

LEGISLATIVE BILL 482

Approved by the Governor February 7, 1984

Introduced by Higgins, 9

AN ACT relating to motor vehicles; to amend section 39-671, Reissue Revised Statutes of Nebraska, 1943, and sections 18-1736 and 18-1739, Revised Statutes Supplement, 1982; to require the display of permits for handicapped parking; to impose requirements relating to the size and content of such permits; to change provisions relating to the removal of illegally parked vehicles; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 18-1736, Revised Statutes Supplement, 1982, be amended to read as follows:

18-1736. A city or village may designate parking spaces for the exclusive use of (1) disabled persons whose vehicles display the distinguishing license plates issued to disabled persons pursuant to section 60-311.14, (2) disabled persons whose vehicles display a distinguishing license plate issued to a disabled person or paraplegic by another state, (3) such other handicapped persons, as certified by the city or village, whose vehicles display the identification as determined by the Department of Motor Vehicles, and (4) such other motor vehicles, as certified by the city or village, which display the identification as determined by the Department of Motor Vehicles. All such permits shall be displayed in the operator's area in a conspicuous location upon the vehicle's dashboard or its equivalent. Whenever a city or village so designates a parking space, it shall be indicated by a sign as described in section 18-1737. In addition to such sign, the space may also be indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space.

Sec. 2. That section 18-1739, Revised Statutes Supplement, 1982, be amended to read as follows:

18-1739. The permit to be issued by the Department of Motor Vehicles shall be a card not less than five inches by eight inches in size on which is prominently displayed to be issued by the Department of Motor Vehicles, ~~containing~~ the letter H and an identifying number on the front of the card. The name, address, phone number, date of birth, and age of the physically handicapped person to whom issued shall appear on the reverse side. The name, address, and phone number of the party to whom issued and the license plate number of the motor vehicle for which the

permit is issued shall appear on the reverse side of the permit if such permit is issued for a motor vehicle used primarily for the transportation of physically handicapped persons. No permit shall be issued to any person or for any motor vehicle if any valid handicapped parking permit has been issued to such person or for such motor vehicle if such permit has been suspended pursuant to section 18-1741.

A duplicate permit may be provided by the department without cost if the original permit is destroyed, lost, or stolen. Such duplicate permit shall be valid for the remainder of the period for which the original permit was issued.

Sec. 3. That section 39-671, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-671. (1) Whenever any police officer, or other authorized employee of a law enforcement agency who is employed by a political subdivision of the state and specifically empowered by ordinance to act, shall find a vehicle standing upon a highway in violation of any of the provisions of sections 39-601 to 39-6,122, such officer individual may remove or have such vehicle removed, or require the driver or other person in charge of the vehicle to move such vehicle, to a position off the roadway of such highway or from such highway.

(2) The owner or other person lawfully entitled to the possession of such vehicle may be charged with the reasonable cost for such removal and storage, payable before such vehicle is released. Any such towing or storage fee shall become a security interest in the vehicle prior to all other claims.

Sec. 4. That original section 39-671, Reissue Revised Statutes of Nebraska, 1943, and sections 18-1736 and 18-1739, Revised Statutes Supplement, 1982, are repealed.