

(H. B. 1111)

**(No. 120)**

(Approved September 26, 2005)

## **AN ACT**

To amend subsection (c) of Section 2.21 of Act No. 22 of January 7, 2000, known as the “Puerto Rico Vehicle and Traffic Act,” in order to include the condition known as “Down Syndrome” in its severe modality as mental retardation, as one of the conditions to allow soliciting a removable placard to authorize parking in areas designated for the disabled.

### **STATEMENT OF MOTIVES**

There are many physical conditions or ailments that make it difficult for certain persons to move about with ease. It was for the benefit of these citizens that the system of parking facilities reserved for the disabled was implemented, thus allowing that sector of the population access to shopping centers, government offices and other public places.

Those persons with disabilities are often unable to operate motor vehicles and thus their parents, tutors or legal guardians may solicit and obtain a placard that allows these disabled people access to public places. Certain conditions or ailments also require that a parent, tutor or legal guardian keep close supervision and vigilance over the person suffering from such a condition or ailment. Such is the case of persons suffering from autism, Down Syndrome and severe mental retardation. In those cases, those persons with the ailment must be kept under constant supervisions to prevent

them from being hurt, since they are often unaware of the dangers that surround them.

Close supervision of these persons unable to look after themselves merits allowing them to use those parking spaces reserved for the disabled, which are located in adequate and accessible areas that are close to public facilities. The use of said parking spaces allows the parents, tutors and legal guardians of those disabled persons under their supervision to lessen the risk of their having accidents. This way the possibility of their being exposed to dangerous situations within the boundaries of a parking area is reduced. For this reason it is meritorious to extend the known conditions which justify the acquisition of a parking placard reserved for the disabled to include those conditions or ailments that require the close supervision of such disabled persons.

***BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:***

Section 1.-Subsection (c) of Section 2.21 of Act No. 22 of January 7, 2000, known as the “Vehicle and Traffic Act of 2000,” is hereby amended to read as follows:

“Section 2.21.-Issue of removable placards authorizing parking in areas designated for disabled persons

The Secretary shall issue removable placards to allow parking in areas designated for disabled persons, to any person whose impairment of permanent or indefinite duration makes access to places or buildings difficult due to their substantially limited capacity of motion, subject to the following norms:

- (a) ....
- (b) ....

- (c) Subject to the regulations promulgated by the Secretary for such a purpose, the removable placard may be requested with the prior direct coordination and consultation with the Advocate for the Disabled and taking into consideration all the requirements established by the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), by any person with a permanent physical condition which substantially makes his/her mobility permanently difficult or which makes it permanently difficult to freely gain access to places or buildings due to any of the conditions listed below, as well as by any person who has legal custody of dependents whose mobility is limited or whose condition requires close supervisions because of any of the conditions listed below:
- (1) ....
  - (15) ....
  - (16) Down Syndrome in its severe modality.
  - (17) Mental retardation in its severe modality.
- (d) ...
- (g) ....”

Section 2.-This Act shall take effect ninety (90) days after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 120 (H.B. 1111) of the 2<sup>nd</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend subsection (c) of Section 2.21 of Act No. 22 of January 7, 2000, known as the “Puerto Rico Vehicle and Traffic Act,” in order to include the condition known as “Down Syndrome” in its severe modality as mental retardation, as one of the conditions to allow soliciting a removable placard to authorize parking in areas designated for the disabled,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 1<sup>st</sup> of February of 2006.

Francisco J. Domenech  
Director