

## Chapter Trans 130

### SPECIAL IDENTIFICATION CARDS FOR PHYSICALLY DISABLED

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Note: Chapter Trans 130 was created by emergency rule effective 6-30-80; Chapter Trans 130 was repealed and recreated by emergency rule effective 7-12-82; Chapter Trans 130 as it existed on November 30, 1982 was repealed and a new chapter Trans 130 was created effective December 1, 1982.

**Trans 130.01 Purpose and scope.** (1) **STATUTORY AUTHORITY.** As authorized by ss. 110.06 (1), 227.11 and 343.51 (1) and (2), Stats., the purpose of this chapter is to establish the department's administrative interpretation of ss. 343.51 and 343.52, Stats., relating to the issuance and use of special identification cards for physically disabled persons and for any organization that regularly transports such persons.

(2) **APPLICABILITY.** This chapter applies to any person or organization wishing to obtain an identification card for special parking privileges under s. 346.50 (2a) and (3), Stats.

Note: Forms used in administering this rule are MVD 2452A application by a person, MVD 2452C application by an organization, and MVD 2452 special identification card.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82; correction in (1) made under s. 13.93 (2m) (b) 7, Stats., Register, December, 1987, No. 384.

**Trans 130.02 Definitions.** As used in this chapter:

(1) "Department" means the Wisconsin department of transportation.

(2) "Organization" means a profit or non-profit corporation, any unit of government, a partnership or association, 2 or more persons having a joint or common interest, or any other legal or commercial entity.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.03 Application form.** (1) **APPLICATION BY A PERSON.** Each application for an identification card by a person shall be on the form provided by the department, except as allowed in s. Trans 130.09 (2), and shall contain the following information:

- (a) The name and address of the applicant.
- (b) The signature of the applicant, parent, foster parent or guardian.
- (c) The relationship to the applicant, if signed by someone other than the applicant.
- (d) The date of the application.
- (e) The age and date of birth of the applicant.

(f) Whether the applicant holds a valid Wisconsin operator's license issued under ch. 343, Stats.

(g) Applicant's Wisconsin operator's license number, if applicable.

(h) A statement from a physician including:

1. A certification that the applicant is disabled within the meaning of s. 343.51, Stats.

2. Whether the disability is permanent or temporary.

3. The duration of the disability, if temporary.

4. Description of the disability.

5. The physician's name, address, and signature.

6. The date of physician's statement.

(i) Whether the application is for an original card, replacement card, or extension of a temporary card.

(j) A notification that the applicant, if he or she holds an operator's license, may be required to demonstrate that the disability does not impair the ability to operate a motor vehicle safely.

(k) Any other information necessary to assist the applicant and physician to understand the requirements and privileges of s. 343.51, Stats., and this chapter.

(1) Additional information required by s. Trans 130.08 (3) if the application is for a replacement card.

Note: Form MVD 2452A, application by a person.

(2) APPLICATION BY AN ORGANIZATION. Each application for an identification card by an organization shall be on the form provided by the department, except as allowed in s. Trans 130.09 (2), and shall contain the following information:

(a) The name and address of the organization.

(b) The signature and official capacity of the person authorized to sign for the organization.

(c) The date of application.

(d) The estimated total number of motor vehicles operated by or on behalf of the organization to transport disabled persons.

(e) A certification by the organization that it regularly transports disabled persons within the meaning of s. 343.51, Stats.

(f) The number of special identification cards being requested.

(g) Whether the application is for an original or replacement card.

(h) Any other information necessary to assist the organization to understand the requirements and privileges of s. 343.51, Stats., and this chapter.

(i) Additional information required by s. Trans 130.08 (3) if the application is for a replacement card.

Note: Form MVD 2452C, application by an organization.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.04 Fee.** A fee of \$4.00 shall be charged for issuance of an identification card. This fee shall apply whether the issuance is for an original permanent or temporary card, a replacement card, or issuance of another temporary identification card to extend the expiration date of the original.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.05 Identification card.** (1) **SIZE AND CONTENT.** The identification card shall be 8" × 5½". When folded for display, it shall be 8" × 2¾" and shall contain:

- (a) Name and address of the person or organization to whom issued.
- (b) The card number.
- (c) The date of issue.
- (d) The expiration date, if temporary, or the word "permanent".
- (e) One of the following words to describe the type of card:
  1. Original.
  2. Replacement.
  3. Extension.
- (f) International symbol of access.
- (g) The legend "Physically Disabled Parking Privileges".
- (h) Other information necessary for proper recognition or identification.

(2) **COLOR.** (a) The features described in subs. (1) (f) and (g) shall be highlighted in a blue color for a permanent card.

(b) The features described in subs. (1) (f) and (g) shall be highlighted in an orange color for a temporary card.

