

Senate Bill 796

Sponsored by Senators MANNING JR, OLSEN; Senators COURTNEY, DEVLIN, MONNES ANDERSON, THOMSEN, Representatives ALONSO LEON, ESQUIVEL, EVANS, GORSEK, KENNEMER, MEEK, PARRISH, PILUSO, POST, SMITH DB, WHISNANT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Transportation to issue Oregon Wounded Warrior parking permits to qualified applicants. Defines "wounded warrior."

Permits person issued Oregon Wounded Warrior parking permit or person transporting person issued parking permit to park motor vehicle in any public parking zone restricted as to length of time permitted therein without incurring overtime penalties and to park motor vehicle in any public parking zone with metered parking without being required to pay any parking meter fee. Provides exceptions.

Becomes operative January 1, 2018.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Oregon Wounded Warrior parking permits; creating new provisions; amending ORS
3 811.602 and 811.635; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of the Oregon Vehicle**
6 **Code.**

7 **SECTION 2. (1) The Department of Transportation shall issue an "Oregon Wounded**
8 **Warrior" disabled person parking permit in the form of an "Oregon Wounded Warrior"**
9 **placard or decal for use by a wounded warrior.**

10 (2) A person is a wounded warrior who qualifies for an "Oregon Wounded Warrior"
11 parking permit if the person served in the Armed Forces of the United States and is at least
12 50 percent disabled as the result of causes connected with military service.

13 (3) An applicant shall provide the department written proof that the last official certi-
14 fication of record by the United States Department of Veterans Affairs or any branch of the
15 Armed Forces of the United States shows the person to be at least 50 percent disabled.

16 (4) The Department of Transportation shall determine the form, size and content of the
17 placards or decals, except that the department shall require that the placards or decals:

18 (a) Include the words "Oregon Wounded Warrior."

19 (b) Have an expiration date that is visible from outside the vehicle when the placard or
20 decal is displayed on or in the vehicle.

21 (5) The department shall by rule determine how a person may qualify for an "Oregon
22 Wounded Warrior" placard or decal under this section.

23 (6) An applicant for an "Oregon Wounded Warrior" placard or decal issued by the de-
24 partment under this section must have a driver license, a disability golf cart driver permit
25 or an identification card issued by the department. The placard or decal shall be valid as long
26 as the license, permit or identification card is valid and may be renewed when the license,

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **permit or identification card is renewed.**

2 **(7) The expiration date shall be the same as the expiration date of the driver license,**
 3 **disability golf cart driver permit or identification card of the holder of the placard or decal.**

4 **SECTION 3.** ORS 811.602 is amended to read:

5 811.602. (1) A disabled person parking permit is a means of identifying vehicles being used to
 6 exercise the parking privileges described in ORS 811.635. The following are disabled person parking
 7 permits:

8 (a) A special decal described in ORS 811.605 issued by the Department of Transportation to be
 9 affixed to a golf cart or substantially similar vehicle;

10 (b) An individual placard described in ORS 811.605;

11 (c) A program placard issued by the department under ORS 811.607;

12 (d) A family placard issued by the department under ORS 811.609;

13 (e) A foreign visitor placard issued by the department under ORS 811.611; [and]

14 (f) A "Wheelchair User" placard or decal issued by the department under ORS 811.613[.]; **and**

15 **(g) An "Oregon Wounded Warrior" placard or decal issued by the department under**
 16 **section 2 of this 2017 Act.**

17 (2) The department shall issue a disabled person parking permit in the form of a decal or indi-
 18 vidual placard to any person who submits an application that complies with ORS 811.604. Nothing
 19 in this section prohibits the department from issuing a decal or individual placard to a person who
 20 has disabled veteran registration plates issued under ORS 805.100 and who qualifies for the decal
 21 or placard.

22 (3) Except as otherwise provided in this subsection, the department may not issue more than one
 23 individual placard to an applicant. The department may issue a replacement placard upon receipt
 24 of proof satisfactory to the department that the original placard has been lost, mutilated or de-
 25 stroyed. The department may issue a temporary duplicate permit to a person who needs a duplicate
 26 permit for travel purposes. A temporary duplicate permit shall be valid for 30 days. The department
 27 shall adopt rules governing application for and issuance of temporary duplicate permits. Nothing in
 28 this subsection prohibits issuance of an individual placard to a person who has been issued a decal.

