

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELIGIBILITY FOR DISABILITY PARKING PERMIT
5 LAWS; PROVIDING FOR A PREGNANT WOMAN TO BE ELIGIBLE FOR A TEMPORARY DISABILITY
6 PARKING PERMIT; PROVIDING THAT A \$10 FEE BE COLLECTED FOR THE ISSUANCE OF THE
7 TEMPORARY DISABILITY PARKING PERMIT AND THAT AMOUNTS COLLECTED BE DEPOSITED IN THE
8 STATE GENERAL FUND; AMENDING SECTION 49-4-301, MCA; AND PROVIDING AN EFFECTIVE DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 49-4-301, MCA, is amended to read:

13 **"49-4-301. Eligibility for disability parking permit -- eligibility for pregnant woman.** (1) The
14 department of justice shall issue a disability parking permit to a person who has a disability that limits or impairs
15 the person's mobility and for whom a licensed physician, a licensed chiropractor, or a licensed advanced
16 practice registered nurse, as provided in 37-8-202, submits a certification to the department, by electronic or
17 other means prescribed by the department, that the person meets one of the following criteria:

- 18 (a) cannot walk 200 feet without stopping to rest;
19 (b) is severely limited in ability to walk because of an arthritic, neurological, or orthopedic condition;
20 (c) is so severely disabled that the person cannot walk without the use of or assistance from a
21 brace, cane, another person, prosthetic device, wheelchair, or other assistive device;
22 (d) uses portable oxygen;
23 (e) is restricted by lung disease to the extent that forced expiratory respiratory volume, when
24 measured by spirometry, is less than 1 liter per second or the arterial oxygen tension is less than 60 mm/hg on
25 room air at rest;
26 (f) has impairment because of cardiovascular disease or a cardiac condition to the extent that the
27 person's functional limitations are classified as class III or IV under standards accepted by the American heart
28 association; or

(g) has a disability resulting from an acute sensitivity to automobile emissions or from another disease or physical condition that limits or impairs the person's mobility and that is documented by the licensed physician, the licensed chiropractor, or the licensed advanced practice registered nurse as being comparable in severity to the other conditions listed in this subsection (1).

(2) (a) A person who has a condition expected to improve within 6 months may be issued a temporary placard for a period not to exceed 6 months but may not be issued a disability license plate displaying a wheelchair under 61-3-332(9). If the condition exists after 6 months, a new temporary placard must be issued for the time period prescribed by the applicant's physician, chiropractor, or advanced practice registered nurse, not to exceed 24 months, upon receipt of a later paper or electronic certification from the disabled person's physician, chiropractor, or advanced practice registered nurse that the conditions specified in subsection (1) continue to exist and are expected to continue for the time specified.

(b) A person who meets one of the criteria in subsection (1) for what is considered to be a permanent condition, as determined by a licensed physician, a licensed chiropractor, or a licensed advanced practice registered nurse, may, by application to the department, by electronic or other means prescribed by the department, be issued a disability license plate displaying a wheelchair under 61-3-332(9) and is not required to reapply for the disability license plate when the vehicle is reregistered.

(c) The department of justice shall issue a temporary disability parking permit for a period not to exceed 1 year to a woman who is pregnant and for whom a licensed physician, a certified midwife, or a licensed advanced practice registered nurse submits a certification to the department, by electronic or other means prescribed by the department. The department shall collect a \$10 fee for the temporary disability parking permit, and the amounts collected must be deposited in the state general fund.

(3) The department of justice may issue disability parking permits to an agency or business that provides transportation as a service for persons with a disability. The permits must be used only to load and unload persons with a disability in the accessible parking place provided for in 49-4-302. As used in this subsection, "disability" means a physical impairment that severely limits a person's ability to walk.

(4) Except as provided in subsection (3), an applicant may not receive more than one permit."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2025.

69th Legislature 2025

LC 1819

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- END -