Note: Form MVD 2452, special identification card.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.06 Issuance.** (1) As authorized by s. 343.51, Stats., an identification card shall be issued to a disabled person only when a physician certifies that there is a qualifying permanent or temporary disability and specifies the duration of any temporary disability.

(2) The expiration date for a temporary identification card shall be the date provided by the physician as the estimated duration of the temporary disability.

(3) No person may hold more than one valid card at any time.

(4) No organization shall be issued more cards than the estimated total number of motor vehicles operated by or on behalf of the organization to regularly transport disabled persons.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.07 Use.** (1) **DISPLAY.** The identification card shall be displayed:

(a) Upon the left sun visor, left dashboard, or left front windshield of a parked automobile, motor truck, van, motor-home, bus, or other enclosed motor vehicle so the international access symbol and the words "Parking Privileges" are visible through the front windshield of the vehicle.

(b) In a prominent location on a motorcycle, moped or other non-enclosed vehicle not covered by sub. (a).

(c) The identification card shall not be permanently affixed to any vehicle.

(2) **RESTRICTIONS AND LIMITATIONS.** (a) In addition to those actions specified as improper use of identification cards in s. 343.52, Stats., no person or organization shall duplicate, reproduce, or copy any identification card.

(b) As provided by s. 343.51, Stats., an identification card issued to an organization shall be used only for a motor vehicle operated by or on behalf of such organization when transporting disabled persons. This shall include:

1. A motor vehicle owned or leased by the organization and operated by an authorized employe or volunteer worker.

2. A motor vehicle owned or leased by someone other than the organization, but operated by an authorized employe of the organization or volunteer worker on behalf of the organization.

(c) No person under one year of age shall be eligible to be issued an identification card.

(d) When a person or organization to whom a permanent identification card has been issued can no longer make proper use of the card, the card shall be returned to the department for cancellation.

(e) A temporary identification card shall be returned to the department when applying for an extension of the expiration date or within 10 days after the card expires.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.08 Replacement identification card.** (1) **LOST, STOLEN, OR MUTILATED IDENTIFICATION CARD.** If an identification card is lost, stolen, mutilated, destroyed or becomes illegible, the person or organization to whom the card was issued may request a replacement identification card.

(2) **CHANGE OF ADDRESS OR NAME.** When the address or name of an identification card holder is changed, the person or organization shall, within 10 days, request a replacement identification card showing the correct address and name.

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(3) **APPLICATION FOR REPLACEMENT.** A person or organization applying for a replacement identification card shall use the forms prescribed in s. Trans 130.03 (1) or (2) to provide:

(a) The information required in s. Trans 130.03 (1) (a) to (d) and (i) for an individual or s. Trans 130.03 (2) (a) to (c), and (g) for an organization.

(b) The former name, if changed from that shown on the original application, and original identification card issued.

(c) The former address, if changed from that shown on the original application and original identification card issued.

(d) One of the following words to describe the reason a replacement card is required:

1. Lost.
2. Stolen.
3. Destroyed.
4. Mutilated or illegible.
5. Name change.
6. Address change.
7. Name and address change.

(4) **RETURN OF ORIGINAL IDENTIFICATION CARD.** (a) The original identification card shall be returned to the department with a request for a replacement identification card when the reason a replacement is required is covered by any one of sub. (3) (d) 4. to 7.

(b) A person or organization recovering an identification card for which a replacement has been issued for the reasons covered by sub. (3) (d) 1. or 2., shall immediately return the recovered card to the department.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.

**Trans 130.09 Special provisions.** (1) **PHYSICIAN'S STATEMENT.** The physician's statement shall be in the form and manner prescribed in s. Trans 130.03 (1) (h) except that:

(a) A statement already on file with the department relating to other motor vehicle or operator's licensing action may be used to establish eligibility for issuance of an identification card.

(b) A letter from a physician containing all the information required in s. Trans 130.03 (1) (h) may be accepted as a substitute for the application form.

(c) For the purpose of obtaining an additional temporary identification card to extend the expiration date, a letter from the original physician stating the reason for the duration of the extended temporary disability may be accepted in place of a new application.

(d) An application submitted for issuance of special license plates under s. 341.14 (1), (1a), (1m), or (1q), Stats., may also be used to issue an identification card under this chapter, provided the proper fee is paid.

(e) For the purpose of obtaining a replacement identification card, a physician statement shall not be required.

(2) ALTERNATIVE APPLICATION. An application for an identification card shall be in the form and manner described in s. Trans 130.03 (1) or (2) except a letter containing all the required information shall be accepted as a substitute for the application form.

(3) CANCELLATION. (a) In addition to cancellation as prescribed in s. 343.52 (2), Stats., the department shall cancel any identification card that was issued as a result of fraud or error.

(b) Whenever a person or organization is notified that a special identification card has been cancelled, the person or organization shall surrender the card to the department.

History: Cr. Register, November, 1982, No. 323, eff. 12-1-82.