

HOUSE BILL NO. 1169

Introduced by

Representatives D. Ruby, K. Anderson, Fegley, Nathe, Nelson, M. Ruby, Schatz

Senators Dever, Mathern, Paulson, Rust

1 A BILL for an Act to amend and reenact subsection 1 of section 39-01-15 and section
2 39-04-10.2 of the North Dakota Century Code, relating to parking privileges and license plates
3 for mobility-impaired individuals.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-01-15 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 1. A mobility-impaired individual or a mobility-impaired individual's parent, legal guardian,
8 spouse, or primary caregiver, who displays prominently upon a motor vehicle parked
9 by that individual or under that individual's direction and for that individual's use, the
10 distinguishing certificate specified in subsection 4, license plates issued under section
11 39-04-10.2, or a disabled veteran plate issued under subdivision j of subsection 2 of
12 section 39-04-18 is entitled to courtesy in the parking of the motor vehicle. However,
13 any municipality may prohibit, by ordinance, parking on any highway for the purpose of
14 creating a fire lane or to provide for the accommodation of heavy traffic during morning
15 and afternoon rush hours. The privileges extended to a mobility-impaired individual or
16 a mobility-impaired individual's parent, legal guardian, spouse, or primary caregiver,
17 do not apply on a highway if parking is prohibited.

18 **SECTION 2. AMENDMENT.** Section 39-04-10.2 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **39-04-10.2. Special plates for mobility-impaired individuals.**

21 1. The director may issue, without charge, upon application and payment of the regular
22 license fee, plates marked with the international symbol of accessibility for the mobility
23 impaired, to a motor vehicle owner ~~possessing:~~

24 a. Possessing a parking certificate issued under subsection 4 of section 39-01-15.;

- 1 b. Who is the parent or legal guardian of a mobility-impaired minor possessing a
2 parking certificate issued under subsection 4 of section 39-01-15 if the vehicle is
3 designated for the exclusive use of transporting the mobility-impaired minor; or
4 c. Who is the spouse, legal guardian, or primary caregiver of a mobility-impaired
5 individual possessing a parking certificate issued under subsection 4 of section
6 39-01-15 if the vehicle is designated for the exclusive use of transporting the
7 mobility-impaired individual.
- 8 2. A motor vehicle owner under subdivisions b or c of subsection 1 shall return the plates
9 to the director within forty-five days of:
- 10 a. Changing residence to another state, country, or province;
11 b. Selling, exchanging, or donating the motor vehicle for which the plates were
12 issued;
13 c. The death of the mobility-impaired individual;
14 d. Separation or divorce from the mobility-impaired individual or if the joint
15 ownership of the motor vehicle between the owner and the mobility-impaired
16 individual ceases for any reason;
17 e. The mobility-impaired individual turning eighteen years of age if the plate was
18 issued under subdivision a, except if the parent or legal guardian maintains the
19 primary caregiver status for the mobility-impaired individual; or
20 f. The end of the motor vehicle owner's status as legal guardian or primary
21 caregiver for the mobility-impaired individual for whom the vehicle was
22 designated to transport.
- 23 3. For plates returned to the director under subsection 2, the director shall reissue for a
24 fee of not more than five dollars another number plate to which that registrant is
25 entitled under this chapter.
- 26 4. This section is not applicable to an applicant possessing more than one parking
27 certificate issued under subsection 4 of section 39-01-15.