

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 467

BY SENATOR CHAPMAN

[Passed March 10, 2026; in effect 90 days from

passage (June 8, 2026)]

1 AN ACT to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended,
2 relating to designating parking for Purple Heart recipients; penalties; and enforcement;
3 and providing an affirmative defense for violation to Purple Heart recipients.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13. STOPPING, STANDING AND PARKING.

**§17C-13-6. Stopping, standing, or parking privileges for persons with a mobility
impairment; disabled veterans and Purple Heart designations; definitions;
qualification; special registration plates and removable windshield placards;
expiration, application; violation; penalties.**

1 (a)(1) The commissioner may issue up to two special registration plates or removable
2 windshield placards to a person with a mobility impairment or a West Virginia organization which
3 transports persons with disabilities and facilitates the mobility of its customers, patients, students,
4 or persons otherwise placed under its responsibility.

5 (2) Special registration plates or placards may only be issued for placement on a Class A
6 or Class G motor vehicle registered under the provisions of §17A-3-1 *et seq.* of this code.

7 (3) The applicant shall specify whether he or she is applying for a special registration plate,
8 a removable windshield placard, or both on the application form prescribed and furnished by the
9 commissioner.

10 (4) The applicant shall submit, with the application, a certificate issued by any physician,
11 chiropractor, advanced nurse practitioner, or physician assistant who is licensed in this state,
12 stating that the applicant has a mobility impairment, or that the applicant is an organization which
13 regularly transports a person with a mobility impairment as defined in this section. The physician,
14 chiropractor, advanced nurse practitioner, or physician assistant shall specify in the certificate
15 whether the disability is temporary or permanent. A disability which is temporary is one expected
16 to last for a limited duration and improve during the applicant's life. A disability which is permanent
17 is one which is expected to last during the duration of the applicant's life.

18 (5) Upon receipt of the completed application, the physician's certificate, and the regular
19 registration fee for the applicant's vehicle class, if the commissioner finds that the applicant
20 qualifies for the special registration plate or a removable windshield placard as provided in this
21 section, he or she shall issue to the applicant a special registration plate (upon remittance of the
22 regular registration fee) or a removable windshield placard (red for temporary and blue for
23 permanent), or both. Upon request, the commissioner shall also issue to any otherwise qualified
24 applicant one additional placard having the same expiration date as the applicant's original
25 placard. The placard shall be displayed by hanging it from the interior rearview mirror of the motor
26 vehicle so that it is conspicuously visible from outside the vehicle when parked in a designated
27 accessible parking space. The placard may be removed from the rearview mirror whenever the
28 vehicle is being operated to ensure clear vision and safe driving. Only in the event that there is
29 no suitable rearview mirror in the vehicle may the placard be displayed on the dashboard of the
30 vehicle.

31 (6) Organizations which transport people with disabilities will be provided with a placard
32 which will permit them to park in a designated area for the length of time necessary to load and
33 unload passengers. These vehicles must be moved to a non-designated space once the loading
34 or unloading process is complete.

35 (b) As used in this section, the following terms have the meanings ascribed to them in this
36 subsection:

37 (1) A person or applicant with a "mobility impairment" means a person who is a citizen of
38 West Virginia and as determined by a physician, allopath or osteopath, chiropractor, advanced
39 nurse practitioner, or physician assistant licensed to practice in West Virginia:

40 (A) Cannot walk 200 feet without stopping to rest;

41 (B) Cannot walk without the use of or assistance from a brace, cane, crutch, prosthetic
42 device, wheelchair, other assistive device, or another person;

43 (C) Is restricted by lung disease to such an extent that the person's force (respiratory)
44 expiratory volume for one second, when measured by spirometry, is less than one liter or the
45 arterial oxygen tension is less than 60 mm/hg on room air at rest;

46 (D) Uses portable oxygen;

47 (E) Has a cardiac condition to such an extent that the person's functional limitations are
48 classified in severity as Class III or Class IV according to standards established by the American
49 Heart Association; or

50 (F) Is severely limited in his or her ability to walk because of an arthritic, neurological, or
51 other orthopedic condition.

