

Massachusetts Legislation Related to Accessible Parking

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1. MGL Chapter 2 Section 90:

Law Authorizing Disabled Parking Plates & Placards

[Section 2 Registration of motor vehicles and trailers; applications; reciprocal state agreements; transfer of ownership; plates; fraud or misrepresentation; penalties; license plate retention program for deployed residents](#)

[First and second paragraphs effective until July 30, 2012. For text effective July 30, 2012, see below.]

Section 2. Applications for the registration of motor vehicles and trailers may be made by the owner thereof. The application shall contain, in addition to such other particulars as may be required by the registrar, a statement of the name, place of residence and address, date of birth of the applicant and the number of the applicant's license to operate, if one has been issued. The application shall also contain the apartment number or unit number if the applicant's address is in an apartment house, or family hotel, or a condominium, or a residential flat, or in a combined business and residential property. The application shall also contain a brief description of the motor vehicle or trailer, including the name of the maker, such number or numbers as may be required by the registrar to properly identify the vehicle, the character of the motor power and the type of transmission, and shall also contain a statement by the applicant under the penalties of perjury that there are no outstanding excise tax liabilities on said motor vehicle which have been incurred by the applicant, any member of his immediate family who is a member of the applicant's household, or any business partner of the applicant. The registration fee as required in section thirty-three shall accompany such application. Applicants for registration shall also comply with the provisions of chapter ninety D.

The registrar or his duly authorized agents shall register in a book or upon suitable index cards to be kept for the purpose the motor vehicle or trailer described in the application, giving to the vehicle a distinguishing mark or number to be known as the register number for that vehicle, and shall thereupon issue to the applicant a certificate of registration. The certificate shall contain the name, place of residence and address of the applicant and the register number or mark, and shall be in such form and contain such further information as the registrar may determine.

[First and second paragraphs as amended by 2012, 178, Sec. 1 effective July 30, 2012. For text effective until July 30, 2012, see above.]

Applications for the registration of motor vehicles and trailers may be made by the owner thereof. If the owner is a corporation, sole proprietorship or business entity, the application shall contain, in addition to such other particulars as may be required by the registrar, the name of the corporation, sole proprietorship or business entity and the full address, including the street, city or town, state and zip code. If the owner is a sole proprietorship, the application shall contain a social security number and an employer identification number or federal tax identification number from the Internal Revenue Service, if any such number has been issued. If the applicant is a natural person, the application shall contain, in addition to such other particulars as may be required by the registrar, the name of the applicant, full residential address, date of birth and license number or identification card number issued by the registrar, if such license or card has been issued. The application of a natural person shall also contain the apartment or unit number if the applicant's address is in an apartment house, family hotel, condominium or a residential flat or is in a combined business and residential property. Except as otherwise provided in this chapter, no registration shall be issued to a natural person for a motor vehicle or trailer unless such person holds a license, identification card issued under section 8E, social security number issued by Social Security Administration or other proof of legal residence; provided, however, that the registrar shall provide by regulation for exemptions for out-of-state students, military personnel, senior citizens and disabled persons; provided, further, that the registrar may provide by regulation additional exemptions which shall be consistent with this section. The application shall also contain a brief description of the motor vehicle or trailer to be registered, including the name of the maker, any number or numbers as may be required by the registrar to properly identify the vehicle, the character of the motor power and the type of transmission and a statement signed by the applicant under the penalties of perjury that no excise liabilities on the motor vehicle are outstanding and incurred by the applicant, a member of the applicant's immediate family who is a member of the applicant's household or any business partner of the applicant. The registration fee, as required under section 33, shall accompany the application. Applicants for registration shall also comply with chapter 90D.

The registrar or the registrar's duly authorized agents shall keep a record of motor vehicles and trailers that satisfy application requirements, and shall assign to each motor vehicle and trailer a distinguishing mark or number to be known as the register number for that vehicle or trailer, and shall thereupon issue to the applicant a certificate of registration. If the owner is a corporation, sole proprietorship or business entity, the certificate shall contain the name and address of the corporation, sole proprietorship or business entity and the register number or mark and shall be in such form and contain such further information as the registrar may determine. If the owner is a natural person, the certificate shall contain the name, place of residence and address of the applicant and the register number or mark and shall be in such form and contain such further information as the registrar may determine.

Notwithstanding any other provisions of law, the registrar is hereby authorized to enter into reciprocal agreements on behalf of the commonwealth with the duly authorized representatives of any state of the United States, the District of Columbia or a state or a province of a foreign country, providing for the registration of vehicles on an apportionment or allocation basis. In exercising the authority granted herein, the registrar is expressly authorized to enter into and to become a member of the International Registration Plan, or such other designation that may, from time to time, be given to such a plan. The registrar is further authorized to promulgate and to enforce such rules and regulations as may be necessary to carry out the provisions of the International Registration Plan or any other agreement entered into under authority herein set forth. If the registrar enters into the International Registration Plan or into any other agreement under the authority herein set forth, and if the provisions set forth in said International Registration Plan or other agreements are different from provisions prescribed by law or any rules or regulations promulgated by the registrar pursuant to the authority granted hereunder to the registrar, then the agreement provisions shall prevail. The provisions set forth in this paragraph shall constitute complete authority for the registration of motor vehicles, including the registration of fleet vehicles, within the International Registration Plan, upon an apportionment or allocation basis without reference to or application of any other law in the commonwealth.

