



**Royal Oak**  
**DOWNTOWN**  
**DEVELOPMENT AUTHORITY**

Meeting Date: 07/17/2019

211 Williams Street  
Royal Oak, MI 48067  
Phone: (248) 246-3280  
downtownroyaloak.org

MEMORANDUM

DATE: July 10, 2019

TO: MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY

SUBJECT: **FREE HANDICAP PARKING**

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The city commission at its June 24<sup>th</sup> meeting referred the issue of whether or not to charge for handicap parking spaces to the DDA, see attached minutes. The Infrastructure Committee discussed the issue at its July 1<sup>st</sup> meeting and did not arrive at a consensus.

The current parking system configuration appears to be a mixed bag with both free handicap spaces (some metered surface lots) and those that require payment (parking decks and kiosk lots). The committee also discussed whether the Americans with Disabilities Act, ADA requires free parking. Based upon available information it is left up to the individual states, see attached documents. The State of Michigan does allow individuals to apply for a yellow sticker that allows free parking. This does not apply to private lots or garages.

Finally, as has been discussed with prior free parking requests the revenue bonds for the parking deck appear to prohibit the city from providing free parking.

Respectfully Submitted,

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Timothy E. Thwing  
Executive Director

ORIGINAL MOTION WITH AMENDMENTS NOW READS:

Moved by Commissioner Paruch  
Seconded by Commissioner Macey

Be it resolved, the Royal Oak Downtown Development Authority hereby recommends to the city commission that it direct city staff to install handicapped parking spaces in an appropriate number and location of those existing angled parking spaces throughout the CBD.

Be it resolved, that the city commission directs staff to explore courtesy spaces in the downtown; and

Be it further resolved, that the city commission refer the issue back to the Downtown Development Authority to review whether or not to charge for handicapped parking spaces.

ADOPTED UNANIMOUSLY

\* \* \* \* \*



# Handicap Parking Rules for Meter Parking

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Reviewed by: Michelle Seidel, B.Sc., LL.B., MBA

December 14, 2018

By: Claire Gillespie

The Americans with Disabilities Act, a federal civil rights law, protects the rights of people with disabilities, including the right to accessible public parking. However, ADA doesn't require cities to provide free parking at metered spaces. The law relating to meter parking rules varies by location.

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## TL;DR (Too Long; Didn't Read)

Handicap parking rules for metered spaces vary by state. Some states, like California and Washington, D.C., allow drivers with a disability plate or placard to park at a metered space without paying, but others don't.

## Definition of Disability



The term disability is defined by the federal government in various ways, depending on the context. For the purposes of federal disability nondiscrimination laws, such as the ADA, the Rehabilitation Act of 1973 and the Workforce Innovation and Opportunity Act, a person with a disability is typically someone who has a physical or mental impairment that considerably restricts their life in at least one significant way.

## Disability Plates and Placards

In most states, you must have your disability verified by a medical professional in order to get a disability parking license plate or a placard to hang from the rearview mirror. The medical professional will also state whether the plate or placard should be temporary or permanent. Some of the medical conditions that may qualify you for a disability parking plate or placard include the loss of use of legs or hands; the inability to walk two blocks without resting; heart, lung, or circulatory disease; and mental health problems. The plate or placard allows you to use designated disabled parking places and has several other parking benefits, such as parking for free at metered spaces if that is allowed in your jurisdiction.

## Parking at Metered Spaces

Check the rules of your state and local government before using a handicap plate or placard to park without paying at a metered space. Many states, such as California and Washington, D.C., allow you to park for free at a metered space, but others, like New Jersey, prohibit any driver from parking at a metered space without depositing a coin. Some cities enforce laws to require all drivers to pay the meter, even if they have a disability. For example, the city of Hagerstown, Maryland, enforces a law that requires drivers with disability tags to pay the meter. As all public parking meters in Hagerstown meet ADA requirements, drivers with disability plates or placards are required to pay the meter under state law.

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## Disability Parking

### Disability Plates and Placards



A person with a qualifying disability is eligible for a disability license plate or parking placard. To obtain a disability plate or placard, Michigan law requires that people be blind or have any condition that significantly limits their ability to walk or requires a wheelchair, walker, crutch or other assistive device.

Disability parking placards are limited to one per person. Permanent disability placards are valid for four years and are issued to individuals whose condition is not expected to improve. Temporary disability placards are valid from one to six months and are issued to individuals whose condition is expected to improve. Green parking placards, issued to organizations that transport disabled individuals, are valid for four years.

