

Approved: 3-24-97  
Date

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary K. Hayzlett at 1:30 p.m. on March 18, 1997 in Room 526-S of the Capitol.

All members were present except:  
Representative Jim Long, excused

Committee staff present: Hank Avila, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Jackie Buchanan, Committee Secretary

Conferees appearing before the committee:  
Bob Burke, Investigator, Shawnee County District Attorney  
Michael Byington, Wichita Industries and Services for the Blind, Inc.  
Sharon Huffman, Kansas Commission on Disability Concerns  
Lewis Tyler, Manhattan, Kansas

Others attending: See attached list

**SB 29 - Persons with disabilities, accessible parking**

The Chair opened the hearing on **SB 29**.

Bob Burke, Investigator, Shawnee County District Attorney, testified as a proponent to **SB 29**, but requested several amendments to increase fines be made to the bill that are outlined in his testimony. (Attachment 1)

Michael Byington, Wichita Industries and Services for the Blind, Inc., testified in support of **SB 29** as it was amended in the Senate and urges committee to pass it favorably. (Attachment 2)

Sharon Huffman, Kansas Commission on Disability Concerns, supports **SB 29** because of the stronger enforcement provisions. She supports the new language in the bill regarding depositing of snow, debris, or any other property in a designated accessible parking space. KCDC would like committee to consider adding stronger enforcement provisions to **SB 29**. (Attachment 3)

Lewis Tyler, Manhattan, Kansas, testified in support of **SB 29** and would like to see the fines even stiffer.

Written testimony was submitted by Sherry C. Diel, Kansas Advocacy & Protective Services, Inc., in support of **SB 29** as amended by the Senate. (Attachment 4)

Written testimony was submitted by Jane Rhys, Executive Director, Kansas Council on Developmental Disabilities, in support of **SB 29** as it will assist individuals who have physical disabilities in obtaining access to handicapped parking. (Attachment 5)

Staff provided a chart indicating the States' Fines for Illegal Parking in Spaces Designated for Disabled Persons. (Attachment 6)

Hearing was closed on **SB 29**.

**SB 117 - Providing for congressional medal of honor license plates**

The Chair opened discussion and final action on **SB 117**.

Representative Dillon made a motion to pass **SB 117** favorably, motion seconded by Representative Dreher, and motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE, Room 526 -S Statehouse, at 1:30 p.m. on March 18, 1997.

**SB 118 - Terminal rent adjustment; clauses**

The Chair opened discussion and final action on **SB 118**.

Representative Shore made a motion to amend SB 118 to allow a Kansas bank to opt-out in a merger transaction involving an out-of-state bank, and the motion was seconded by Representative Humerickhouse.

Representative Aurand made a substitute motion to postpone the vote on the amendment until Wednesday, March 19, to allow committee members to study this amendment, motion seconded by Representative Pauls, and motion failed.

Staff clarified that if the State does not elect to opt-out during this Session, we will automatically opt-in.

After much discussion, Representative Shore explained that many small banks that want to "sell" favor opt-in; and banks that want to "serve" want to opt-out; and agricultural credit is important in Kansas and as banks get bigger this credit becomes more difficult.

The Chair called for a vote on Representative Shore's motion to amend SB 118. The vote was a tie, and the motion failed.

Representative Pauls made a motion to pass SB 118 favorably with no amendments, and the motion was seconded by Representative Dillon.

Representative Shore made a substitute motion to postpone action on SB 118 until Wednesday, March 19, motion seconded by Representative Humerickhouse, and motion carried.

**SB 131 - School districts, school bus use for other than required school purposes**

The Chair opened discussion and final action on **SB 131**.

Representative McClure made a motion to amend HB 2280 into SB 131, motion seconded by Representative Aurand, and motion carried.

Representative Flower made a motion to amend SB 131 to allow for transportation of adult students enrolled in a community college, four year college or university, area vocation school or area vocational-technical school, on a space available basis, subject to permission and terms and conditions of the local school board. The motion was seconded by Representative Dillon, and the motion carried.

Representative Correll made a motion to pass SB 131 favorably as amended, motion seconded by Representative Shore, and motion carried.

Minutes of the March 13 meeting were presented for corrections or approval. Representative Dillon made a motion to approve the minutes as written, seconded by Representative Shore, and motion carried.

The Chair reminded committee members to RSVP for the Kansas Grain and Feed Association Appreciation Dinner for the House and Senate Transportation Committees on April 2.

Meeting was adjourned at 2:45.

The next meeting is scheduled for March 19, 1997.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: March 18, 1997

NAME	REPRESENTING
Mary Shivers	KDOT
Alan Krosch	Dept of Administration
Ken Baker	Economic Lifelines
TOM WHITAKER	Ks MOTOR CARRIERS ASSN.
Shelly Krestine	KCDD
Jeff L. Stanley	Topoka Police Dept.
Erwin W. Evans	Topoka Police Dept.
BOB BURKE	SW CO DA
KEITH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Michael Byington	Wichita Ambulance + Services for the Blind
Mary E Turcington	Kansas Motor Carriers Assn
Rick Scheibe	KDOR
Betty McBride	KDOR
Agnes Towery	KRSB

First Assistant District Attorney  
Joel W. Necke

Assistant District Attorneys

Athena E. Andaya  
James A. Brown  
Nancy S. Brumeloe  
Gwynne E. Harris  
Michelle V. Hostetler  
E. Bernard Hurd  
Lisa C. Kelley  
Anthony W. Mattivi  
Michael F. McElhinney  
Tony W. Rues  
Lori Reyes Seifert  
Gary C. West

Joan M. Hamilton

District Attorney  
Kansas Third Judicial District

Suite 214 • Shawnee County Courthouse • Topeka, Kansas 66603-3922  
Telephone: (913) 233-8200 Ext. 4330 • Fax: (913) 291-4909

Director of Victim Services  
Suzanne H.

Investigators  
Donald M. Murphy  
Ken Hendrix  
Mick Meyer

SB 29

Good morning Chairman Hayzlett, and members of the House Transportation Committee. I am Bob Burke, a disabled, lifetime citizen of Kansas, and I have appeared here four times in the last thirteen years to enhance the disabled parking laws of Kansas, so law enforcement can achieve better results in apprehending the "non-disabled and fraudulent users".

