~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 7, 2013

**H. 3372**

Introduced by Reps. Sandifer, Owens, Pitts, Branham, Toole, Sottile, Horne and Willis

S. Printed 3/7/13--H. [SEC 3/8/13 2:17 PM]

Read the first time January 22, 2013.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3372) to amend Section 56‑3‑1960, as amended, Code of Laws of South Carolina, 1976, relating to the issuance of parking placards by the Department of Motor Vehicles, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, and if amended, Section 56‑3‑1960, as contained in SECTION 1, by deleting Section 1 in its entirety and inserting:

/ “Section 56‑3‑1960. (A) A person who is ‘handicapped’ as defined in Section 56‑3‑1910 may apply to the department for issuance of a temporary or permanent placard. A person may be issued a temporary placard if the condition causing his handicap is expected to last for at least four months. No applicant may be denied a placard if the applicant follows the procedures established by the department and if the application is accompanied by a certificate from a licensed physician, a licensed nurse practitioner pursuant to Chapter 33 of Title 40, or a licensed physician assistant pursuant to Chapter 47 of Title 40. ~~that certifies~~ The certificate must certify that the individual is handicapped and whether the handicap is temporary or permanent. The placards must indicate that the person is qualified to use reserved handicapped parking spaces. Applications for placards must be processed through and issued by the department’s headquarters. Only one placard may be issued to an applicant. The certification procedure shall adhere to the requirements set forth in Section 56‑3‑1910. In conjunction with the issuance of a placard, applicants also must be issued a placard registration certificate that must be carried at all times in the vehicle driven by or transporting the handicapped individual. The certificate will display the name of the individual to which the placard was issued. A placard only can be displayed on a vehicle driven by or transporting the disabled individual whose name appears on the placard registration certificate. The department shall charge a fee of one dollar for a placard. An agency, organization, or facility that transports a disabled or handicapped person may receive a placard for each vehicle registered upon proper application and the payment of the appropriate fees.

(B) The placards authorized by this section also may be issued for a vehicle of special design and equipment designed to transport a disabled person who is certified as meeting the requirements of this section for a vehicle used by an agency, organization, or facility that is designed to transport a handicapped or disabled person if the vehicle is titled in the name of the agency, organization, or facility. Proof that the agency, organization, or facility transports a handicapped or disabled person must be in a manner prescribed by the department. A certificate ~~from a licensed physician~~ is not required to apply for placards issued to an agency, organization, or facility. At the time of qualification, applicants qualifying for a placard under this section also must be issued a placard registration certificate that must be carried at all times in the vehicle transporting handicapped or disabled individuals. The certificate will display the name of the agency, organization, or facility to which the placard was issued.” /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Department of Motor Vehicles indicates that this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 56‑3‑1960, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF PARKING PLACARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT A PERSON WHO SUBMITS AN APPLICATION FOR A PLACARD TO THE DEPARTMENT MAY SUBMIT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT THAT CERTIFIES HE IS HANDICAPPED, AND TO PROVIDE THAT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT IS NOT REQUIRED TO BE SUBMITTED ALONG WITH AN APPLICATION FOR PLACARDS ISSUED TO AN AGENCY, ORGANIZATION, OR FACILITY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑3‑1960(A) and (B) of the 1976 Code, as last amended by Act 24 of 2009, is further amended to read:

“(A) A person who is ‘handicapped’ as defined in Section 56‑3‑1910 may apply to the department for issuance of a temporary or permanent placard. A person may be issued a temporary placard if the condition causing his handicap is expected to last for at least four months. No applicant may be denied a placard if the applicant follows the procedures established by the department and if the application is accompanied by a certificate from a licensed physician, a licensed advanced practice registered nurse, or a licensed physician assistant that certifies that the individual is handicapped and whether the handicap is temporary or permanent. The placards must indicate that the person is qualified to use reserved handicapped parking spaces. Applications for placards must be processed through and issued by the department’s headquarters. Only one placard may be issued to an applicant. The certification procedure shall adhere to the requirements set forth in Section 56‑3‑1910. In conjunction with the issuance of a placard, applicants also must be issued a placard registration certificate that must be carried at all times in the vehicle driven by or transporting the handicapped individual. The certificate will display the name of the individual to which the placard was issued. A placard only can be displayed on a vehicle driven by or transporting the disabled individual whose name appears on the placard registration certificate. The department shall charge a fee of one dollar for a placard. An agency, organization, or facility that transports a disabled or handicapped person may receive a placard for each vehicle registered upon proper application and the payment of the appropriate fees.

(B) The placards authorized by this section also may be issued for a vehicle of special design and equipment designed to transport a disabled person who is certified as meeting the requirements of this section for a vehicle used by an agency, organization, or facility that is designed to transport a handicapped or disabled person if the vehicle is titled in the name of the agency, organization, or facility. Proof that the agency, organization, or facility transports a handicapped or disabled person must be in a manner prescribed by the department. A certificate from a licensed physician, or a licensed advanced practice registered nurse, or a licensed physician assistant is not required to apply for placards issued to an agency, organization, or facility. At the time of qualification, applicants qualifying for a placard under this section also must be issued a placard registration certificate that must be carried at all times in the vehicle transporting handicapped or disabled individuals. The certificate will display the name of the agency, organization, or facility to which the placard was issued.”

SECTION 2. This act takes effect upon approval by the Governor.

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