



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 455
[2005 Assembly Bill 715]

**ID Cards and Plates Relating to
Parking Privileges for Persons With
Physical Disabilities**

Under *current law*, with limited exceptions, a special identification card (special ID card) entitles any motor vehicle parked by or under the direction of the card holder, or any motor vehicle operated by or on behalf of an organization and used to transport a person eligible for a card, to parking privileges. The penalties for violations are as follows:

1. A person or organization is subject to a forfeiture of *not more than \$200* if the person or organization: (a) *lends* to another a special ID card knowing that the person borrowing the card is not authorized by law to use it; (b) displays a special ID card on a vehicle that is not authorized by law to have the card displayed on it; (c) knowingly provides false information in an application for a special ID card; or (d) knowingly provides false information in support of an application for a special ID card.
2. A person or organization is required to forfeit *not less than \$200 nor more than \$500* if the person or organization fraudulently procures, alters, reproduces, or uses a special ID card.

2005 Wisconsin Act 455 increases the forfeiture for some of these violations and makes some modification in the scope of the violations, including prohibiting any person or organization from:

1. *Selling* as well as lending (current law) to another a special ID card, knowing that the person *purchasing* or borrowing the card is not authorized to use it (i.e., the Act prohibits the sale of disabled parking placards).
2. Displaying a special ID card upon a vehicle *knowing* that the vehicle is not authorized by law to display the card.

The penalty for these revised current violations is changed to a forfeiture of *not less than \$50 nor more than \$300*.

The Act creates two new violations, subject to the same new forfeiture amount, for:

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

1. Knowingly providing false or misleading information on an application for a special identification card.
2. Knowingly providing false or misleading information in a health care provider statement submitted in support of an application.

The Act also revises the current violation relating to a person or organization that fraudulently procures, alters, or uses a special ID card. The Act prohibits any person or organization from fraudulently procuring, *making*, altering, *reproducing, or duplicating* a special ID card, *except as authorized by the Department of Transportation (DOT)*. The penalty for these violations is the same as current law (i.e., a forfeiture of not less than \$200 nor more than \$500).

The Act also:

1. Requires special ID card holders (i.e., placard) to retain, for the period during which the placard is valid, a copy of the *physician statement* supporting the placard. Specifically, the Act requires placard holders to retain a copy of the physician statement with them or in their vehicle when the placard is displayed and to produce the statement at the request of law enforcement. The form for application for a special ID card must advise the applicant of this requirement.
2. Provides that offenders of the physician statement “retainment” requirement in item 1. be required to pay a *flat forfeiture of \$10* (no surcharges or fees), unless they can produce the statement in court or in the office of the officer issuing the citation, within 10 days after the date on which the citation is issued.

Effective Date: Act 455 takes effect on September 1, 2006. The provisions of the Act first apply to: (1) applications for special ID cards and for vehicle registration received by DOT on that date; and (2) violations committed on that date.

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