

Motor Vehicle Division Policy Memo # 19-03 Application for Persons with Disabilities Parking Permits

DATE: April 25, 2019

FROM: Melissa Spiegel, Motor Vehicle Division, Director **TO:** All Driver's & Identification Services staff, Vehicle & Motor Carrier Services Staff, Iowa County Treasurers and County Treasurers' staff.

SUBJECT

This policy memo follows Informational Memo #16-02 & Policy Memo #16-04 and explains the update to the persons with disabilities (PWD) administrative rules (Iowa Administrative Code, Chapter 411 (PWD) and the update to the procedures regarding accepting and storing PWD applications and associated documentation.

SUMMARY

There were two significant statutory changes in 2016 that affected the administration of PWD parking permits. The legislative changes were effective January 1, 2017, and our administrative rules were updated December 13, 2017 to match those changes. However, since the implementation of the administrative rules (explained in more detail below) there have been several procedural issues raised related to the application and the associated documentation required for PWD permits, and this new memo revises prior policy guidance to address those procedural questions.

This policy is effective immediately and with the issuance of this new policy memo, the prior informational memo #18-01 issued on this topic is rescinded.

EXPLANATION

Statutory Change #1 – No longer issuing nonexpiring placards

The first statutory change was made by 2016 Iowa Acts, chapter 1067, which amended Iowa Code section 321L.2 to end the issuance of nonexpiring parking placards for persons with permanent disabilities. Placards issued on or after January 1, 2017, to persons with permanent disabilities may no longer be nonexpiring placards that have no expiration date, but instead must be "standard" placards that are valid only for a period of five years and that may be reissued every five years upon proof of a continued medical need. We already implemented this change and began issuing standard PWD placards with a duration of five years in January of 2017.

Because the effective date provisions of this Act specified that the Act does not affect the validity of nonexpiring persons with disabilities placards issued before January 1, 2017, a nonexpiring placard issued before January 1, 2017, will remain valid unless and until it is either lost, damaged, stolen, revoked, relinquished, or otherwise canceled or terminated pursuant to Iowa Code chapter 321L and Iowa Administrative Code 761—Chapter 411.

Additionally, the legislative amendment retained the requirement that a parking placard be displayed only when the vehicle is parked in a persons with disabilities parking space, but added the requirement that the placard be displayed in a manner that allows the entire placard to be visible through the vehicle's windshield.

Statutory Change #2 – Certain veterans don't have to submit a doctor's note

The second statutory change was made by 2016 Iowa Acts, chapter 1111, which amended Iowa Code section 321L.2 to add a provision specific to veterans. Before this legislation, a person applying for a PWD permit could demonstrate eligibility for the permit only by including a statement from a predetermined set of healthcare providers, and written on the practitioner's stationery which stated the nature of the person's disability.

The legislation retained this requirement and retained the existing definition of an eligible disability, but added another option for persons who are veterans and have a veteran's disability rating from the U.S. Department of Veterans Affairs. Under the legislation, the Department may accept a certification of disability from the U.S. Department of Veterans Affairs in lieu of a statement from a physician, physician assistant, advanced registered nurse practitioner, or chiropractor.

The legislation specified that we may adopt administrative rules detailing the requirements for an acceptable certification of disability from the U.S. Department of Veterans Affairs. Because the U.S. Department of Veterans Affairs has advised that its disability ratings are issued for vocational disability and cannot necessarily be correlated to the definition of "person with a disability" set forth in Iowa Code section 321L.1(8), *which covers only disabilities that result in an impairment of mobility (ability to walk)*, our rules provide that a veteran that submits a certification of disability from the U.S. Department of Veterans Affairs in lieu of a statement from a physician, physician assistant, advanced registered nurse practitioner, or chiropractor must also provide a self-certification for Persons with Disabilities Parking Permit, form 411055, now includes a Veteran Self-Certification section.

LINK TO IOWA CODE, IOWA ADMINISTRATIVE RULES, AND OUR WEBSITE

Iowa Code section 321.L

Iowa Administrative Rule 761 – 411

Iowa DOT Website – Persons With Disabilities

HELPFUL QUESTIONS AND ANSWERS

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

CAN A DISABLED VETERAN STILL BRING US THE SIGNED MEDICAL PROVIDER'S STATEMENT TO APPLY FOR A PWD PERMIT?

Yes. The 2016 legislation allows a disabled veteran an additional way to apply for a PWD permit. They can still provide us with the signed medical provider's statement along with PWD application form 411055. Or, now that the rules have been adopted, they can elect to provide us with a qualifying VA disability certification instead of the signed medical provider's statement. If the disabled veteran elects to provide a VA disability certification, they must complete all relevant portions of PWD application form 411055 as that form contains the VA disability self-certification, which is necessary to qualify for this option.

HOW DO WE RECOGNIZE A QUALIFYING VA DISABILITY CERTIFICATION?

