

## **Motor Vehicle Division Policy Memo # 16-04**

### ***Issuing Standard, Five-Year Persons with Disability Placards for Persons with a Lifelong (Permanent) Disability***

**DATE:** December 28, 2016

**FROM:** Tina Hargis, Director, Office of Vehicle & Motor Carrier Services

**TO:** All Vehicle & Motor Carrier Services staff, Driver & Identification Services staff, Iowa County Treasurers and County Treasurers' staff that issue persons with disabilities (PWD) placards.

#### **SUBJECT**

This policy memo explains legislation passed in 2016 (HF 588), which amended section 321L.2 of the Iowa Code to end the practice of issuing non-expiring PWD placards for persons with a lifelong (permanent) disability and instead require issuance of a "standard" PWD placard that is valid for five years. This legislation becomes effective January 1, 2017.

#### **EXPLANATION**

Under section 321L.2 of the Iowa Code, Iowa law has long provided for two types of PWD placards – a temporary placard issued to persons with a temporary disability that is valid for no more than six months, and a non-expiring placard that is issued to persons with a lifelong (permanent) disability, and that has no expiration date. HF 588 did not change the practice of issuing different PWD placards for persons with temporary versus lifelong (permanent) disabilities and did not change the eligibility requirements for obtaining a PWD placard, but it did amend section 321L.2 to end the practice of issuing non-expiring PWD placards to persons with a lifelong (permanent) disability. Beginning January 1, 2017, Iowa will no longer issue a non-expiring PWD placard to a person with a lifelong (permanent) disability, but will instead issue a "standard" PWD placard to a person that has a lifelong (permanent) disability.

A standard PWD placard issued to a person with a lifelong (permanent) disability will be valid only for a period of five years. It will expire on the last day of the month five years from the date it was issued. A person issued a standard PWD placard may renew the placard within 30 days before or after the date it expires by submitting a statement from a physician, physician's assistant, nurse practitioner, or chiropractor, licensed under Iowa law or licensed to practice in a contiguous state, that shows the person remains permanently disabled and continues to need the placard.

The legislature made this change in an effort to curb abuse of non-expiring PWD placards and PWD parking spaces. Because non-expiring placards are, on their face, valid in perpetuity, they can (if not properly returned upon the owner's passing or if stolen or misappropriated by someone) help people who are not entitled to use PWD parking spaces misuse them and avoid detection for an extended period of time. Establishing an expiration date and a renewal process will not completely end the prospect that someone will misuse a PWD placard, but it

will limit the period of time over which abuse could occur and in that fashion, limit the overall misuse of placards and parking spaces. Limiting the period of validity to five years is something many other states have done to curb abuse of PWD placards and spaces.

#### **LINK TO LEGISLATION**

Iowa Acts, 2016, House File 588

<https://www.legis.iowa.gov/docs/publications/LGE/86/HF588.pdf> (codified at Iowa Code section 321L.2)

#### **INTERNET RESOURCES**

Information that may be helpful to the customer and the application form for PWD placards is available on our website at:

<http://www.iowadot.gov/mvd/vehicleregistration/disabled.htm>

#### **HELPFUL QUESTIONS AND ANSWERS**

The following questions and answers provide additional information that will be helpful to you and to customers.

##### **WHEN WILL WE STOP ISSUING NONEXPIRING PLACARDS AND START ISSUING STANDARD, FIVE YEAR PLACARDS?**

December 31, 2016, will be the last day we will issue non-expiring placards to persons with a lifelong (permanent) disability. On or after January 1, 2017, we will issue a person with a lifelong (permanent) disability a standard placard valid for five years. ARTS has been programmed to prohibit issuance of a non-expiring PWD placard on or after January 1, 2017.

##### **WHAT IF THE APPLICATION IS RECEIVED BEFORE JANUARY 1, 2017, BUT THE PLACARD IS ISSUED ON OR AFTER JANUARY 1, 2017?**

A placard issued to a person with a lifelong (permanent) disability on or after January 1, 2017, will be a standard placard that is valid for only five years, even if the application for the placard was submitted before January 1, 2017. This meets the legislative requirement that all placards issued for lifelong (permanent) disabilities on or after January 1, 2017, be valid for only five years, and the legislative intent to curb potential abuse by limiting the number of non-expiring placards in circulation.