I have requested the changes for SB 29 after the last improvements I made 2 years ago. These are fine tuning changes I am asking you to consider for better enforcement and to keep the disabled parking places available to those individuals who really need them. Most everyone in this room, that's right, most everyone will qualify someday for a disabled parking placard. Unless you die instantly from a health problem, or an accident, you will probably find yourself in a nursing home setting, and persons in nursing homes generally don't move to fast, however, they still like to go shopping with their friends and family, and they are eligible for a parking placard.

I am an investigator for Shawnee County District Attorney Joan Hamilton, who formerly was a member of the Kansas House of Representatives during the 1991-92 sessions. I investigate access complaints filed against business's who may be in violation of Kansas access laws. These laws parallel the federal Americans

*Justice for All*

*House Transportation  
Attachment 1  
3-18-97*

with Disabilities Act, and I also investigate the illegal use of disabled parking devices. I have conducted training for several law enforcement agencies on "apprehending the non-disabled placard user".

With Kansas laws and the American with Disabilities Act requiring disabled parking spaces at all business's, more and more disabled persons are getting out to shop, and there has been many more disabled parking placards and disabled license plates issued. A couple of years ago there were approximately 20,000 disabled license plates and 80,000 disabled placards issued in the state of Kansas alone.

This also brings up the issue of "getting a placard so I don't have to pay for parking". In the larger cities of Kansas, parking lots cost at least \$70 a month to park, however, parking in the street at a meter, or by the office front door is free with a disabled placard. This can be a **LARGE FINANCIAL** incentive for someone to get a parking placard. Just 2 weeks ago in downtown Topeka I arrested a person using an altered placard that expired last August. She has saved 6 months in parking fee, or about \$420. There was another arrest in downtown Topeka that Officer Stanley and I did last year in which the placard had been altered for 3 years, a savings of about \$2520. Also last week I arrested a person, again in downtown Topeka for using the placard of a person who died last July, a parking savings of about \$490.

People get placards several ways. The severely disabled persons have their physician sign the form, stating they are

disabled. Some, I have been told, who don't have a mobility impairment, convince their physician of many years, that they really need to park close to their office, other non-disabled persons use someone else's placard, and the possibility exists there are placards issued to persons making up physicians names.

TV Channel 9 in Kansas City last month showed their news staff filling out a disabled form for a parking placard and making up a physician's name, and walking out the door with the placard in hand. I am sure this will put ideas in people's minds and there will be many illegal placards sold in Kansas and Missouri.

When a person turns in their application to their county treasurer there is no system in place to see if the physician even exists. I have given each of you a disabled placard application form. If everyone filled it out and entered a fictitious physician's name, we could then all walk over to the courthouse and for \$5.25 receive a permanent parking placard, on the spot, good for free parking nationwide for 3 years. Your chance of getting caught is probably 1/10 of 1%, because it takes a lot of investigative work, which the officer on the street doesn't have time to do. This is why we need a **HIGH** fine, so when they do get caught, the fine will hopefully act as a deterrent for others.

Everyone in this room has seen people with no apparent disability, and a person doesn't have to have a visible disability to have a placard, jump from their cars and run into the store, and you find yourself wondering what's wrong with that person, they don't look disabled.

I have enclosed a list of approximately 121 disabled parking placards and disabled license plates, supplied to me by the city meter control people, which are in use within three blocks of this building. This is quite a list! I have personally observed many of these people, and I must say maybe 10% show a visible disability. Remember, of the seven requirements on the application form, they all require the person to be SEVERELY DISABLED.

Probably most of you have seen the specials on TV's Dateline, 60 Minutes, and 20-20 about the abuse of disabled placards. Kansas has a fairly good law now, however, law enforcement needs you to make these changes so Kansas can improve their chances of staying ahead of the violators.

I will now review with you the changes and some amendments I have made on Senate Bill 29:

Page 1, Line 31:

After the words to display, add "when vehicle is parked or moving"-REASON-it is hard to find these violators at a disabled parking place. With this language the violator can be stopped and the illegal placard can be seized.

Page 1, Line 37:

This needs to be increased to a minimum of \$300, because of the financial gain I mentioned earlier, the money the violator has saved. I also think if the fine is lower, the mandatory court appearance should be put back in so the judge, after hearing the violators story, can place the fine where he thinks it should be.

I put the "mandatory court" in a couple of years ago. These types of violations don't happen often, but when they get caught, the fine should be more than the violator saved.

Page 3, Line 43:

LEAVE the words "in this state"-REASON-law enforcement has trouble now trying to find out the doctor's name, let alone trying to find the doctor's name, address and phone number in 50 states. This would make checking out a possible fictitious name impossible. If a person has an out of state doctor, they may need to go to a local med-assist facility to get the form signed by a Kansas doctor.

Page 5, Line 36, 37, 38:

Delete these three lines-REASON-some parking stalls measure 6 inches to 12 inches, or more, in narrow. Even though a vehicle can still park easily in these stalls, some judges that are against disabled parking regulations will dismiss their citations because they don't meet the width requirements for the "Americans with Disabilities Act".

Page 6, Line 8:

Reinsert "an access entrance"-REASON-not ALL business's have a curb cut or ramp, some have entrances that are level with the parking surface.



Page 6, Line 9:

All language using the word "HANDICAPPED" should be replaced with today's language "DISABLED".

Reinsert the last word "or" and add "disabled parking place".-

Reason-many times people will park so they block disabled parking stalls , but not park in them, to avoid a ticket. However, the disabled parking stall becomes useless. This happens often at outdoor events. Violators have actually told the police they can't ticket them because they are not in the "actual" disabled parking stall.

Page 6, Line 25:

Change this to a Class "A".-REASON-Hopefully this will help deter those who might fraudulently sign the form.

Page 6, Line 30:

Change this to a Class "A".-REASON-Hopefully this will help deter those who might sign the forms for those persons not meeting the state requirements.

Page 6, Line 32:

After the word who add "displays or utilizes at any time"-REASON-Law enforcement can stop the vehicle displaying the illegal device and seize it instead of waiting for the vehicle to park.

