

CHAPTER 276, Laws of 1979

AN ACT to amend 346.50 (2a) (intro.) and (3), 346.505, 346.55 (3) and 349.13 (1m); and to create 343.51, 343.52 and 346.50 (2a) (f) and (g) of the statutes, relating to issuing special identification cards for disabled persons, enforcing parking restrictions, granting rule-making authority and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.51 of the statutes is created to read:

343.51 Special identification cards for physically disabled. (1) Any person who qualifies for license plates of a special design under ss. 341.14 (1), (1a), (1m) or (1q), or any person who is temporarily physically disabled by any physical condition which renders the person unable to walk or unable to walk without great difficulty, may request from the department a special identification card which will entitle any motor vehicle parked by, or under the direction of, such person to parking privileges under s. 346.50 (2), (2a) and (3). The department shall issue such a card at a fee to be determined by the department, upon submission by the applicant of a statement from a physician qualified to practice medicine in this state that such person is a physically disabled person within the meaning of this section. The physician's statement shall state whether the disability is permanent or temporary, and if temporary, the opinion of the physician as to the duration of the disability.

(2) The department shall prescribe the form and size of identification cards issued under this section and shall promulgate rules regarding the issuance and use of the cards. The identification cards shall be designed and displayed so as to enable law enforcement officers to determine that the vehicle, when parked, is entitled to parking privileges under s. 346.50 (2), (2a) and (3), but shall not be unnecessarily conspicuous when the vehicle is operated. The department shall issue special identification cards which are valid for limited periods of time if the physician's statement required by sub. (1) indicates that the applicant's disability is temporary.

SECTION 2. 343.52 of the statutes is created to read:

343.52 Improper use of special identification cards. (1) Any person who does any of the following may be required to forfeit not more than \$200:

- (a) Lends to another a special identification card issued under s. 343.51, knowing that the person borrowing the card is not authorized by law to use it; or
- (b) Displays a special identification card issued under s. 343.51 upon a vehicle which is not authorized by law to have the card displayed thereon.

(2) The department shall cancel the special identification card of any person who improperly uses a card as described in sub. (1). Whenever a person is notified that the identification card has been canceled, the person shall surrender the card to the department. The department may take possession of any identification card required to be surrendered to the department or may direct any traffic officer to take possession thereof and return it to the department.

SECTION 3. 346.50 (2a) (intro.) of the statutes is amended to read:

346.50 (2a) (intro.) An automobile or motor home bearing special registration plates issued under s. 341.14 (1a), (1m) or (1q) or a motor vehicle upon which a special identification card issued under s. 343.51 is displayed is exempt from any ordinance im-

posing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the following:

SECTION 4. 346.50 (2a) (f) and (g) of the statutes are created to read:

346.50 (2a) (f) A person to whom a special identification card was issued under s. 343.51.

(g) A qualified operator acting under the express direction of a person to whom a special identification card was issued under s. 343.51 when such person is present.

SECTION 5. 346.50 (3) of the statutes is amended to read:

346.50 (3) A vehicle bearing special registration plates issued under s. 341.14 (1), (1a), (1m) or (1q) or a motor vehicle upon which a special identification card issued under s. 343.51 is displayed is exempt from s. 346.505 or any ordinance in conformity therewith prohibiting parking, stopping or standing upon any portion of a street, highway or public parking facility reserved for handicapped persons by official traffic signs, distinct markers or parking meters indicating the restriction. Stopping, standing and parking privileges granted by this subsection are limited to the persons listed under sub. (2) and (2a) (a) to ~~(e)~~ (g).

SECTION 5e. 346.505 of the statutes is amended to read:

346.505 Stopping, standing or parking prohibited in places reserved for handicapped. No person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or public parking facility reserved for handicapped persons by official traffic signs, distinct markers or parking meters indicating the restriction.

SECTION 5m. 346.55 (3) of the statutes is amended to read:

346.55 (3) No person shall may, without the permission of the owner or lessee of any public or private property, leave or park any motor vehicle thereon contrary to a posted sign thereon, if there is in plain view on such property a "No Parking" sign, or a sign indicating limited or restricted parking. Owners or lessees of such property may prohibit parking, may restrict or limit parking and may permit parking by certain persons and prohibit it or limit it as to other persons. This subsection does not apply to the reservation of parking for handicapped persons.

SECTION 5s. 349.13 (1m) of the statutes is amended to read:

349.13 (1m) The department, with respect to state trunk highways outside of corporate limits and parking facilities under its jurisdiction, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits and parking facilities under their jurisdiction within corporate limits, may prohibit parking, stopping or standing upon any portion of a street, highway or public parking facility reserved for handicapped persons by official traffic signs, distinct markers or parking meters indicating the restriction.

SECTION 6. **Effective date.** This act takes effect on January 1, 1980.