##### **HOW DO I DETERMINE THE PROPER EXPIRATION DATE FOR A STANDARD PWD PLACARD (AND HOW DO I PROPERLY MARK THE EXPIRATION DATE)?**

Under section 321L.2(3)(a)(ii), a standard PWD placard will expire on the last day of the month five years from the date it was issued. This means that whether a standard PWD placard is issued on the first or last day of the month (or any day in between), the placard will expire on the last day of that month in the year that is five years from the date the placard was issued.

**EXAMPLE 1:** The placard is issued January 10, 2017. The placard will expire January 31, 2022.

**EXAMPLE 2:** The placard is issued January 31, 2017. The placard will expire January 31, 2022.

Much like a temporary placard, the standard placard will have a month and year that should be punched out to reflect the date of expiration. In the examples above, you would punch out the month of January and the year 2022. ARTS will automatically determine the specific expiration date as reflected in the person's records. An example of a punched placard is attached to this policy memo.

**HOW MANY STANDARD PLACARDS MAY BE ISSUED FOR ONE PERSON AND WHAT EXPIRATION DATE SHOULD BE MARKED ON ADDITIONAL PLACARDS?**

The legislation did not change the number of placards that may be issued for one person. Section 321L.2(3)(b) still allows a person to request one additional placard, for a total of two placards. When you issue a second placard, it should be marked with the same expiration date as the first standard placard issued to the person, even if they are issued on different days.

**EXAMPLE 1:** A person is issued a standard PWD placard on January 10, 2017, and requests a second placard at that time. Both placards should be marked to show they expire in January, 2022.

**EXAMPLE 2:** A person is issued a standard PWD placard on January 10, 2017, and it is marked to show that it will expire January, 2022. The person requests a second placard the next year and it is issued March 1, 2018. The second placard should be marked to show it expires January, 2022.

**WHAT MUST A PERSON SUBMIT AND PROVE TO GET A STANDARD PWD PLACARD? IS IT ANY DIFFERENT FROM WHAT A PERSON HAD TO SUBMIT AND PROVE TO GET A NON-EXPIRING PLACARD?**

The legislation did not change what a person must submit and prove to obtain a long-term (as opposed to temporary) PWD placard, it only ended the practice of issuing non-expiring placards and limited the period of validity to five years. Both types of placards (non-expiring placards and standard, five-year placards) are for persons that can show they have a lifelong (permanent) disability. As before, a person that is applying for a standard PWD placard must submit the same application form (an Application for Persons with Disabilities Parking Permit for Iowa Residents, Iowa DOT Form No. 411055), and a statement from a physician, physician's assistant, nurse practitioner or chiropractor that shows the person has a lifelong disability, meaning the disability has been determined to be permanent. A copy of the revised form 411055, which will be published on December 31, 2016, is attached to this policy memo.

**WHAT IS THE DEFINITION OF A DISABILITY FOR PURPOSES OF PWD PERMITS AND PARKING? DID THAT CHANGE?**

The legislation did not change the definition of disability for purposes of PWD permits and parking. The definition of disability for these purposes is set forth in section 321L.1(8) of the Iowa Code. Under that definition, to be issued any type of PWD permit and use PWD parking spaces, a person must show that they have a disability that limits or impairs the person's ability to walk. A person shall be considered a person with a disability if the statement shows any of the following:

- a. The person cannot walk two hundred feet without stopping to rest.

- b. The person cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device.
- c. The person is restricted by lung disease to such an extent that the person's forced expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest.
- d. The person uses portable oxygen.
- e. The person has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association.
- f. The person is severely limited in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.

If the statement shows that the disability is permanent, the person is entitled to a standard, five-year PWD placard. If the statement does not show that the disability is permanent, you should follow the procedures for issuing a temporary PWD placard.

**HOW DO WE REPLACE A PLACARD THAT HAS BEEN LOST, STOLEN, OR DAMAGED? DOES THE PERSON THAT WANTS TO REPLACE THE PLACARD HAVE TO PROVIDE A NEW STATEMENT FROM A MEDICAL PROVIDER?**

If a person has already been issued either a non-expiring or standard PWD placard, we will invalidate the placard and issue a new placard to replace it if the person confirms it was lost, stolen, or damaged. The person does not need to submit a new statement from a medical provider (physician, physician's assistant, nurse practitioner or chiropractor) to obtain a replacement.