Page 6, Line 37:

I believe this should be increased to a maximum of \$500, again

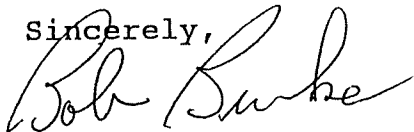
because of the **FINANCIAL GAIN** over several months of illegal usage, remember the Judge can still fine the violator the low end of \$200.

Page 7, Line 2:

I believe this should be increased to a maximum of \$500, again because of the **FINANCIAL GAIN** over several months of illegal usage, remember the Judge can still fine the violator the low end of \$200.

Thank you for listening to these important changes. I have Topeka Police Officer Jerry Stanley and Shawnee County Sheriff Deputy Mike O'Shea, who have considerable field experience, as well as myself to answer any questions. Thank you!

Sincerely,

A handwritten signature in cursive script that reads "Bob Burke".

Bob Burke

Investigator, Shawnee County District Attorney



# CITY OF TOPEKA

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DEPARTMENT OF POLICE  
320 S. Kansas Ave., Suite 100  
Topeka, Kansas 66603-3619  
Phone 913-368-9551

January 27, 1997

Senate Federal and State Committee  
Lana Oleen, Madam Chairman

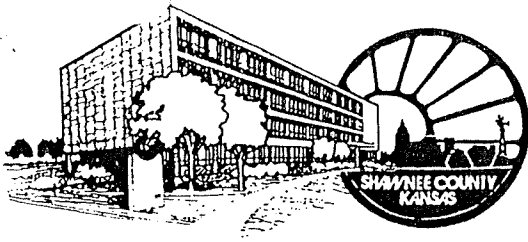
Dear Madam Chairman:

After reviewing Senate Bill No. 29, and seeing the support it gives law enforcement, this bill has the endorsement of the Topeka Police Department.

Sincerely,

Capt. Jesse J. Torrez  
Assist. Division Commander

F. Dean Forster  
Chief of Police



Shawnee County  
Sheriff's Department  
Sheriff Dave Meneley

200 EAST 7TH STREET  
TOPEKA, KANSAS 66603-3932  
COURTHOUSE ROOM B-16 913-233-8200 EXT. 4044

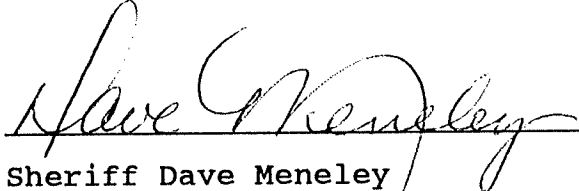
January 23, 1997

District Attorney's Office  
Bob Burke  
200 S.E. 7th Street  
Topeka, Kansas 66603

To Whom This May Concern:

I have reviewed Senate Bill No. 29 and agree with its content. I am in full support of Senate Bill No. 29 implementation.

Sincerely,

  
Sheriff Dave Meneley

DM/bmt

# The University of Kansas ,

Parking Department

January 31, 1997

Bob Burke  
c/o Shawnee County  
District Attorney's Office  
Topeka, KS

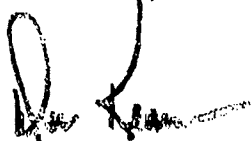
Re: **Senate Bill 29.**

Dear Bob,

It is my understanding that Senate Bill 29 is now being considered by the Kansas Legislature. This bill would allow enforcement officers to contact medical providers to verify that an individual using a handicap placard is indeed a patient of the medical provider. I believe that the limited freedom allowed by this legislation would help end - or at least curtail - the handicap placard abuse which currently takes place.

Please be advised that I am in full and complete support of Senate Bill 29. I look forward to hearing from you soon regarding the status of this legislation.

Sincerely,



Donald L. Kearns,  
Director of Parking

DLK:mbo

9 J

# DISABLED TAGS FROM TOPEKA IN DOWNTOWN

Sn	INI 489	Olds 4dr tan	Blue	102222	SEPT 97
Sn	IOJ 059	Ford 4dr white	Blue	127343	APR <del>1998</del> 98
Sn	JGB 285	Ply van red	Blue	127023	June 99
Sn	INR 576	ACURA 4 dr gray	Blue	159280	MAR 99
Sn	JGR 215	DOD 4dr SLV	Blue	102252	JUL 98
Sn	JQD 280	DOD 4dr maroon	Blue	126173	AUG 98
Sn	JQH 166	NIS 4dr Black	Blue	127088	SEPT. 99
Sn	INT 560	DOD van blue	Blue	111354	MAR 98
Sn	KIR 432	MAZDA 4dr blue	Blue	127078	NOV. 98
Sn	KIY 514	Honda 2dr blue	Blue	111545	NOV. 98
Sn	KJI 562	PLY van maroon	Blue	159273	MAR 99
Sn	LHD 751	Honda 2dr gray	Blue	126424	MAR 99
Sn	LHO 384	Ford 2dr blue	Red	27176	NOV. 96

?

	D 602 BC	Pont 2dr.	Blue	127353	MAY 99
				↓	X

-MO-	3P8 94 K	Chev 4dr.	Blue	127353	MAY 99
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-OK-	137 CLK	Cont 4dr white	Blue	161887	APR 00
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9 J W

Sn	INT 584	Chev van white	Blue	102339	APR 98
Sn	JGR 668	Chev 4dr white	Red	27172	Nov. 96
Sn	JGW 014	GMC truck blue	Blue	127549	JUL 99
Sn	JQB 849	Ply van blue	Blue	126343	AUG 98
Sn	JQJ 511	merc 4dr green	Red	27291	JAN 97

1 W 9

JF	HMC 063	Ford 2dr brown	Blue	073916	Nov. 96
DE	IUX 508	DOD 4dr maroon	Red	25493	Dec 96
Sn	JFO 957	Buick 4dr red.	Blue	110717	MAY 98
Sn	JGI 845	Chev 2dr blue	Blue	111033	June 98
Sn	KIN 245	nis 4dr blue	Red	27261	Oct 96
Sn	KIS 872	Buick 4dr gray	Red	27261	Oct 96
Sn	KJA 296	Chry 2dr SLV.	Blue	111274	NOV. 98
Sn	LGS 992	Olds 2dr.	Blue	089082	FEB 97
Sn	LHO 384	Ford 4dr blue	Red	27167	NOV. 96
An	KSW 845	Olds 4dr gray	Blue	066244	SEPT. 99