A person may have both a disability license plate and a placard. Free parking is provided only to vehicles displaying a disability placard with a yellow free-parking sticker. The requirements for obtaining a free-parking sticker are more narrowly defined than for a disability license plate or placard. NOTE: Green placards, issued to organizations, aren't eligible for the free-parking sticker.



> More

Disability Plates

Permanent Disability Parking Placards

Temporary Disability Parking Placards



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## Disability Plates



If you have a qualifying disability or live with someone who does, you may apply for a disability license plate. A qualifying disability is defined as either blindness or any condition that significantly limits a person's ability to walk or that requires a wheelchair, walker, crutch or other assistive device. To be eligible for a disability license plate, the condition must also be **permanent**.

Disability license plates are also issued to facilities that serve and transport people with disabilities.

This plate allows you to park in designated disability parking spaces. A disability license plate does not provide free parking. You must have a **disability placard with a yellow free-parking sticker** to park for free. Please note that privately owned parking lots and garages are not required to provide free parking.

Disability plates are available in either the standard or Spectacular Peninsula versions. The following vehicles qualify for a disability license plate:

- Passenger vehicles, including motor homes, not used commercially
- Individually owned pickups and vans

**Note:** Vans and pickups owned by a business, company or corporation are not eligible for a disability plate.

Disability plates expire on the owner's birthday. Standard registration fees apply.

A van owned by a wheelchair user or by a person who transports a member of his or her household who uses a wheelchair is eligible for a 50 percent reduction of the standard registration fee for the disability plate. (Additional service fees, such as those for personalizing the plate or for purchasing and renewing a fundraising version, are excluded from the discount.) The van is not required to have wheelchair lift equipment. It can be a full-size window van, such as a Ford Econoline or Chevy Express, or a minivan, such as a Dodge Caravan or Toyota Sienna.

This reduced fee applies only to a disability plate, not a regular plate.

There is no fee to cancel a valid plate and replace it with a disability plate. Disability plates are mailed from Lansing within 10 business days after application.

For more information, please call the Department of State Information Center at (888) SOS-MICH (767-6424).

#### Related Documents

[Application for a Disability License Plate](#) 

[Disability Parking Brochure](#) 

## RELATED CONTENT

[Permanent Disability Parking Placards](#)

[Temporary Disability Parking Placards](#)



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MICHIGAN DEPARTMENT OF STATE  
Disability Parking Placard Application



Office Use Only:

Expiration  
Date:

Placard  
Number:

**Directions:**

Applicants please complete and sign Part 1. Your physician, chiropractor, optometrist, nurse practitioner, or physician's assistant must complete Part 2 and the certification on the bottom of this page. If you also qualify for free parking, your physician, chiropractor, optometrist, nurse practitioner, physician's assistant, or physical therapist must also complete Part 3. Organizations applying for parking placards to provide transportation services for disabled persons complete Part 4. Completed applications may be presented at any Secretary of State branch office or mailed to the address on the reverse side of this form. **(Application cannot be processed without signed release of information and physician's certification.)**

**Part 1: Release of Information and Signature**

I am applying for a disability parking placard as provided in Public Act 300 of 1949. I authorize the release of the medical information described below to the Michigan Department of State. I certify the information is true and realize by making a false statement on this application I am subject to the penalties described on the reverse side of this form.

(Please print)

Name (First, Middle, Last)	Date of Birth	Michigan Drivers License or ID Card #
Street Address	County	Disability Plate Number (if any)
City, State, Zip	Daytime Phone Number ( )	Last Parking Permit Number
Signature of Disabled Person <b>X</b>	Today's Date	Are you a Michigan resident? YES <input type="checkbox"/> NO <input type="checkbox"/>
Signature of Representative (If presented by representative) <b>X</b>		Representative's Driver License Number

**Part 2: Medical Eligibility Standards and Physician's Determination**

The Michigan Vehicle Code [MCL 257.19a] states that a disabled person be determined by a licensed physician, physician's assistant, chiropractor, nurse practitioner, physical therapist, or optometrist identifying one or more of the following characteristics which affect your patient's ability to walk.

**Circle all letters that apply**

Right Eye: Left Eye: Both Eyes: Visual field (in degrees):

- a) Blindness. Corrected acuity level: 20/\_\_\_\_ 20/\_\_\_\_ 20/\_\_\_\_ \_\_\_\_\_
- b) An inability to walk more than **200 feet** without having to stop and rest. Please provide the diagnosis for this ambulatory disability: \_\_\_\_\_
- c) Patient must use a wheelchair, walker, crutch, brace, or other ambulatory aid to walk.  
Describe: \_\_\_\_\_
- d) Patient has a lung disease from which the forced expiratory volume for one second, when measured by spirometry, is less than one liter, or from which the arterial oxygen tension is less than 60mm/hg of room air at rest.
- e) Patient has a cardiovascular condition which measures between 3 and 4 on the New York Heart Classification Scale, or which renders the patient incapable of meeting a minimum standard for cardiovascular health established by the American Heart Association and approved by the Michigan Department of Public Health.
- f) Patient has an arthritic, neurological, or orthopedic condition that **severely limits** ability to walk.  
Describe: \_\_\_\_\_
- g) Patient has a persistent reliance upon an oxygen source other than ordinary air.