If the person is replacing a standard, five-year PWD the new replacement placard will be issued with the same expiration date as the placard it is replacing.

If the person is replacing a non-expiring placard issued before January 1, 2017, the new replacement placard will be a standard, five-year replacement placard. The expiration date should be the last day of the month five years from the date the replacement placard was issued. We are not replacing non-expiring placards issued before January 1, 2017, because we cannot maintain multiple inventories of permanent PWD placards, and because doing so would violate the legislative directive to only issue standard, five-year placards on and after January 1, 2017. Additionally, this approach furthers the legislative intent to reduce the number of non-expiring PWD placards in circulation.

If a person has two non-expiring PWD placards and needs to replace only one of them, the person is not required to turn in the other non-expiring PWD placard and we will not invalidate it. (We made this decision because the legislation states that it is not intended to invalidate existing non-expiring placards issued before January 1, 2017.) However, as stated above, the new replacement placard issued will be a standard, five-year PWD placard.

**EXAMPLE 1:** The person obtains a **standard** PWD placard on January 10, 2017, that is marked to expire January, 2022. The person loses the placard in 2020 and replaces it March 1, 2020. The new replacement placard will be a standard PWD placard marked to expire January, 2022.

**EXAMPLE 2:** The person has a **non-expiring** placard issued before January 1, 2017. The person loses the placard in 2020 and replaces it March 1, 2020. The new replacement placard will be a standard PWD placard marked to expire March, 2025.

If, because of a prior replacement, a person has one non-expiring PWD placard and one standard, five-year PWD placard and needs to replace the non-expiring PWD placard, the replacement placard will be issued with the same expiration date as the existing standard PWD placard.

**EXAMPLE 3:** The person has two non-expiring PWD placards issued before January 1, 2017. The person loses one in 2020 and replaces it March 1, 2020. The person is issued a standard PWD placard marked to expire March, 2025. In 2022 the person loses the other non-expiring PWD placard and replaces it on July 15, 2022. The new replacement placard will be a standard PWD placard marked to expire March, 2025.

#### **HOW WILL A PERSON THAT HAS A STANDARD, FIVE-YEAR PWD PLACARD RENEW THE PLACARD?**

Under section 321L.2(3)(a)(ii), a person issued a standard PWD placard may renew the placard within 30 days before or after the date it expires by submitting a statement from a physician, physician's assistant, nurse practitioner, or chiropractor that shows the person remains permanently disabled (as defined above) and continues to need the placard. We will establish a renewal process in the near future. Because all placards issued on or after January 1, 2017, will be valid for five years, we do not expect any applications for renewal until December 1, 2022 at the earliest.

If a person submits a renewal application too early (more than 30 days before it expires) we will invalidate their existing placard and issue a new placard with a new five-year expiration date.

If the person fails to submit an application to renew the placard at least 30 days after the placard expires, the placard will be invalidated. However, failure to timely renew the placard does not preclude the person from later submitting a new application for a standard PWD placard. A renewal application that is submitted more than 30 days after the date the placard expires simply will be treated as a new application for a standard PWD placard.

A person that holds both a non-expiring PWD placard issued before January 1, 2017, and a standard, five-year PWD placard does not have to renew the non-expiring PWD placard but must renew the standard PWD placard if the person wishes to continue using it. **The standard PWD placard renewal must include a statement from a physician, physician's assistant, nurse practitioner, or chiropractor that shows the person remains permanently disabled (as defined above) and continues to need the placard.** If the person fails to renew the standard PWD placard it will be shown as expired in ARTS, but that will not invalidate the non-expiring PWD placard issued to the person.

**WHAT DO WE DO WITH OUR EXISTING INVENTORY OF NON-EXPIRING PWD PLACARDS?**

You will receive an initial inventory of standard, five-year PWD placards, and may place order for additional inventory under the usual procedure. You should stop using or issuing non-expiring PWD placards after December 31, 2016, and should return any remaining inventory of non-expiring PWD placards to the Office of Vehicle & Motor Carrier Services. Our IT staff will remove this inventory from ARTS, and you will not need to do anything to adjust your inventory in ARTS.

