nurse
39 midwife, physician assistant, chiropractor, or optometrist certifying

1 the qualifying disability shall provide a full description of the
2 illness or disability on the form submitted to the department.

3 (2) The physician and surgeon, nurse practitioner, certified nurse
4 midwife, physician assistant, chiropractor, or optometrist who
5 signs a certificate submitted under this subdivision shall retain
6 information sufficient to substantiate that certificate and, upon
7 request of the department, shall make that information available
8 for inspection by the Medical Board of California or the appropriate
9 regulatory board.

10 (3) The department shall maintain in its records all information
11 on an applicant's certification of permanent disability and shall
12 make that information available to eligible law enforcement or
13 parking control agencies upon a request pursuant to Section
14 22511.58.

15 (4) For a disabled veteran, the department shall accept, in lieu
16 of the certificate described in paragraph (1), a certificate from the
17 United States Department of Veterans Affairs that certifies that
18 the applicant is a disabled veteran as described in Section 295.7.

19 (e) A person who is issued a distinguishing placard pursuant to
20 subdivision (a) may apply to the department for a substitute placard
21 without recertification of eligibility, if that placard is lost or stolen.

22 (d) (1) The distinguishing placard shall be returned to the
23 department not later than 60 days after the death of the disabled
24 person or disabled veteran to whom the placard was issued.

25 (2) If the department becomes aware that the person to whom
26 the placard was issued is deceased, the department shall notify the
27 informant identified on the certificate of death of his or her legal
28 responsibility to return the placard to the department and provide
29 instructions on how to do so.

30 (e) The department shall print on any distinguishing placard
31 issued on or after January 1, 2005, the maximum penalty that may
32 be imposed for a violation of Section 4461. For purposes of this
33 subdivision, the "maximum penalty" is the amount derived from
34 adding all of the following:

35 (1) The maximum fine that may be imposed under Section 4461.

36 (2) The penalty required to be imposed under Section 70372 of
37 the Government Code.

38 (3) The penalty required to be levied under Section 76000 of
39 the Government Code.

1 ~~(4) The penalty required to be levied under Section 1464 of the~~
2 ~~Penal Code.~~
3 ~~(5) The surcharge required to be levied under Section 1465.7~~
4 ~~of the Penal Code.~~
5 ~~(6) The penalty authorized to be imposed under Section 4461.3.~~
6 ~~SEC. 3.~~
7 *SEC. 6.* No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.