<b>Physician's Certification</b>			<b>A parking placard will be issued solely on the physician's evaluation</b>		
Patient's condition is: Permanent <input type="checkbox"/> Temporary <input type="checkbox"/> If temporary, estimated duration: _____ months (maximum 6 months)					
Physician's Name		Medical Specialty		Office Telephone	
Street Address		City, State, Zip		Office Fax	
I certify the person listed above is eligible for a disability placard as provided in Public Act 300 of 1949. I also understand that making a false statement to obtain a disability parking placard is a misdemeanor and may result in fines, imprisonment, or both.					
Physician's Signature <b>X</b>			Medical License Number *		Date

(Physician / Chiropractor / Physician's Assistant / Optometrist / Nurse Practitioner / Physical Therapist)

\*If the medical license was issued in a state other than Michigan, the physician/Physical Therapist must submit a copy of their medical license.

BFS-108 (04/19) NOTE: If the individual listed above is also eligible for free parking, Part 3 on the reverse side of this application must also be completed.

### Part 3: Free Parking Application And Physician's Certification (Complete Parts 1, 2, and 3)

The free parking application is completed **only when the applicant qualifies for free parking**. To qualify, your patient must be a Michigan licensed driver, have an ambulatory disability described in Part 2, and also have one of the following conditions. Economic need is not a consideration.

Circle all letters that apply:

- a) The patient cannot insert coins or tokens in a parking meter or cannot accept a ticket from a parking lot machine due to a lack of fine motor control of *both* hands.
- b) The patient cannot reach above their head to a height of 42 inches from the ground, due to a lack of finger, hand, or upper extremity strength or mobility.
- c) The patient cannot approach a parking meter due to use of a wheelchair or other ambulatory device.
- d) The patient cannot walk **more than twenty feet** due to an orthopedic, cardiovascular, or lung condition in which the degree of debilitation is so severe that it almost completely impedes the patient's ability to walk. (A condition requiring applicant to rest after walking twenty feet when not using a wheelchair or other ambulatory device.)

I certify the person listed on the front of this application is also eligible for free parking as provided in state law [MCL 257.675]. I understand that making a false statement to obtain a free parking sticker is a misdemeanor and may result in fines, imprisonment, or both.

Physician's signature: X Date \_\_\_\_\_  
(Physician / Chiropractor / Physician's Assistant / Optometrist / Nurse Practitioner / Physical Therapist)

### Part 4: Organization Request For Disability Parking Placards

(Please print)

Name of Organization		County	Telephone Number (      )
Street Address		City, State, Zip	
Describe the transportation services your organization provides to persons with disabilities:			
Number of disability placards you are requesting: _____ (No more than 1 per vehicle used to transport clients.)			
I am applying for a disability parking placard as provided in Public Act 300 of 1949 and certify the above information is true.			
Signature of Organization Officer <b>X</b>		Printed Name of Organization Officer	Date
Organization Officer's Driver License Number		Position (Title) with Organization	

**Note:** If the organization ceases to provide specialized services to disabled persons, the parking placard **must** be returned to the Secretary of State for cancellation.

### Penalties

#### Michigan Vehicle Code Section 257.676 Prohibits:

- Using a disability parking placard to park in a designated parking space unless the disabled person is driving or being transported.
- Altering, modifying, or selling a disability parking placard or free parking sticker.
- Copying or forging, or using a copied or forged disability parking placard or free parking sticker.
- Making a false statement to obtain a disability parking placard or free parking sticker, or committing a deception or fraud on a medical statement attesting to a disability.
- Knowingly using or displaying a disability parking placard that has been canceled by the Secretary of State.

**A violation is a misdemeanor and punishable by a fine up to \$500 or imprisonment for up to 30 days, or both.**

**A law enforcement officer may immediately confiscate a disability parking placard for improper use.**

Return completed applications to any  
Secretary of State branch office or mail to:

Michigan Department of State  
Special Services Branch  
PO Box 30764  
Lansing, MI 48918

If you have any questions regarding disability parking placards, please call the Department's Information Center at 1-888-767-6424.