Rule 761—411.3(2)(a) provides an applicant may provide proof the applicant is the subject of a certification of disability from the U.S. Department of Veterans Affairs to qualify for a PWD permit. Neither the rule nor the Iowa Code prescribes a particular format for the VA certification of disability, and it is our understanding that the "certification" can even come in the form of a letter from the U.S. Department of Veterans Affairs. Therefore, a general rule of thumb is if the documentation provided identifies it as coming from the U.S. Department of Veterans Affairs and indicates a disability rating or that it is an award for veterans disability benefits, this would qualify as a certification of disability. If you have questions about whether a statement provided constitutes a qualifying VA certification of disability, please consult with your supervisor or county liaison.

MAY WE ACCEPT A FACSIMILE OR PHOTOCOPY OF THE VA DISABILITY CERTIFICATION?

Yes. There is nothing in the Iowa Code or administrative rules that would prohibit us from accepting a fax or photocopy of the VA disability certification as long as it appears authentic an unaltered.

MUST AN APPLICANT FOR A PWD PERMIT SUBMIT AN APPLICATION?

Yes. Iowa Code section 321L.2 requires an applicant for a PWD permit to submit an application form to the department. The required PWD application form is 411055. A copy of the PWD application form is attached to this memo and can also be found on the public DOT website at the following link: https://www.iowadot.gov/mvd/vehicleregistration/persons-with-disabilities

MAY AN APPLICANT JUST SUBMIT THEIR MEDICAL STATEMENT OR VA DISABILITY CERTIFICATION TO OBTAIN THE PWD PERMIT WITHOUT ALSO SUBMITTING THE PWD APPLICATION FORM?

No. As stated above, an application for a PWD permit is required by Iowa Code. We understand it has been past practice to accept the medical statement and not also require the application form to be submitted, however, this is not acceptable as the code requires an application. Also, having the application on file becomes important if there are questions raised later on about the applicant or the application. Having nothing in our file to refer back to if questions arise causes a compliance issue.

DOES THE APPLICANT'S MEDICAL PROVIDER HAVE TO FILL OUT OR SIGN THE PWD APPLICATION?

No. There is no requirement that the applicant's medical provider must fill out the PWD application form, nor is the medical provider required to sign the PWD application form. The medical provider must only complete the medical statement as they always have.

DOES THE APPLICANT HAVE TO SIGN THE PWD APPLICATION?

Sections 2, 4 and 5 of the PWD application all currently require signatures because those sections require the customer to make a certification. However, we are planning in a future update to remove the signature requirement from Section 4.

MAY SOMEONE OTHER THAN THE APPLICANT FILL OUT THE PWD APPLICATION ON THE APPLICANT'S BEHALF?

There is nothing that would prohibit an applicant from utilizing the assistance of another person to fill out the PWD application. However, while it is permissible to assist a customer with the application form (for example, if they are unable to write), we (i.e., DOT and county staff) should not simply fill out an application on behalf of an applicant who is otherwise capable of completing it. Additionally, while it is okay for an applicant to seek assistance from someone else and for the applicant to provide their own information to another person to help with their application, please remember that we are not permitted to provide anyone with an applicant's personal information (name, date of birth, address, or driver's license or identification card number) for them to complete the application on behalf of the applicant.

MAY SOMEONE OTHER THAN THE APPLICANT PICK UP THE PWD PERMIT?

Someone other than the PWD applicant may still come to the DOT location to pick up the PWD permit, but the person picking up the permit must submit all of the required documentation on behalf of the applicant. This includes the completed PWD application, the medical statement, or in the case of a disabled veteran, the VA's certificate of disability. This may mean that the person picking up the PWD permit will need to make a return trip if the application has not been completed or if they do not have all of the required documentation.

WHEN AN APPLICANT SUBMITS A PWD APPLICATION FORM AND MEDICAL STATEMENT OR VA DISABILITY CERTIFICATION, ARE WE REQUIRED TO KEEP AND SCAN THAT DOCUMENTATION INTO ERMS, OR MAY WE SHRED IT?

As stated above, when questions are raised later about a PWD applicant or application, it becomes a compliance issue if we no longer have the application or supporting documentation justifying issuance a PWD to a particular applicant. Therefore, if you accept and process an application for a PWD permit, you must scan and properly file the application form and the medical statement or VA disability certification into ERMS. Do not shred or otherwise dispose of any of these documents until you have scanned them into ERMS or faxed them into the OVMCS fax server. There is no particular retention schedule for physical copies of PWD documentation, but any physical documentation needs to be kept locked up until it is destroyed.

WHERE DO WE KEEP PWD APPLICATIONS AND ASSOCIATED DOCUMENTATION?

We have established a specific folder and document type in ERMS where the PWD application and associated documentation can be stored. The scanning and indexing instructions differ depending on whether you are an VMCS or DIS employee.

WHAT ARE THE ERMS INSTRUCTIONS FOR VEHICLE & MOTOR CARRIER SERVICES (VMCS) STAFF?

VMCS staff will follow the instructions in the power point labeled Appendix #1 attached to this memo.

WHAT ARE THE ERMS INSTRUCTIONS FOR DRIVER & IDENTIFICATION SERVICES (DIS) STAFF? DIS staff will follow the instructions in the power point labeled Appendix #2 attached to this memo.

