WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

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ENROLLED

HOUSE BILL No. 766

(By Mr.

PASSED __________________________ 1973

In Effect ____________________________

FILES IN THE OFFICE
EDGAR F. WEDELL III 
SECRETARY OF STATE
THIS DATE 5/3/73

C 641

766
AN ACT to amend article thirteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six, relating to granting stopping, standing or parking privileges for physically disabled persons; providing for the issuance of an identifying insignia to such persons by the commissioner of motor vehicles and fee therefor; and providing criminal penalties for persons who wrongly misuse such privileges or certify falsely concerning the need for grant of such privileges.

Be it enacted by the Legislature of West Virginia:

That article thirteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section six, to read as follows:

ARTICLE 13. STOPPING, STANDING OR PARKING.

§17C-13-6. Stopping, standing or parking privileges for disabled; qualification; application; violation; revocation.

1 A physically disabled person who displays upon a motor
vehicle stopped, left standing either attended or unattended, or
parked by him, or a vehicle under his direction and for his
use, a distinguishing insignia provided for in this section may
exercise the stopping, standing or parking privileges provided
in this section. The distinguishing insignia shall be displayed
on the motor vehicle in the manner prescribed by the com-
missioner.
A person desiring to have a distinguishing insignia issued
to him under this section shall submit to the commissioner:
(1) An application therefor on a form prescribed and
furnished by the commissioner;
(2) A certificate issued by a person licensed to practice
medicine in this state stating that the applicant is physically
disabled within the meaning of this section; and
(3) A fee of one dollar.
Upon receipt of the application, the physician’s certificate
and the registration fee if the commissioner finds that the
applicant qualifies for the stopping, standing or parking
privileges provided for in this section, the commissioner may
issue to such applicant either, as the case may warrant:
(1) A temporary insignia to be used by persons who are
temporarily disabled, such insignia to be valid for such period
of time as the aforementioned physician determines the ap­
plicant will be disabled, or
(2) A permanent insignia to be used by persons who are certi­
fied as permanently disabled by the aforementioned physician.
The two types of insignia shall be identical in size and form
while being clearly distinguishable by color and lettering from
each other for identification purposes. The commissioner shall
adopt and promulgate rules and regulations in accordance with
chapter twenty-nine-a as needed to administer the provisions of
this section.
Free stopping, standing or parking places marked “reserved
for disabled persons” shall be designated in close proximity
to all state, county and municipal buildings or other public
facilities. Such places shall be reserved solely for physically
disabled persons during the hours that such buildings are open
for business.
In this section “physically disabled person” means any per-
son who has sustained a permanent disability rendering it
difficult and burdensome for such person to walk, or any
person who is similarly disabled for a temporary period of time.

Any person who is not disabled permanently or temporarily and who applies for the stopping, standing or parking privileges provided for in this section, or any person who upon having been granted such privileges wrongfully uses or abuses them or any person who falsely certifies that a person is disabled permanently or temporarily in order that such person may be granted such privileges shall be guilty of a misdemeanor, and, upon conviction thereof, in addition to any other penalty he may otherwise incur or have imposed upon him by law, shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned in the county jail not more than thirty days, or both fined and imprisoned. The commissioner shall recall and destroy any distinguishing insignia that was issued under improper circumstance.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

H. Darrel Darby  
Chairman Senate Committee

Carle E. Christianson  
Chairman House Committee

Originated in the House.
Takes effect ninety days from passage.

Howard McIlvain  
Clerk of the Senate

C. H. Blankenship  
Clerk of the House of Delegates

W. W. Booth, Jr.  
President of the Senate

Lewis F. Mann  
Speaker House of Delegates

The within __________________________ approved this the 24th day of April, 1973.

And a. Shrewsbery  
Governor
PRESENTED TO THE
GOVERNOR

Date 4/24/73
Time 2:34 p.m.