

PARKING PERMITS FOR PERSONS WITH DISABILITIES

The parking permit is an alternative for disabled individuals who do not want license plates with the wheelchair symbol. New York State Vehicles and Traffic Law Section 1203-a required the governing bodies of all cities, towns and villages in the State to appoint an agent to issue permits to severely disabled individuals. The permit allows holders to park legally in spaces reserved for persons with disabilities, except for on-street parking in New York City.

Eligibility for a Permit: Any NY State Resident who qualifies as a severely disabled person is eligible for a statewide parking permit. The VTL refers to NY State **residents with permanent disabilities**, not just drivers with disabilities. A parking permit can also be issued to individuals who have the special wheelchair license plates, to use when driving or riding as a passenger in another vehicle.

A **Temporary** Parking Permit may be issued to anyone who is certified by a physician as being temporarily unable to walk without the help of an assisting device. They may also be issued to visitors from another country who are disabled and traveling in New York State.

Permanent Disabilities A severely disabled person is defined in VTL Section 404-a(4) and in DMV regulations at 15 NYCRR 24.2(a). A severely disabled person is defined as any person having any **one or more** of the following impairments, disabilities or conditions which affect mobility **and** are permanent in nature:

1. limited or no use of one or both legs
2. a neuro-muscular dysfunction which severely limits mobility
3. blindness
4. uses portable oxygen
5. unable to walk 200 feet without stopping
6. has a class III or IV cardiac condition (American Heart Association standards)
7. severely limited in ability to walk due to an arthritic, neurological or orthopedic condition
8. restricted by lung disease to such an extent that 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 of room air at rest.
9. a physical or mental impairment or condition other than those specified above, which constitutes an equal degree of disability, and is of such a nature as to impose unusual hardship in using public transportation and which prevents the person from getting around without great difficulty.

Temporary Disabilities

To qualify for a temporary special parking permit, a person must be certified by a physician as being **“temporarily unable to ambulate without the use of an assisting device,”** including but not limited to: a brace, cane, crutch, prosthetic device, another person, wheelchair or walker. Temporary permits are not valid for more than **six** months regardless of the expected recovery date stated by the physician. If a temporary condition

still exists after six months, a new certification is required before a new temporary permit can be issued. The medical certification can only be completed by a medical doctor (MD), doctor of osteopathy (DO) or doctor of podiatric medicine (DPM).

Permit applications must provide proof of identity and residence satisfactory to the town issuing agent. The applicant must be a resident of NY State and a resident of the Town of Kingsbury or Village of Hudson Falls. Only one permit to each individual applicant may be issued as DMV does not consider having more than one vehicle a sufficient reason for a severely disabled person to request more than one permit. The permit is assigned to and travels with the severely disabled person, not the vehicle. There is currently no fee for these permits.

PARKING PERMIT WAIVERS : Effective January 14, 2008, a new section 1203-h was added to the Vehicle and Traffic Law to provide for the issuance of a metered parking waiver to certain severely disabled individuals. The metered parking waiver allows the holder to park at any parking meter in any city, town or village throughout New York State (except New York City) without putting payment into the meter, **provided that the permit holder is driving the vehicle and is not accompanied by a person who is able to put payment into a parking meter.** Waiver holders must still observe any time limits associated with such meters.

The metered parking waiver does not replace the parking permit; a parking permit is still required to park in spaces reserved for the disabled.

Eligibility: To qualify for a metered parking waiver, an applicant must meet **all** of the requirements listed below:

- a. be a New York State resident
- b. be a resident of the city, town or village in which the issuing agent is located
- c. hold a valid (not expired) New York State driver license
- d. be severely disabled as defined in VTL Section 404-a. The applicant must have a disability which would make him or her eligible to receive a permanent (blue) parking permit or a special license plates for disabled persons
- e. have his/her severe disability certified by a **licensed physician**. The physician's certification must also state that the disability **limits** one or more of the following:
 1. fine motor control in both hands
 2. the ability to reach or access a parking meter due to the use of a wheelchair or other ambulatory device: and/or
 3. the ability to reach a height of 42 inches from the ground due to lack of finger, hand or upper extremity strength or mobility.

This waiver is designed to help individuals with **severe** disabilities who have great difficulty putting payment into a parking meter.