

**TITLE 9: VEHICLE CODE**  
**DIVISION 5: RULES OF THE ROAD**

**§ 5651. Persons With Disabilities Defined.**

For the purposes of this article, the terms “persons with disabilities,” “physically disabled persons” and “disabled persons” are used interchangeably and mean a person with a disability attributable to the following mental or physical impairments or combination thereof:

- (a) Loss of both lower limbs;
- (b) Loss of normal or full use of the limbs or sight to sufficiently constitute a severe disability;
- (c) Is so severely disabled that the person cannot move without the aid of crutches, brace, cane, or a wheelchair;
- (d) Loss of both hands;
- (e) Suffers from lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second; or
- (f) Impairment by cardiovascular disease to the extent that the person’s functional limitations are classified as class III or IV under standards accepted by the American Heart Association.

**Source:** PL 8-35, § 5 (§ 5650), modified.

**Commission Comment:** PL 8-35, the “Persons with Disabilities Parking Access Act of 1993,” took effect January 7, 1994. According to PL 8-35, §§ 2 and 3:

Section 2. Findings. The Legislature finds that the recent explosive growth of both the Commonwealth’s population and the number of tourists and business visitors has greatly increased the number of vehicles in use in the Commonwealth and has placed a great strain on the limited parking facilities available at government and commercial buildings, hotels, restaurants, markets and other public and private facilities. Most frequently there is no land available to expand already crowded and insufficient parking areas. This situation has placed a new and excessive burden on persons with disabilities in the Commonwealth who by reason of limited physical mobility, reduced visual acuity, respiratory or cardiovascular disease or other physical disability require dedicated parking that provides close and easy access to buildings and other facilities; and whose use and enjoyment of such public and private buildings and other facilities will be barred or substantially limited without such dedicated parking access. Currently no Commonwealth law specifically provides for dedicated access parking for persons with disabilities; nor does Commonwealth law make any provision to identify and enable those persons with disabilities for whom such dedicated parking must be provided.

Section 3. Purpose. It is the purpose and intent of the Legislature to establish designated parking privileges for qualified persons with disabilities, and to establish a “special identification disabled person parking placard” identification system to enable persons with disabilities to iden-

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tify their vehicles for the purpose of using parking dedicated to their use. It is the further purpose and intent of the Legislature that this Act shall apply to all parking spaces dedicated to the use of persons with disabilities throughout the Commonwealth, and not merely where a particular zoning law or other law may apply.

To enhance clarity, in the precatory language of 9 CMC § 5651, after “disability,” the Commission deleted “that is attributable to a” and inserted “attributable to the following”; after “combination,” the Commission deleted “of the following mental and physical impairments consisting of:” and inserted “thereof:”.