52 (2) "Special registration plate" means a registration plate that displays the international
53 symbol of access, as adopted by the Rehabilitation International Organization in 1969 at its
54 Eleventh World Congress on Rehabilitation of the Disabled, in a color that contrasts with the
55 background, in letters and numbers the same size as those on the plate, and which may be used
56 in lieu of a regular registration plate.

57 (3) "Removable windshield placard" (permanent or temporary) means a two-sided,
58 hanger-style placard measuring three inches by nine and one-half inches, with all of the following
59 on each side:

60 (A) The international symbol of access, measuring at least three inches in height, centered
61 on the placard, in white on a blue background for permanent designations and in white on a red
62 background for temporary designations;

63 (B) An identification number measuring one inch in height;

64 (C) An expiration date in numbers measuring one inch in height for a temporary placard;

65 and

66 (D) The seal or other identifying symbol of the issuing authority.

67 (4) "Regular registration fee" means the standard registration fee for a vehicle of the same
68 class as the applicant's vehicle.

69 (5) "Public entity" means state or local government or any department, agency, special
70 purpose district, or other instrumentality of a state or local government.

71 (6) "Public facility" means all or any part of any buildings, structures, sites, complexes,
72 roads, parking lots, or other real or personal property, including the site where the facility is
73 located.

74 (7) "Place or places of public accommodation" means a facility or facilities operated by a
75 private entity whose operations affect commerce and fall within at least one of the following
76 categories:

77 (A) Inns, hotels, motels, and other places of lodging;

78 (B) Restaurants, bars, or other establishments serving food or drink;

79 (C) Motion picture houses, theaters, concert halls, stadiums, or other places of exhibition
80 or entertainment;

81 (D) Auditoriums, convention centers, lecture halls, or other places of public gatherings;

82 (E) Bakeries, grocery stores, clothing stores, hardware stores, shopping centers, or other
83 sales or rental establishments;

84 (F) Laundromats, dry cleaners, banks, barber and beauty shops, travel agencies, shoe
85 repair shops, funeral parlors, gas or service stations, offices of accountants and attorneys,
86 pharmacies, insurance offices, offices of professional health care providers, hospitals, or other
87 service establishments;

88 (G) Terminals, depots, or other stations used for public transportation;

89 (H) Museums, libraries, galleries, or other places of public display or collection;

90 (I) Parks, zoos, amusement parks, or other places of recreation;

91 (J) Public or private nursery, elementary, secondary, undergraduate, or post-graduate
92 schools or other places of learning and day care centers, senior citizen centers, homeless
93 shelters, food banks, adoption agencies, or other social services establishments; and

94 (K) Gymnasiums, health spas, bowling alleys, golf courses, or other places of exercise or
95 recreation.

96 (8) "Commercial facility" means a facility whose operations affect commerce and which
97 are intended for nonresidential use by a private entity.

98 (9) "Accessible parking" formerly known as "handicapped parking" is the present phrase
99 consistent with language within the Americans with Disabilities Act (ADA).

100 (10) "Parking enforcement personnel" includes any law-enforcement officer as defined by
101 §30-29-1 of this code, and private security guards, parking personnel, and other personnel
102 authorized by a city, county, or the state to issue parking citations.

103 (11) "Purple Heart" means the decoration known as the Purple Heart that may only be
104 awarded to a person who is a member of the armed forces at the time the person is killed or
105 wounded under circumstances otherwise qualifying that person for award of the Purple Heart as
106 set forth in 10 U.S.C. § 1131.

107 Any person who falsely or fraudulently obtains or seeks to obtain the special plate or the
108 removable windshield placard provided for in this section, and any person who falsely certifies
109 that a person is mobility impaired in order that an applicant may be issued the special registration
110 plate or windshield placard under this section is guilty of a misdemeanor and, upon conviction
111 thereof, in addition to any other penalty he or she may otherwise incur, shall be fined \$500. Any
112 person who fabricates, uses, or sells unofficially issued windshield placards to any person or
113 organization is committing a fraudulent act and is guilty of a misdemeanor and, upon conviction
114 thereof, in addition to any other penalty he or she may otherwise incur, shall be fined \$500 per
115 placard fabricated, used, or sold. Any person who fabricates, uses, or sells unofficially issued
116 identification cards to any person or organization is committing a fraudulent act and is guilty of a
117 misdemeanor and, upon conviction thereof, in addition to any other penalty he or she may
118 otherwise incur, shall be fined \$700 per identification card fabricated, used, or sold. Any person
119 who fabricates, uses, or sells unofficially issued labels imprinted with a future expiration date to