JF	HMF 403	Chew Black pu.	Red	018863	Feb 97
Sn	INE 148	port red 4dr.	Red	27068	Sep. 96*
Sn	INF 396	Toy gray 4dr.	Blue	056115	Jul 98
Sn	IOA 848	Ford gray truck	Blue	159247	May 98
Sn	IOG 830	Honda gray 2dr	Red	27063	Sep 96*
Sn	IOH 182	Toy gray 4dr	Blue	088883	Jan 97
Sn	IOH 721	Dod blue van	Blue	159541	Apr. 99
Dg	IVE 898	Sub black 4dr	Blue	127104	Jul 99
Sn	JFM 662	Dod white van	Blue	159434	Apr. 99
Sn	JFS 696	Ford red 4dr.	Blue	111575	May 98
Sn	JGD 361	port green 4dr	Red	27093	Sept 96*
Sn	JGL 529	Chew silver 4dr	Red	27187	Dec 96
Sn	JGP 988	Line. gray 4dr	Blue	064867	Jul 00
Sn	JPL 717	Olds blue 2dr	Blue	089093	Feb 97
Sn	JQI 775	Chry red 4dr	Red	27083	Sep. 96*
Sn	JQS 385	Ford brown pu.	Red	30853	Feb 97
Sn	JTG 456	Toy gray truck	Blue	127299	Nov. 98
JF	KCH 630	ply blue van	Blue	073950	Feb 97
Sn	KIL 591	chew sev. SW	Blue	174350	Nov. 99
Sn	KIP 812	Port blue 2dr	Red	27287	Oct 96
? Sn	LGJ 507	Ford gray 4dr.	Blue	088884	June 97
Sn	LHJ 082	Nis red 4dr	Blue	159369	Jul 99
Exp. → Dg	LHZ 095	Ford gray 4dr.	Red	29962	Aug 96
JA	TRIC	Ford maroon pu.	Blue	148472	Apr. 00
	WAØBVS	Ford white 4dr.	Blue	125611	Oct. 98



8 H

Sn	JGI	954	Olds white 4dr.	Blue	174353	June 00
Sn	JTG	456	Toy gray truck	Blue	127299	X <sup>returned?</sup> NOV. 98
Sn	KRC	636	cad yellow 4dr	Blue	126399	Aug. 98
30 day tag →		469996	cad red 4dr.	Blue	068316	Nov. 98

4 W 9

WB	IRK	540	buick blue 4dr.	Blue	044031	Jun 98
Sn	JGE	625	merc black 4dr.	Blue	111467	May 98
Sn	JGM	258	buick black 2dr.	Blue	127264	July 98
Sn	JGR	926	Olds blue 4dr.	Blue	125638	Jun 98
Sn	JQL	542	Dod blue 2dr.	Blue	044005	Sep. 98
Sn	JQY	405	buick red 4dr.	Blue	054525	Apr. 99
Sn	KIT	851	pont blue 2dr.	Blue	102002	Aug. 97
JA	LBV	175	Ford blue van	Blue	142112	Aug. 99

	Sn JPW 456	Ford van blue	Blue 125617	Aug. 98
9K-	Sn JQJ 946	Dod van black	Blue 063786	Feb 99
	Sn KIW 441	Geo 2dr blue	Blue 126318	NOV. 98
	Sn KIX 303	Merz. 4dr white	Red 30921	Dec. 96
	OS LGA 287	Merz. 4dr. black	Blue 05782	NOV.
	Sn LTV 633	Wids. 2dr maroon	Blue 089032	Feb. 97
HC	64184	Ford truck blue	Blue 161820	Jun 00

8K-	Sn KIN008			
	Sn JGR134	Dod 4dr white	Blue 126477	June 99

1 E 9

Sn LGR 592 Chev 2dr gray Red 27213 Dec 96

8 Q

Sn INN 091 merc 4dr black Blue 102362 Oct 97

PT ICP 138 Ford 2dr gray Blue 159714 Nov. 99

9 Q KQX 745 Gmc black pu

Blue 126480 Aug 98

Sn JGD 058 merc 4dr black

Blue 126465 Jul 98

Sn JGJ 260 Ford 4dr red

Red 27118 Oct 96

INS 912 Gmc gray van

Blue 102065 Aug 97

1 E 10

Sn JGG 282 Ford 2dr white

Blue 126072 June 97

Sn JQO 588 cad 2dr blue

Blue 126277 Oct 98

Sn KIN 628 Nis van gray

Blue 127627 Oct 99

Sn LGP 470 Chev 4dr blue

Blue 088713 Nov 97

9Q- JOE 815 Ford blue 4dr

Blue 161508 Apr 00

90 LHD346 Dubs 4dr whipe

Blue 161645 MAR 00

10 K W

JF HMJ 451 Chev 4dr black

Blue 113533 JUL 98

Sn JGC 240 Dod 4dr blue

Blue 100288 Aug 97

Sn INY 517 Honda 4dr gray

Blue 159451 MAR 99

JGS 300 cad 4dr red

Blue 126533 JUL 98

Reg ? KQZ 506 Ford van blue

Blue 159150 May 99

90

HE 64058

MISSO red truck

BLUE CALIFORNIA HAUGTAG

# K097020

June 30, '97

10 K E

Sn	JQU	609	Ply Sw white	BLUE	127313	OCT. 99
Sn	LGV	050	olds sw maroon	BLUE	063169	NOV. 98
Sn	JPL	622	Buick 4dr gray	Blue	111034	Aug. 98
Sn	INO	446	Ford Pu white	Blue	161781	MAR. 00
Sn	KRH	244	Ford 4dr blue	Blue	159291	MAR. 99
Sn	JPQ	993	Ply 4dr maroon	Blue	127601	Aug. 99