29 (4) Permits issued under this section, other than temporary duplicate permits, may be renewed
 30 by mail.

31 (5) Permits for use on vehicles that are regularly used as part of a program for the transporta-
 32 tion of persons with disabilities are issued as provided in ORS 811.607.

33 (6) Except as provided in subsection (7) of this section, the department shall determine the form,
 34 size and content of any decal or placard issued under this section and shall adopt rules governing
 35 their issuance, display and use as necessary to carry out this section.

36 (7)(a) Except as provided in paragraph (b) of this subsection, the department may not require a
 37 decal or placard issued under this section to an individual or a family to contain any identifying
 38 information about the person to whom the decal or placard is issued, including any of the following:

39 (A) Name;

40 (B) Address;

41 (C) Telephone number;

42 (D) Social Security number;

43 (E) Driver license number;

44 (F) Golf cart driver permit number;

45 (G) Identification card number;

1 (H) Passport or visa number; or

2 (I) Photograph.

3 (b) The department may require a decal or placard issued under this section to an individual
 4 or a family to contain not more than four digits of the driver license or identification card number
 5 of the person to whom the decal or placard is issued.

6 **SECTION 4.** ORS 811.635 is amended to read:

7 811.635. All of the following apply to the parking privileges granted to persons with disabilities
 8 under a disabled person parking permit other than a program placard described in ORS 811.607:

9 (1) The privileges granted under a permit may be exercised notwithstanding ORS 811.575, any
 10 authority granted under ORS 810.160 or parking restrictions imposed by any city or county and
 11 without violation thereof.

12 (2) Subject to the limitations under subsection (4) of this section, a “Wheelchair User” placard
 13 or decal **and an “Oregon Wounded Warrior” placard or decal** allows its holder, or another per-
 14 son while transporting its holder to or from the parking location, to exercise the following privi-
 15 leges:

16 (a) Park a motor vehicle in any public parking zone restricted as to the length of time permitted
 17 therein without incurring penalties imposed for overtime parking in such zones.

18 (b) Park a motor vehicle in any public parking zone with metered parking without being re-
 19 quired to pay any parking meter fee.

20 (3) A city or county may allow any person who holds a disabled person parking permit to ex-
 21 ercise the rights described in subsection (2) of this section.

22 (4) The privileges granted under subsection (2) of this section do not include any of the follow-
 23 ing:

24 (a) Parking in zones where stopping, parking or standing of all motor vehicles is prohibited.

25 (b) Parking in the late evening or overnight where such parking is prohibited.

26 (c) Parking in zones reserved for special types of motor vehicles or activities.

27 (d) Parking in zones where parking is permitted only for 30 minutes or less.

28 (e) Parking in a parking space marked or signed for “Wheelchair User Only,” unless displaying
 29 a “Wheelchair User” placard or decal issued under ORS 811.613.

30 (5) In addition to other privileges granted under a permit, the person issued a permit, or another
 31 person while transporting the person issued the permit to or from the parking location, may use the
 32 permit to park in a parking space that is marked or signed to provide parking for persons with
 33 disabilities without violation of ORS 811.615.

34 **SECTION 5. (1) Section 2 of this 2017 Act and the amendments to sections ORS 811.602**
 35 **and 811.635 by sections 3 and 4 of this 2017 Act become operative on January 1, 2018.**

36 **(2) The Department of Transportation may take any action before the operative date**
 37 **specified in subsection (1) of this section that is necessary for the department to exercise,**
 38 **on and after the operative date specified in subsection (1) of this section, all of the duties,**
 39 **functions and powers conferred on the department by section 2 of this 2017 Act and the**
 40 **amendments to sections ORS 811.602 and 811.635 by sections 3 and 4 of this 2017 Act.**

41 **SECTION 6. This 2017 Act being necessary for the immediate preservation of the public**
 42 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
 43 **on its passage.**