120 any person or organization is committing a fraudulent act and is guilty of a misdemeanor and,
121 upon conviction thereof, in addition to any other penalty he or she may otherwise incur, shall be
122 fined \$700. Any person covered by this section who sells or gives away their officially issued
123 windshield placard to any person or organization not qualified to apply for or receive the placard
124 and then reapplies for a new placard on the basis it was stolen is committing a fraudulent act and
125 is guilty of a misdemeanor and, upon conviction thereof, in addition to any other penalty he or
126 she, or they may otherwise incur, shall lose their right to receive or use a special placard or special
127 license plate for a period of not less than five years.

128 (c) The commissioner shall set the expiration date for special registration plates on the
129 last day of a given month and year, to be valid for a minimum of one year but not more than five
130 years, after which time a new application must be submitted to the commissioner. After the
131 commissioner receives the new application, signed by a certified physician, chiropractor,
132 advanced nurse practitioner, or physician assistant if required under this subsection, the
133 commissioner shall issue: (1) A new special registration plate or new permanent or temporary
134 removable windshield placard; or (2) official labels imprinted with the new expiration date and
135 designed so as to be placed over the old dates on the original registration plate or windshield
136 placard: *Provided*, That a new application under this subsection must not be accompanied by a
137 certificate pursuant to the provisions of §17C-13-6(a)(4) if a prior application is on file with the
138 commissioner, such application includes a certificate issued pursuant to the provisions of §17C-
139 13-6(a)(4), such certificate specifies that the applicant's disability is permanent for life, and such
140 certificate was made within 10 years of the new application.

141 (d) The commissioner shall set the expiration date of temporary removable windshield
142 placards to be valid for a period of approximately six months after the application was received
143 and approved by the commissioner. Permanent removable windshield placards are valid for the
144 duration of the applicant's life.

145 (e) The commissioner shall issue to each applicant who is granted a special registration
146 plate or windshield placard an identification card bearing the applicant's name, assigned
147 identification number, and expiration date. The applicant shall thereafter carry this identification
148 card on his or her person whenever parking in an accessible parking space. The identification
149 card shall be identical in design for both registration plates and removable windshield placards.

150 (f) An accessible parking space should comply with the provisions of the Americans with
151 Disabilities Act accessibility guidelines, contained in 28 C.F.R. Part 36, Appendix A, Section 4.6.
152 In particular, the parking space should be a minimum of eight feet wide with an adjacent eight-
153 foot access aisle for vans having side mounted hydraulic lifts or ramps, or a five-foot access aisle
154 for standard vehicles. Access aisles should be marked using diagonal two- to four-inch-wide
155 stripes spaced every 12 or 24 inches apart along with the words "no parking" in painted letters
156 which are at least 12 inches in height. All accessible parking spaces must have a signpost in front
157 or adjacent to the accessible parking space displaying the international symbol of access sign
158 mounted at a minimum of eight feet above the pavement or sidewalk and the top of the sign. Lines
159 or markings on the pavement or curbs for parking spaces and access aisles may be in any color,
160 although blue is the generally accepted color for accessible parking.

161 (g) A vehicle displaying a disabled veterans special registration plate issued pursuant to
162 §17A-3-14d of this code shall be recognized and accepted as meeting the requirements of this
163 section.

164 (h) A vehicle from any other state, United States territory, or foreign country displaying an
165 officially issued special registration plate, placard, or decal bearing the international symbol of
166 access shall be recognized and accepted as meeting the requirements of this section, regardless
167 of where the plate, placard, or decal is mounted or displayed on the vehicle.

168 (i) Stopping, standing, or parking places marked with the international symbol of access
169 shall be designated in close proximity to all public entities, including state, county, and municipal
170 buildings and facilities, places of public accommodation, and commercial facilities. These parking

171 places shall be reserved solely for persons with a mobility impairment and disabled veterans at
172 all times.