7 K-

	Sn	INO	091	Pont 4dr. blue	Blue	111601	Blue MAR 98
	Sn	INP	114	olds 2dr red	Blue	110778	Apr. 98
1W7-	Sn	JGO	700	Nis 2dr brown	Blue	125742	June 98
	Sn	KIU	541	Chev 4dr yellow	Blue	174404	Nov. 99
7J-	Sn	KIQ	682	Chry 4dr white	Blue	080844	Nov. 99
1W8-	WB	IRH	998	Chev 2dr black	Blue	099868	May 97
6J-	Sn	SO FINE		Chev 2dr pink	Blue	100201	Jul '97
1E5-	Sn	VANSRUS		Chev? blue Van	Blue	174387	Sept 99
1W6-	Sn	KIL	574	CAD 4dr blue	Blue	126351	Nov. 98



KANSAS DEPARTMENT OF REVENUE  
DIVISION OF VEHICLES



**DISABLED PLACARD AND/OR PLATE APPLICATION**

**APPLICATION FOR DISABLED PLACARDS, PLATES AND ID CARDS MUST BE MADE AT YOUR LOCAL COUNTY TREASURER'S OFFICE**

Name of Disabled Individual, Business or Agency \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ KS ZIP \_\_\_\_\_

Applicant Signature \_\_\_\_\_ Phone No. (\_\_\_\_) \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE CHECK APPROPRIATE APPLICATION(S):**

1. **DISABLED IDENTIFICATION PLACARD APPLICATION** PERMANENT (\$5.25 fee); TEMPORARY (\$4.25 fee)  
 Check here only if applying for (lost, stolen) replacement placard.\* No Licensed Professional's Statement needed for replacement placard.  
 \*If Replacement Placard, Current Disabled ID Card Number \_\_\_\_\_

2. **DISABLED LICENSE PLATE APPLICATION** (FEE: \$3.25) plus 50¢ reflectorized plate fee  
Only applicants certified as PERMANENT disabled may apply for Disabled Plate.

**BUSINESS OR AGENCY REPRESENTATIVE MUST CERTIFY AND SIGN THE FOLLOWING:**  
 I, the undersigned, certify that the above named agency or business is responsible for the transportation of person(s) to be considered disabled as per K.S.A. 8-1,124, as outlined below, thus qualifying for accessible parking privileges.  
 \_\_\_\_\_  
 Authorized Representative or Owner Signature (Rubber Stamp NOT Acceptable) Title Date

**HEALING ARTS LICENSED PROFESSIONAL'S STATEMENT**

**Attending licensed professional must certify and sign the following:**

I, the undersigned licensed professional, certify that (Disabled Individual's Name) \_\_\_\_\_ is considered to be disabled, as per Kansas Statute 8-1,124, due to at least one (1) or more of the following: (Must check at least one.)

- 1. Has a severe visual impairment, or;
- 2. Cannot walk two hundred (200) feet without stopping to rest, or;
- 3. Cannot walk without the use of or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device, or;
- 4. Is restricted by lung disease to such an extent that the person's forced (respiratory) 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, or;
- 5. Uses portable oxygen, or;
- 6. 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, or;
- 7. Is severely limited in their ability to walk due to an arthritic, neurological, or orthopedic condition.

\_\_\_\_\_  
 Licensed Professional's Signature (Rubber stamp not acceptable) Date

**MUST check one (1) of the below and provide requested information:**

PERMANENT     TEMPORARY\*\*: $\rightarrow$  From (Date) \_\_\_\_\_ To (Date) \_\_\_\_\_  
 \*\* Six (6) Months is the MAXIMUM Duration for a Temporary Placard.

Licensed Professional's Name Printed / Typed \_\_\_\_\_

Printed:    Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_



KANSAS DEPARTMENT OF REVENUE  
DIVISION OF VEHICLES



**DISABLED PLACARD AND/OR PLATE APPLICATION**

**APPLICATION FOR DISABLED PLACARDS, PLATES AND ID CARDS MUST BE MADE AT YOUR LOCAL COUNTY TREASURER'S OFFICE**

Name of Disabled Individual, Business or Agency \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ KS ZIP \_\_\_\_\_

Applicant Signature \_\_\_\_\_ Phone No. (\_\_\_\_) \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE CHECK APPROPRIATE APPLICATION(S):**

**1. DISABLED IDENTIFICATION PLACARD APPLICATION** PERMANENT (\$5.25 fee); TEMPORARY (\$4.25 fee)  
 Check here only if applying for (lost, stolen) replacement placard.\* No Licensed Professional's Statement needed for replacement placard.

\*If Replacement Placard, Current Disabled ID Card Number \_\_\_\_\_

**2. DISABLED LICENSE PLATE APPLICATION** (FEE: \$3.25) plus 50¢ reflectorized plate fee  
Only applicants certified as PERMANENT disabled may apply for Disabled Plate.

**BUSINESS OR AGENCY REPRESENTATIVE MUST CERTIFY AND SIGN THE FOLLOWING:**

I, the undersigned, certify that the above named agency or business is responsible for the transportation of person(s) to be considered disabled as per K.S.A. 8-1,124, as outlined below, thus qualifying for accessible parking privileges.

Authorized Representative or Owner Signature (Rubber Stamp NOT Acceptable) \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**HEALING ARTS LICENSED PROFESSIONAL'S STATEMENT**

**Attending licensed professional *must* certify and sign the following:**

I, the undersigned licensed professional, certify that (Disabled Individual's Name) \_\_\_\_\_ is considered to be disabled, as per Kansas Statute 8-1,124, due to at least one (1) or more of the following: (Must check at least one.)

- 1. Has a severe visual impairment, or;
- 2. Cannot walk two hundred (200) feet without stopping to rest, or;
- 3. Cannot walk without the use of or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device, or;
- 4. Is restricted by lung disease to such an extent that the person's forced (respiratory) 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, or;
- 5. Uses portable oxygen, or;
- 6. 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, or;
- 7. Is severely limited in their ability to walk due to an arthritic, neurological, or orthopedic condition.