**ARE THERE ANY CHANGES IN THE PROCEDURES FOR ISSUING TEMPORARY PWD PLACARDS, PWD PLATES, OR PWD STICKERS?**

No. The legislation did not affect any of these products. Please continue to follow existing procedure to issue temporary PWD placards, PWD plates, or PWD stickers.

**STANDARD**

**X**

**0010601**

**PUNCHING MORE THAN ONE MONTH  
AND/OR YEAR INVALIDATES THIS PLACARD.**

**EXPIRES**

**Year**

**Month**

**22**

**JAN**

**23**

**FEB**

**24**

**MAR**

**25**

**APR**

**26**

**MAY**

**27**

**JUN**

**28**

**JUL**

**29**

**AUG**

**SEP**

**OCT**

**NOV**

**DEC**



**Remove from mirror before  
operating vehicle.**





Office of Vehicle & Motor Carrier Services
P.O. Box 9278
Des Moines, IA 50306-9278
Website - www.iowadot.gov/mvd E-mail - vehser@dot.iowa.gov

Do Not Write In This Space

Permit # \_\_\_\_\_
Date Issued \_\_\_\_\_
Temporary Period \_\_\_\_\_ months

APPLICATION FOR PERSONS WITH DISABILITIES PARKING PERMIT FOR IOWA RESIDENTS

- Removable Windshield Placard (complete Section 1) No. of Placards Needed 1 Placard 2 Placards Temporary Standard
Special License Plates (complete Section 2) Number of sets needed
License Plate Parking Sticker (complete Section 3) Number of stickers needed (can be placed on regular, special and personalized plates)

For Sections 1, 2, or 3 attach a medical statement, on the physician's, chiropractor's, physician's assistant or nurse practitioner's letterhead stationery, stating that you are a person with a disability and whether the disability is permanent or temporary. A temporary placard can be issued up to six months. Upon the expiration of your temporary placard a medical statement must be furnished with an application to obtain another temporary placard. Standard placards are valid for five years. Upon the expiration of your standard placard a medical statement must be furnished with an application to obtain another standard placard.

SECTION 1 Removable Windshield Placard

Take this application form along with your medical statement stating you are a person with a disability to the Driver's License Issuance site in your area or mail to the Office of Vehicle & Motor Carrier Services at the address listed above.



Please Print E-Mail \_\_\_\_\_ Date \_\_\_\_\_
Applicant's Full Legal Name \_\_\_\_\_
Social Security No., Iowa Driver License No. OR Iowa Non-Operator ID Card \_\_\_\_\_
Date of Birth \_\_\_\_\_ Street \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_ County \_\_\_\_\_ Phone No. \_\_\_\_\_

SECTION 2 Special License Plates for Applicant (Are not issued to individuals with a temporary windshield placard)

Complete this application form and send with your medical statement to your County Treasurer's office.

1. Current vehicle plate number(s) \_\_\_\_\_

Persons with Disabilities License Plate for Parent or Guardian of a Child With a Disability: If a trailer, indicate LARGE SMALL

1. Current County of Residence \_\_\_\_\_

2. Current vehicle plate number \_\_\_\_\_

3. A medical statement for a child with a disability (a medical statement is not needed if the child already has a permanent windshield placard)

I, \_\_\_\_\_ hereby certify that \_\_\_\_\_ resides with me at
Name of Parent/Guardian Name of Child

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Date \_\_\_\_\_ Signature of Parent or Guardian \_\_\_\_\_

Persons with Disabilities license plates are available at your county treasurer's office. You must return your current plates and registration receipt at the time you obtain Persons with Disabilities license plates.

If completing section 3, send the application to the Office of Vehicle & Motor Carrier Services at the address listed above.

SECTION 3 License Plate Parking Sticker (Are not issued to individuals with a temporary windshield placard)

For each vehicle of which you are the titled owner and meet the definition of a person with a disability as defined in the Iowa Code, you may obtain a Persons with Disabilities parking sticker to be displayed on the rear license plate of your vehicle by submitting the following:

- This application form.
Current vehicle plate number(s) \_\_\_\_\_
A medical statement (a medical statement is not needed if the applicant currently has a permanent (standard) windshield placard).