173 Any public entity, place of public accommodation, and commercial facility may designate
174 any of its parking places for Purple Heart recipients by marking such parking place in purple color,
175 adding "Purple Heart" or the Purple Heart symbol on or at the parking place, and posting a sign
176 or instruction declaring such parking place to be designated for Purple Heart recipients. Any
177 parking place so designated shall be reserved solely for vehicles that display a Purple Heart plate
178 authorized pursuant to §17A-3-14d of this code in which a Purple Heart recipient is a driver or
179 occupant when parking.

180 (j) Any person whose vehicle properly displays a valid, unexpired special registration plate
181 or removable windshield placard may park the vehicle for unlimited periods of time in parking
182 zones unrestricted as to length of parking time permitted: *Provided*, That this privilege does not
183 mean that the vehicle may park in any zone where stopping, standing, or parking is prohibited or
184 which creates parking zones for special types of vehicles or which prohibits parking during heavy
185 traffic periods during specified rush hours or where parking would clearly present a traffic hazard.
186 To the extent any provision of any ordinance of any political subdivision of this state is contrary to
187 the provisions of this section, the provisions of this section take precedence and apply.

188 The parking privileges provided for in this subsection apply only during those times when
189 the vehicle is being used for the loading or unloading of a person with a mobility impairment. Any
190 person who knowingly exercises, or attempts to exercise, these privileges at a time when the
191 vehicle is not being used for the loading or unloading of a person with a mobility impairment is
192 guilty of a misdemeanor and, upon first conviction thereof, in addition to any other penalty he or
193 she may otherwise incur, shall be fined \$200; upon second conviction thereof, in addition to any
194 other penalty he or she may otherwise incur, shall be fined \$300; and upon third and subsequent
195 convictions thereof, in addition to any other penalty he or she may otherwise incur, shall be fined
196 \$500.

197 (k) Any person whose vehicle does not display a valid, special registration plate or
198 removable windshield placard may not stop, stand, or park a motor vehicle in an area designated,
199 zoned, or marked for accessible parking with signs or instructions displaying the international
200 symbol of access, either by itself or with explanatory text. The signs may be mounted on a post
201 or a wall in front of the accessible parking space and instructions may appear on the ground or
202 pavement, but use of both methods is preferred. Accessible parking spaces for vans having an
203 eight-foot adjacent access aisle should be designated as "van accessible" but may be used by
204 any vehicle displaying a valid special registration plate or removable windshield placard.

205 Any person whose vehicle does not display a Purple Heart plate authorized pursuant to
206 §17A-3-14d of this code may not stop, stand, or park a motor vehicle in a parking place marked
207 in purple color, with "Purple Heart" or the Purple Heart symbol, and posted with a sign or
208 instruction declaring such parking place to be designated for Purple Heart recipients.

209 Any person who violates the provisions of this subsection is guilty of a misdemeanor and,
210 upon conviction thereof, shall be fined \$200; upon second conviction thereof, in addition to any
211 other penalty he or she may otherwise incur, shall be fined \$300; and upon third and subsequent
212 convictions thereof, in addition to any other penalty he or she may otherwise incur, shall be fined
213 \$500: *Provided*, that it shall be an absolute defense to any alleged violation of this section for
214 parking in a parking space designated for Purple Heart recipients, if the accused person, or their
215 passenger, produces evidence that they are a valid recipient of the Purple Heart.

216 (l) All signs that designate areas as "accessible parking" or that display the international
217 symbol of access or indicate that the space is designated or reserved for Purple Heart recipients
218 shall also include the words "up to \$500 fine".

219 (m) No person may stop, stand, or park a motor vehicle in an area designated or marked
220 off as an access aisle adjacent to a van-accessible parking space or regular accessible parking
221 space. Any person, including a driver of a vehicle displaying a valid removable windshield placard
222 or special registration plate, who violates the provisions of this subsection is guilty of a

223 misdemeanor and, upon conviction thereof, shall be fined \$200; upon second conviction thereof,
224 in addition to any other penalty he or she may otherwise incur, shall be fined \$300; and upon third
225 and subsequent convictions thereof, in addition to any other penalty he or she may otherwise
226 incur, shall be fined \$500.