Licensed Professional's Signature (Rubber stamp not acceptable) \_\_\_\_\_ Date \_\_\_\_\_

**MUST check one (1) of the below and provide requested information:**

PERMANENT       TEMPORARY\*\* : ➔ From (Date) \_\_\_\_\_ To (Date) \_\_\_\_\_  
 \*\* Six (6) Months is the MAXIMUM Duration for a Temporary Placard.

Licensed Professional's Name Printed / Typed \_\_\_\_\_

Printed: Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

# INSTRUCTIONS

- Disabled individual **must** be a Kansas resident.
- Application **must** be signed by the disabled individual, representative or vehicle owner.
- **Fees:**
  - Permanent Disabled Placard application fee is \$5.25. The Personal Disabled Identification Card **must** be carried by the person to whom it is assigned when using disabled parking privileges. Application is to be made at the local County Treasurer's office.
  - Temporary Disabled Placard application fee is \$4.25. The placard **must** be returned upon expiration to the Department of Revenue, Titles and Registration Bureau, Docking State Office Building, Topeka, Kansas 66626-0001. Application is to be made at the local County Treasurer's office.
  - Disabled License Plate will require a \$3.25 fee and 50¢ reflectorized plate fee, in addition to regular registration fees. Application for a disabled license plate must be made at the local County Treasurer's office.
  - The fee for replacement placards will be \$5.25 for Permanent or \$4.25 for Temporary. Replacement placards are subject to the same return requirements as outlined in these instructions. Application for replacement placard is to be made at the local County Treasurer's office.
- Disabled Identification Placard **must** be suspended from rear view mirror when using disabled parking privileges and may be transferred from one vehicle to another. **The placard is to be removed from the rear view mirror when the vehicle is being operated.**
- Upon death of the disabled individual, both the Disabled License Plate and/or Placard and the personal Disabled Identification Card **must** be returned to the local County Treasurer's Office in exchange for a regular county issue tag, if applicable.
- The Healing Arts Licensed Professional's name **must** be printed/typed in the space provided. Licensed Professional **must** be signed by the professional, NOT rubber stamped or initialed.
- Disabled Identification Card **must** be available upon demand if the disabled individual is using any disabled parking privilege. If the disabled individual is not in the vehicle or the disabled individual does not have their ID card available upon demand, the vehicle is NOT entitled to use the disabled parking privilege.
- A disabled individual may have one (1) of the following:
  - One (1) disabled license plate and/or one (1) placard, or
  - Two (2) placards, but NO disabled plate.
- The owner's receipt of the application for Temporary placard **must** be carried by the person it is issued to when using accessible parking. (K.S.A. 8-1,125)

In addition to being eligible to park at marked accessible parking places, disabled persons having a valid disabled plate or placard displayed on or in the vehicle may also park at parking meters for an unlimited period and will be exempt from any parking meter fees. (KSA 8-1,126)

## PENALTY

Any person who willfully and falsely represents him/herself as having the qualifications to obtain a special license plate or ID Placard, or who falsely utilizes any parking privilege, shall be guilty of a class C misdemeanor, punishable by fines of \$500.00 and no more than 30 days in jail. (K.S.A. 8-132a) Violators may also be subject to additional penalties where imposed by city ordinance.

WICHITA INDUSTRIES & SERVICES FOR THE BLIND, INC.

PLEASE REPLY TO: Michael Byington  
WISB Governmental Affairs Office  
P. O. Box 1063  
Topeka, Kansas 66601  
(913) 575-7477 (office and voice mail)  
(913) 233-2539 (FAX)

March 18, 1997

TO: House Committee on Transportation

SUBJECT: Senate Bill 29

We appeared on the Senate side supporting this bill with some reservations and qualifications. We requested several amendments.

We are pleased with the amendments made by the Senate. We now support this bill completely.

Others will articulate the specific arguments in support of the provisions of the bill. We would encourage the Transportation Committee to report it favorably.

Sincerely yours:

Michael Byington  
Director of Governmental Affairs

MB/mjb

A not-for-profit  
agency providing  
employment &  
services to people  
who are blind.

801 East Lincoln  
Wichita, Kansas 67211  
(316) 267.2244  
Fax (316) 267.4312

925 Sunshine Road  
Kansas City, Kansas 66115  
(913) 281.0710  
Fax (913) 281.2450

1600 North Walnut  
Pittsburg, Kansas 66762  
(316) 231.8600  
Fax (316) 231.8620

1

*House Transportation  
Attachment 2  
3-18-97*



## DEPARTMENT OF HUMAN RESOURCES



Bill Graves, Governor

Wayne L. Franklin, Secretary

## COMMISSION ON DISABILITY CONCERNS

1430 S.W. Topeka Boulevard, Topeka, Kansas 66612-1877

VOICE: (913) 296-1722 • TTY: (913) 296-5044 • FAX: (913) 296-0466

Toll Free Outside Topeka (KCDC) ..... 1-800-295-5232

ADA Information Center (BBS) ..... (913) 296-6529

## HOUSE COMMITTEE ON TRANSPORTATION

## SB 29

March 18, 1997

Thank you for this opportunity to testify in support of Senate Bill 29. My name is Sharon Huffman and I represent the Kansas Commission on Disability Concerns (KCDC). KCDC is a state agency established by law to carry on a continuing program to promote a higher quality of life for people with disabilities. One of our responsibilities is to submit recommendations to the legislature believed necessary to promote the independence of people with disabilities.

KCDC supports SB 29 because the stronger enforcement provisions would increase the likelihood of Kansans with disabilities being able to work, live and play in the community of their choice. We have assisted many businesses and public accommodations in making the necessary modifications, including the installation of accessible parking stalls and signage, to comply with the Federal Americans with Disabilities Act. Without stiff penalties, and enforcement of those penalties, the accessible parking and buildings are of little use.

We are pleased to see that the fines for illegal usage of accessible parking placards or identification cards will be increased. If this fine is required to be posted and subsequently enforced, it may provide a deterrent to those who would otherwise abuse the placards and cards.

The new language in the bill regarding depositing of snow, debris, or any other property in a designated accessible parking space is long overdue. Many of us have gone shopping during the Christmas season and been unable to park because the accessible parking spaces were filled with Christmas trees or other seasonal items. There has been a long-term practice of snow removal companies piling the snow in accessible parking spaces and/or aisles that has made it extremely difficult for people with disabilities to find parking and get out of their vehicle.

