

189.456 Accessible parking placard for person with a disability -- Duplicate placard -- Fees -- Proof of disability -- Application by parent or guardian -- Organizations transporting disabled individuals -- Display -- Administrative regulations.

- (1) On the application of any person who has a severe visual, audio, or physical impairment, including partial paralysis, lower limb amputation, chronic heart condition, emphysema, arthritis, rheumatism, or other debilitating condition which limits or impairs one's personal mobility or ability to walk, the county clerk in the county of the person's residence shall issue the person with a disability an accessible parking placard. In addition, any agency or organization which transports persons with a disability as a part of the service provided by that agency or organization shall receive an accessible parking placard upon application to the county clerk for each vehicle used in the transportation of persons with a disability. The accessible parking placard issued shall be a two (2) sided hanger style placard and shall on each side bear the international symbol of access adopted by Rehabilitation International in 1969. One (1) side of the placard shall bear the date of expiration of the placard, a seal or other identification of the Kentucky Transportation Cabinet, and shall contain the accessible parking placard identification number and other information the Transportation Cabinet may by regulation require. The international symbol of access shall be at least three (3) inches in height, be centered on the placard and in a white color on a blue shield. Any information contained on the placard shall be written in indelible ink or inscribed in other permanent fashion so as to prevent tampering with or the changing of information contained on the placard.
- (2) The county clerk shall issue an applicant one (1) accessible parking placard at no cost. Except as outlined in subsection (7) of this section, an applicant may obtain one (1) duplicate placard. A fee of ten dollars (\$10) shall be assessed for an initial or renewal duplicate placard, of which eight dollars (\$8) shall be forwarded to the road fund and two dollars (\$2) shall be retained by the clerk. The placard shall be valid for a period of six (6) years and may be renewed an unlimited number of times. A placard shall expire in the applicant's birth month and may be renewed up to twelve (12) months prior to its expiration date. Upon renewal, a receipt and decal shall be issued that both contain the placard number, placard expiration date, and other information required by the Transportation Cabinet. The decal shall be affixed to the existing placard. Placards shall be printed at cabinet expense. The county clerk of each county shall keep a record of applications filed and placards issued. Placards issued under this section shall be issued in the name of the applicant and shall not be tied to the applicant's motor vehicle or a motor vehicle used to transport the applicant.
- (3) For every person seeking an initial accessible parking placard or renewal of a placard issued prior to July 14, 2018, proof of the disability shall be required by:
 - (a) Evidence that the individual has a license plate for a person with a disability as provided by KRS 186.041 or 186.042;
 - (b) The county clerk issuing the permit ascertaining that the applicant meets the

criteria established by the Transportation Cabinet for determining that the applicant is disabled; or(c) A statement from a licensed physician, physician assistant, chiropractor, or advanced practice registered nurse that the applicant is a person whose mobility, flexibility, coordination, respiration, or perceptiveness is significantly reduced by a permanent disability to that person's arms, legs, lungs, heart, ears, or eyes. The statement shall be on a form prescribed by the Transportation Cabinet and shall not be dated more than sixty (60) days prior to the date of application.

- (4)
 - (a) A parent or guardian of a disabled minor may apply for a placard on behalf of the disabled person by submitting the form identified in subsection (3) of this section.
 - (b) A parent or guardian of a disabled adult may apply for a placard on behalf of the disabled person by submitting the form identified in subsection (3) of this section and a power of attorney or proof of guardianship for the disabled person.
- (5) The Transportation Cabinet may allow the county clerk to issue an accessible disabled placard to an organization transporting disabled individuals. For every agency or organization seeking an accessible parking placard for a person with a disability, application for the placard shall include:
 - (a) Name of the agency or organization requesting use of an accessible parking placard;
 - (b) Number of vehicles being used in the transportation of persons with a disability; and
 - (c) A statement from the director of the agency or organization verifying the need for the parking placard.
- (6) The accessible parking placard shall, when the vehicle is parked in a parking space identified as accessible to a person with a disability, be displayed so that the expiration date may be viewed from the front of the vehicle by hanging the placard from the front windshield rear view mirror. When there is no rear view mirror, the placard shall be displayed on the dashboard so that the expiration date may be viewed.
- (7) A person who has been issued a license plate for a person with a disability under the provisions of KRS 186.041 or 186.042 shall only be issued one (1) parking placard under this section at no cost and shall not be issued a duplicate placard.
- (8) A person with a disability who has been issued a parking placard pursuant to this section may make application for a replacement placard by swearing in an affidavit that the original placard has been lost, stolen, or destroyed. The replacement parking placard shall be issued at a fee of ten dollars (\$10), of which eight dollars (\$8) shall be forwarded to the road fund and two dollars (\$2) shall be retained by the clerk. If a damaged placard is returned to the clerk, a replacement shall be issued at no cost.
- (9) The Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A to implement or administer this section, including but not limited to the designing of required forms, establishing placard issuance criteria for county

clerks, and establishing criteria for placard issuance for organizations.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 63, sec. 1, effective July 14, 2018. -- Amended 2014 Ky. Acts ch. 76, sec. 1, effective July 15, 2014. -- Amended 2008 Ky. Acts ch. 33, sec. 2, effective July 15, 2008. -- Amended 2006 Ky. Acts ch. 255, sec. 4, effective January 1, 2007. -- Amended 2004 Ky. Acts ch. 131, sec. 1, effective July 13, 2004. -- Amended 1994 Ky. Acts ch. 405, sec. 40, effective July 15, 1994; and ch. 416, sec. 9, effective July 15, 1994. “ Amended 1992 Ky. Acts ch. 60, sec. 4, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 82, sec. 1, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 359, sec. 1, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 68, sec. 1, effective July 15, 1986. -- Created 1980 Ky. Acts ch. 305, sec. 1, effective July 15, 1980.

Legislative Research Commission Note (7/15/94). This section was amended by 1994 Ky. Acts chs. 405 and 416. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 416, which was last enacted by the General Assembly, prevails under KRS 446.250.