227 (n) Parking enforcement personnel who otherwise enforce parking violations may issue
228 citations for violations of this section and shall reference the number on the vehicle's license plate,
229 since the driver normally will not be present.

230 (o) Law-enforcement agencies may establish a program to use trained volunteers to
231 collect information necessary to issue citations to persons who illegally park in designated
232 accessible or Purple Heart parking spaces. Any law-enforcement agency choosing to establish a
233 program shall provide for workers' compensation and liability coverage. The volunteers shall
234 photograph the illegally parked vehicle and complete a form, to be developed by supervising law-
235 enforcement agencies, that includes the vehicle's license plate number, date, time, and location
236 of the illegally parked vehicle. The photographs must show the vehicle in the accessible or Purple
237 Heart space and a readable view of the license plate. Within the discretion of the supervising law-
238 enforcement agency, the volunteers may issue citations or the volunteers may submit the
239 photographs of the illegally parked vehicle and the form to the supervising law-enforcement
240 agency, who may issue a citation, which includes the photographs and the form, to the owner of
241 the illegally parked vehicle. Volunteers shall be trained on the requirements for citations for
242 vehicles parked in marked, zoned, or designated accessible or Purple Heart parking areas by the
243 supervising law-enforcement agency.

244 (p) Local authorities who adopt the basic enforcement provisions of this section and issue
245 their own local ordinances shall retain all fines and associated late fees. These revenues shall be
246 used first to fund the provisions of subsection (o) of this section, if adopted by local authorities, or
247 otherwise shall go into the local authorities' General Revenue Fund. Otherwise, any moneys
248 collected as fines shall be collected for and remitted to the state.

249 (q) The commissioner shall prepare and issue a document to applicants describing the
250 privileges accorded a vehicle having a special registration plate and removable windshield placard
251 as well as the penalties when the vehicle is being inappropriately used as described in this section
252 and shall include the document along with the issued special registration plate or windshield
253 placard. In addition, the commissioner shall issue a separate document informing the general
254 public regarding the new provisions and increased fines being imposed either by way of
255 newspaper announcements or other appropriate means across the state.

256 (r) The commissioner shall propose rules for legislative approval in accordance with the
257 provisions of §29A-3-1 *et seq.* of this code.

258 (s)(1) A public entity may not require a person to pay for parking a vehicle in an accessible
259 parking space with a parking meter if the following requirements are met:

260 (A) The vehicle displays a special registration plate or placard that entitles the person to
261 park in an accessible parking space pursuant to this section;

262 (B) The driver has a mobility impairment and is unable to walk;

263 (C) The parking meter is not accessible to the driver while sitting in a wheelchair or without
264 traveling more than 30 feet from the parked vehicle; and

265 (D) The parked vehicle displays an unexpired parking certification that is plainly visible
266 with pertinent information through its windshield. For purposes of this subsection, "parking
267 certification" means a letter completed by a licensed medical provider on the provider's letterhead
268 that is titled "Parking Certification pursuant to W.Va. Code §17C-13-6(s)" and that certifies that
269 the person is physically able to drive but unable to walk, which means for purposes of this
270 subsection that the person cannot ambulate without the aid of a wheelchair. Such letter shall
271 specify whether the inability to walk is permanent or temporary. If the inability to walk is temporary,
272 the letter shall include the date on which such temporary disability is anticipated to end, and the
273 letter may not be displayed in a windshield after such date.

274 (2) By displaying a parking certification in the windshield of a vehicle that is parked in an
275 accessible parking space with an expired parking meter, the person is swearing under penalty of
276 false swearing that he or she is unable to access the parking meter without unreasonable effort.

277 (3) Parking enforcement personnel may not cite a vehicle that is parked in an accessible
278 parking space of a public entity for parking at an expired meter if the requirements of this
279 subsection are met: *Provided*, That if a parking citation is issued, it shall be prima facie evidence
280 that the person was entitled to park in the accessible parking space with an expired meter if the
281 person produces his or her parking certification.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

.....
Clerk of the Senate

.....
Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

.....
President of the Senate

.....
Speaker of the House of Delegates

The within is this the.....
Day of, 2026.

.....
Governor