KCDC would like this committee to consider adding stronger enforcement provisions to SB 29. We understand that the City of Wichita currently has mandatory enforcement of the law and would suggest that the same could be done on a statewide basis. Without proper enforcement this law will continue to be abused and people with disabilities will continue to have problems locating accessible parking spaces.

*House Transportation  
Attachment 3  
3-18-97*

We urge your support of SB 29 and consideration of our recommendations for enforcement. Thank you.



# **KANSAS ADVOCACY & PROTECTIVE SERVICES, INC.**

2601 Anderson Ave., Suite 200  
Manhattan, Kansas 66502-2876  
Voice/TDD (913) 776-1541  
Voice/TDD (800) 432-8276  
Fax (913) 776-5783

501 W. Jackson, Suite 425  
Topeka, Kansas 66603  
Voice/TDD (913) 232-0889  
Fax (913) 232-4758  
E Mail [jgermer@idir.net](mailto:jgermer@idir.net)

**Board of Directors:**

*Robert Ochs, President  
Sharon Joseph  
Pat Terick*

*Josephine Patten, Secretary/Treasurer  
Richard Gutierrez  
Tim Steininger*

*Martha Blue-Banning  
Jane Rhys  
Kate Shaer*

**Reply To: Topeka Office**

March 18, 1997

TO: Members of the House Committee on Transportation  
RE: SB29--Proposed Amendments to the Accessible Parking Act

Kansas Advocacy & Protective Services, Inc. (KAPS) is a federally funded non-profit corporation which serves as the designated protection and advocacy agency for the state of Kansas for persons with disabilities. Each state and territory of the United States has a similar type organization whose role is to advocate for the rights of persons with disabilities.

**KAPS' Services**

KAPS currently administers four federal programs:

(1) **Protection and Advocacy for Individuals with Developmental Disabilities (PADD).** The PADD Program serves persons who have a life-long disability which manifests itself prior to the age of 22 and impairs three (3) out of seven (7) life activities including mobility, learning, ability to live independently, language, economic self-sufficiency, self care and self-direction;

(2) **Protection and Advocacy for Individuals with Mental Illness (PAIMI).** The PAIMI Program serves persons with mental illness who are in 24-hour residential facilities or if an issues arises within 90 days of the person's discharge from the residential facility;

(3) **Protection and Advocacy for Individual Rights (PAIR).** The PAIR Program is the "catch all" program. The PAIR Program can serve anyone with a life-long disability who is not eligible for services under either our PADD or PAIMI Programs. Because KAPS obviously does not have the staff or funding to serve this large population base, our priorities are generally limited to Americans with Disabilities Act issues, particularly, physical and program access issues.

(4) **Protection and Advocacy for Assistive Technology (PAAT).** The PAAT Program is administered by the University Affiliated Program at Parsons. KAPS performs the legal advocacy component of the program to advocate for persons with disabilities to obtain assistive technology

*House Transportation  
Attachment 4  
3-18-97*

from public or private funding sources so that they can live, work and recreate independently in the community.

Each program has a different federal funding source. We average approximately 130 requests for assistance each month. KAPS limits the number of cases accepted for representation based upon program priorities which are developed annually based upon public comment and consumer feedback. KAPS provides information, legal advice and referrals to those persons whose circumstances do not fall within one of our program priorities. For those cases which KAPS accepts for representation, KAPS is authorized by federal law to pursue resolution of disputes through use of legal, administrative and other appropriate remedies.

#### KAPS' Position on SB 29

KAPS supports SB 29. We believe that there is a significant amount of abuse concerning access to, and the use of, handicapped placards and accessible parking spaces. We support the use of increased fines for abuses of the system. For example, a family member of a person with a disability who uses the placard improperly by parking in an accessible space should be subject to a fine when the family member is not transporting or picking up a person with a disability. The addition of violations for placing snow, debris or other property in an accessible parking space is an excellent addition to the law.

We support the amendments made to the original bill by the Senate Federal and State Affairs Committee and the Senate Committee As A Whole. The amendments to the original bill are well-reasoned and based on excellent input from advocacy organizations. The additional authority granted to municipal officials, such as meter parking personnel, will increase enforcement capabilities of the system, thereby, providing increased access to accessible spaces for persons with disabilities.

We also support the Senate's addition of the warning placed on the handicapped accessible parking application which the physician or other authorized party must sign to certify a person as having a disability. KAPS was impressed by the Kansas Medical Society's willingness to offer education to its members concerning the potential for abuse which allegedly occur due to improper certifications.

Deletion of the original provision allowing for access to identity of a person's physician and, possibly, access to a person's medical records, will ease our concerns regarding confidentiality of medical records of persons with disabilities.

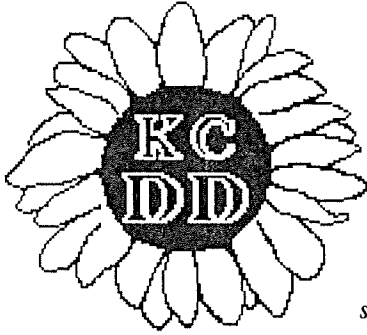
KAPS believes SB 29, as amended, provides a balance between protection of the rights of persons with disabilities whose access to public accommodations and state and local governmental services depends on accessible parking and the concerns raised by many persons regarding alleged abuses of the system.

e Transportation Committee  
March 18, 1997  
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Thank you for consideration of our comments. If any of the committee members have any questions, please do not hesitate to contact me.

Sincerely,

Sherry C. Diel



## ***Kansas Council on Developmental Disabilities***

BILL GRAVES, Governor  
TOM ROSE, Chairperson  
JANERHYS, Ph. D., Executive Director

Docking State Off. Bldg., Room 141, 915 Harrison  
Topeka, KS 66612-1570  
Phone (913) 296-2608, FAX (913) 296-2861

*"To ensure the opportunity to make choices regarding participation in society and quality of life for individuals with developmental disabilities"*

### **HOUSE COMMITTEE ON TRANSPORTATION**

**March 18, 1997**

Testimony in Regard to S.B. 29, AN ACT RELATING TO ACCESSIBLE PARKING; PERSONS WITH A DISABILITY.