SECTION 4 Certification For A Replacement Parking Permit

I certify that I have submitted to the Iowa Department of Transportation a physician's statement stating that my disability is permanent temporary
I need a replacement because my permit no. \_\_\_\_\_ was: lost stolen destroyed damaged

(damaged permit must be returned to the Department, if possible.)

Signed \_\_\_\_\_



**DEFINITIONS: (Iowa Code Chapter 321L.1)**

"Person with a disability" means a person with a disability that limits or impairs the person's ability to walk. A person shall be considered a person with a disability for purposes of this chapter under the following circumstances:

- a. The person cannot walk two hundred feet without stopping to rest.
- b. The person cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device.
- c. The person is restricted by lung disease to such an extent that the person's forced expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest.
- d. The person uses portable oxygen.
- e. The person has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association.
- f. The person is severely limited in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.

**DISPLAY OF THE REMOVABLE WINDSHIELD PLACARD:** The removable windshield placard shall be displayed in a manner that allows the entire placard to be visible through the vehicle's windshield. **The placard shall only be displayed when the motor vehicle is parked in a persons with disabilities parking space or in a parking space not designated as a persons with disabilities parking space if a wheelchair parking cone is used pursuant to Iowa Code Section 321L.2A.**

**RETURN OF PARKING PERMIT:** Return to a Driver License Examining station or the Iowa Department of Transportation, Office of Vehicle & Motor Carrier Services, P.O. Box 9278, Des Moines, Iowa 50306-9278 or any law enforcement office within 10 days of the occurrence of any of the following:

The person to whom the permit has been issued is deceased or has moved out of state.

The person has found or has in his/her possession a permit that was not issued to that person.

The permit has expired or has been revoked.

The permit was reported lost or stolen and is later found or retrieved after a subsequent permit has been issued.

Special license plates shall be surrendered to the county treasurer's office where the vehicle is registered.

**SPECIAL LICENSE PLATES:** Iowa law provides for issuance of special plates to an owner of an automobile, light delivery truck, panel delivery truck, pickup, or trailer who is a person with a disability. The law also allows a parent or guardian of a child with a disability as defined in section 321L.1, of the Code to apply for a special license plate upon proof of residency of the child. The "Application for Iowa Special License Plates", Form 411238, shall be used when applying for personalized special license plates. Annually the applicant shall, at renewal time, provide a self certification stating the owner of the motor vehicle is still a person with a disability as defined in section 321L.1 of the Iowa Code

**PROOF OF RESIDENCY:** This form certifies the child with a disability still resides with the parent or guardian who is applying for a special license plate. The certification must be filed at the time of application and each registration year thereafter.

**CONTIGUOUS STATE:** Iowa law allows a written statement from a physician, physician's assistant, nurse practitioner, or chiropractor licensed to practice in a contiguous state. The contiguous states are: Minnesota, Wisconsin, Illinois, Missouri, Nebraska and South Dakota.

**WHEELCHAIR PARKING CONE:** A list of vendors that sell the wheelchair parking cones is available from the Department upon request. A person issued a persons with disabilities parking permit who uses a wheelchair due to a disability that renders the person permanently unable to walk, may park in a persons with disabilities parking space, or a space not designated as a persons with disabilities parking space, and reserve up to an eight foot space adjacent to the motor vehicle for the purpose of exiting and entering the motor vehicle if the following conditions are met:

- 1.) The wheelchair parking cone is placed within eight (8) feet of the vehicle entry
- 2.) The parking permit is displayed
- 3.) The motor vehicle and parking cone do not obstruct an aisle, street, or roadway
- 4.) The parking space is provided by the State, political subdivision, or an entity providing NON-Residential parking
- 5.) A copy of the medical statement is carried in the vehicle

**PENALTIES:** A fraudulent application or physician's, chiropractor's, physician's assistant's or nurse practitioner's statement to obtain a persons with disabilities parking permit may result in a \$300 civil penalty and revocation of the permit. Improper use of a parking permit as defined in Iowa Code subsection 321L.4(2) may result in a criminal fine of \$200. Misuse of a parking permit as defined in Iowa Code section 321L.3 may result in a criminal fine of \$200. For a wheelchair parking cone violation the scheduled fine is \$20. For interference with a wheelchair parking cone the scheduled fine is \$200.