WHAT ARE THE ERMS INSTRUCTIONS FOR COUNTY TREASURERS AND COUNTY TREASURER'S STAFF?

Since county treasurers currently do not have full access to ERMS, there is a separate process that counties must follow to ensure applications and accompanying documents are properly kept until full access to ERMS is provided to counties in the future.

Treasurers that issue driver's licenses and identification cards will need to include any PWD application forms and associated documentation in the packet of other record information that they currently submit to their DOT service center location or county liaison for scanning into ERMS.

If the treasurer does not issue driver's licenses and identification cards, the treasurer will need to fax the PWD application form and any associated documentation to the VMCS fax server at the following number: (515)237-3056. VMCS staff will then index and file the documentation into the appropriate location in ERMS.

WHAT DOES A PERSON WITH A PERMANENT DISABILITY NEED TO PROVIDE TO RENEW THEIR PWD PLACARD?

A person issued a standard PWD placard may renew the placard within 30 days before or after the date it expires by completing PWD application form 411055 and 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.

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

No. The legislation did not affect the issuance of any of these products. Please continue to follow existing procedures to issue temporary PWD placards, PWD plates, or PWD stickers. However, if you have not been requiring a customer to complete a PWD application for a

temporary placard, PWD plate or PWD sticker, you must begin requiring the application unless the customer already has a standard PWD placard, sticker or plate.

APPENDIX #1



ERMS - Persons with Disability Instructions

- Indexing
- Workflow Inbox



• Select Input>Index from the Toolbar across the top

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	Split/Delete/Reorder Document
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	How to Index
	PWD

Select your batch

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- Click on the PWD batch in the list to select it.

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How to Index PWD

Select 'Doc Type'

- After the Batch you selected Opens, the viewer window will open automatically displaying the first document in the list.
- In the 'Doc Type' field select 'Persons with Disability'.

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How to Index PWD

Secondary Information

- Enter the date received, last name, and first name, or organization name.
- If you are indexing a returned placard you can enter the permit number.
- Select Approve & Route when complete.
- Continue until the batch is complete.

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Click on the PWD task in 'My Inbox'.

Fetching Work

- Click 'View' to see the document you are working with.
- Process the task in ARTs as you normally would.
- Create Word Document to mail to customer.

ARTS – Query/Issue/Re-Issue Permit

- In ARTs, click on the menu option 'PWD'.
- First we need to select 'Query Record' to see if there are any existing PWDs issued to this customer.
- After you have queried the system, it is now time to click on the menu option 'PWD' and select 'Issue/Reissue Permit.





ARTS – Issue Permit Prequalifier

- Once you select 'Issue/Re-Issue Permit' the 'Issue Permit Prequalifier' window will appear.
- You can search using the 'Identification Criteria' or you can use the search by 'Name Criteria'

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ARTS – Issue 'New' Permit

- If they haven't been issued a permit you will see this screen after your query.
- In the 'Select Permit Type' drop down, you will select the type of permit you are going to issue.
 - Options are:
 - Permanent
 - Temporary
 - Organizational
 - Stickers
- Enter the number of permits you are giving the customer under 'Permit Numbers'. (Maximum of 2 permits at any given time.)
- In the 'Permit Dates' section select the 'Expiration Date' by either typing in the date or clicking on the ellipsis button next to the expiration date to modify the ending date of the permit. This only applies for Temporary permits.
- Once everything has been entered, click 'Get Inventory Numbers'. This will automatically populate the next numbers in the series under 'Inventory Numbers'. You will need to click in the box to place a check mark that the numbers have been verified with the placards you are giving to the customer.
- Click 'Commit' to complete the transaction.



ARTS – Issue'Re-Issue' Permit

- If a customer already has active permits, the numbers will appear in the Previous Permit Information area of the screen.
- Since this customer already has 2 Temporary Placards, the 'Re-Issue Status' combo box is available to be selected. Select a reason in the dropdown.
 - Options are:
 - Lost
 - Stolen
 - Destroyed
 - Revoked
 - Deceased
 - Expired
 - Corrected
 - Voided
 - Valid
 - Program Re-Issue
 - Other
- Place a check mark next to the placard you are replacing.
- Enter the new 'Permit Information by selecting the Permit Type
- Select the number of placards to issue.
- Click Get Inventory Numbers
- Place a check mark in the verified box.
- Click Commit to finish



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Completing a document or place it on hold

Select an Action

- If you have issued a PWD to the customer and no longer need to work with this document again, Select – Complete from the 'SELECT AN ACTION' drop down.
- If you need to wait for a response before processing, like a return call from a doctor, Select
 – Route/Hold from the 'SELECT AN ACTION' drop down.
- Route/Hold you can place this document on hold until a certain date but put notes as to why you are placing this document on hold so when you work it at a later date, you know where you left off.

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CONGRATULATIONS! YOU HAVE SUCCESSFULLY PROCESSED YOUR FIRST DOCUMENT IN ERMS



APPENDIX #2

PWD APPLICATIONS

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