*To ensure the opportunity to make choices regarding participation in society and quality of life for individuals with developmental disabilities.*

Mr. Chairperson, Members of the Committee, my name is Jane Rhys and I am the Executive Director of the Kansas Council on Developmental Disabilities. I am providing written testimony in favor of Senate Bill 29 because I am unable to appear in person. The Kansas Council is a federally mandated, federally funded council composed of fifteen individuals who are appointed by the Governor. At least half of the membership are persons with developmental disabilities or their immediate relatives. We also have representatives of the major agencies who provide services for individuals with developmental disabilities. Our mission is to advocate for individuals with developmental disabilities of all ages, to see that they have choices regarding their participation in society as well as adequate funding for programs that serve them.

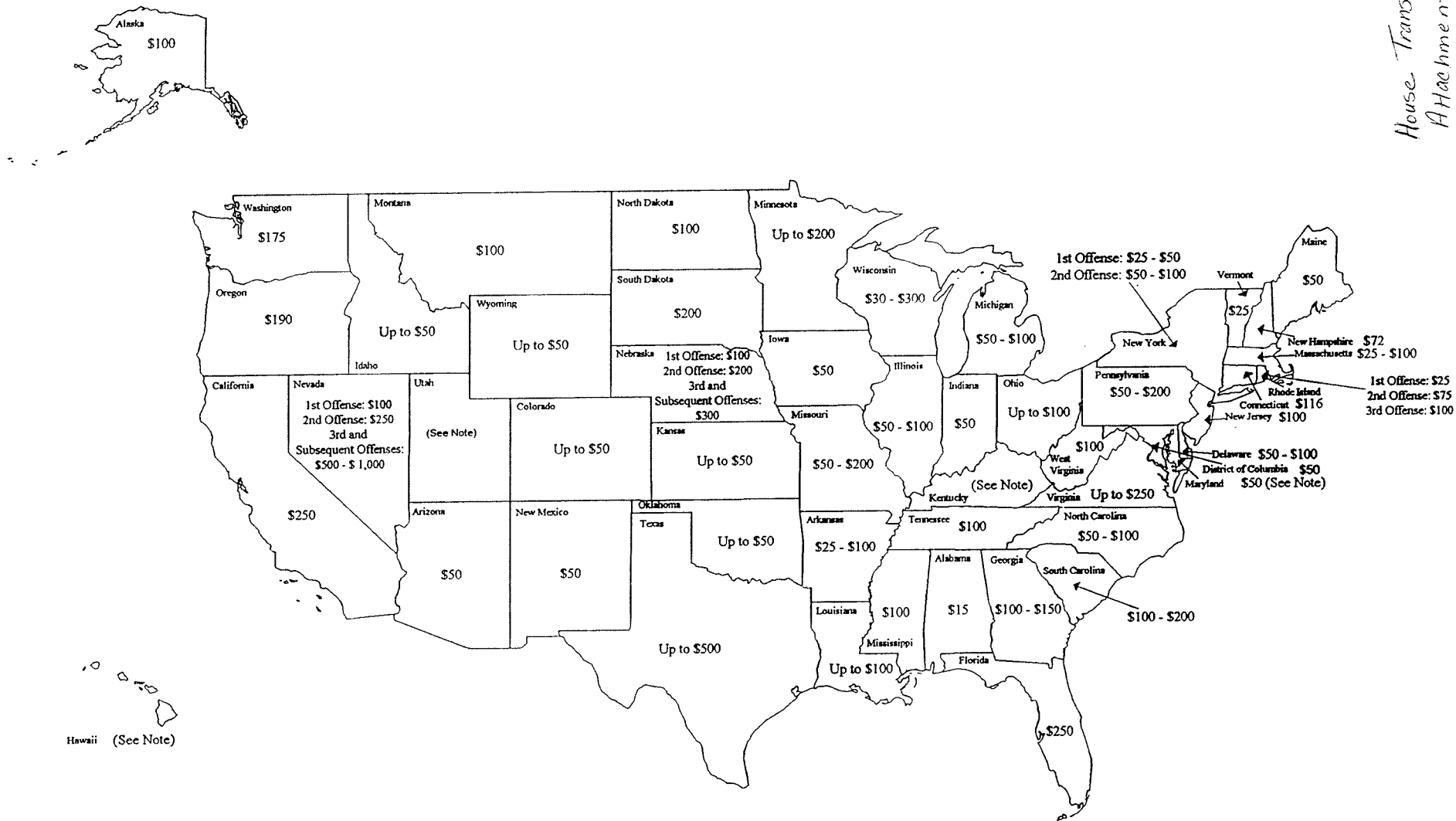
We support S.B. 29 because it will assist individuals who have physical disabilities in obtaining access to handicapped parking. It will do this through increasing fines significantly to discourage those who misuse handicapped parking permits and by making it illegal to dump snow or other debris in handicapped parking spaces. We also support the change from specific numerical requirements for placement of accessible parking signs to one which requires that the sign not be obscured by the vehicle parked in the space. I appreciate the time provided for testimony and would be happy to answer any questions you might have.

Jane Rhys, Executive Director  
Kansas Council on Developmental Disabilities  
Docking State Office Building, Room 141  
915 SW Harrison  
Topeka, KS 66612-1570  
913 296-2608  
E-Mail jrhys@idir.net

*House Transportation  
Attachment 5  
3-18-97*

# States' Fines for Illegal Parking in Spaces Designated for Disabled Persons

House Transportation  
Attachment 6  
3-18-97



Note: Hawaii statute makes it a parking violation for an authorized person to use a placard. The fine is set by the district courts.  
 Kentucky does not have an applicable state statute. Ordinances in larger cities such as Louisville and Lexington impose fines of \$50 and \$20 respectively.  
 In Maryland, fines can be higher at the local level.  
 Utah fines a disabled person a minimum fine of \$50 for allowing a non-disabled person to use handicapped parking privileges.

Sources: Kansas Department of Human Resources  
 National Conference of State Legislators  
 Kansas Legislative Research Department