

**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 1. 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 impaired,  
23 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. One set of plates per mobility-impaired individual may be issued to a vehicle the  
27 mobility-impaired individual is not listed as the owner of if the vehicle is designated for  
28 the exclusive use of transporting that mobility-impaired individual. This section is not  
29 applicable to an applicant possessing more than one parking certificate issued under  
30 subsection 4 of section 39-01-15.