Upon the transfer of ownership of any motor vehicle or trailer its registration shall expire, and the person in whose name such motor vehicle or trailer is registered shall forthwith return the certificate of registration to the registrar with a written notice containing the date of the transfer of ownership and the name, place of residence and address of the new owner; provided, that, on the death, insolvency or bankruptcy of any owner of a motor vehicle or trailer, its registration shall be deemed to continue in force as a valid registration until the expiration date appearing on the certificate of registration or until the ownership of such motor vehicle or trailer is transferred by the legal representative of the estate of such owner, whichever occurs first, subject otherwise to all provisions of law applicable generally to registrations of motor vehicles or trailers; and provided, further, that if the owner of a motor vehicle or trailer for which a certificate of registration has been issued dies prior to the effective date appearing on the certificate of registration, such motor vehicle or trailer shall be deemed to be validly registered and said registration shall continue in force until the expiration date appearing on the certificate of registration, or until the ownership of such vehicle or trailer is transferred by the legal representative of the estate of such owner, whichever occurs first, subject, however, to all provisions of law applicable generally to registrations of motor vehicles or trailers.

A person who transfers the ownership of a registered motor vehicle or trailer owned by him to another or loses possession thereof or desires to transfer the registration from one motor vehicle or trailer owned by him to another motor vehicle or trailer owned by him, upon the filing of a new application and upon payment of the proper substitution fee provided in section thirty-three, may have registered in his name for the period of time remaining before the expiration date appearing on the certificate of registration another motor vehicle or trailer; provided that if the fee provided for registration of the vehicle sought to be registered is more than the fee for registration of the vehicle transferred as aforesaid, the applicant shall pay, in addition to the substitution fee, the difference between said fees for registration. A person who has attained 18 years of age and who transfers the ownership of a registered motor vehicle or trailer owned by him to another or who loses possession thereof and who intends to transfer the registration of such motor vehicle or trailer to a newly acquired new motor vehicle or newly acquired used motor vehicle of the same type and having the same number of wheels may, subject to other provisions of this chapter, operate such newly acquired new motor vehicle or trailer or newly acquired used motor vehicle or trailer for a period beginning from the date of transfer until five o'clock post meridian of the seventh calendar day following the date of transfer within the period for which the transferred vehicle was registered; provided, however, that the number plates issued upon registration of the transferred motor vehicle or trailer shall be attached to the newly acquired vehicle. During such period any operator of the newly acquired vehicle shall carry an original copy of the bill of sale reciting the registration number to be transferred from the former vehicle to the newly acquired vehicle or the certificate of transfer issued by the dealer on a form approved by the registrar in place of the certificate of registration.

A person who, before the first day of the seventh month next following the effective date appearing on the certificate of registration, for any reason other than suspension or revocation surrenders his number plates and registration certificate and does not apply for registration of another vehicle but who, on or before the first day of the month next following which date shall be at least one month prior to the expiration date appearing on said certificate of registration, files in the office of the registrar a written application for a rebate shall be entitled to a rebate of one half the fee paid in excess of fifteen dollars for the registration of a vehicle of which the plates and registration certificate have been surrendered as aforesaid; provided, that no such rebate shall be paid except upon a certificate, filed with the comptroller, setting forth the facts, and signed by the registrar or his authorized agent; and provided, also, that the rebate shall be paid out of the fees received for the registration of motor vehicles and trailers without specific appropriation. The registrar, at his discretion, may assign to the vehicle of any person who surrenders his registration certificate as herein provided, and who desires to register another vehicle, the register number of the vehicle described in the surrendered certificate.

The registrar shall furnish, without charge, to every person whose motor vehicle is registered under this chapter, two number plates of suitable design, and to every person whose trailer is so registered, one such number plate,

having displayed thereon the register number assigned to that vehicle; provided, that number plates assigned to ambulances, fire engines and apparatus, police patrol wagons and other vehicles used by the police department of any city or town or park board or by the sheriff's office of any county, solely for the official business of such department, board or office, and pleasure passenger vehicles owned by veterans who, according to the records of the United States Veterans' Administration, has been determined to have a service-connected disability rating of 60 per cent or greater and by reason of service in the armed forces of the United States have suffered loss or permanent loss of use of one or both feet; or loss or permanent loss of use of one or both hands; or permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye, or any other disability or handicap of such veterans which may be determined by the medical advisory board as established by section eight C, and to vehicles registered by any member of a foreign diplomatic corps or by any foreign consular officer who is not a citizen of the United States may be of a distinctive type or types. The registrar may, upon payment of the registration fee as required in section thirty-three, furnish at his office such distinctive plates to duly appointed foreign diplomatic representatives or foreign consular officers who are citizens of the United States. The registrar of motor vehicles may issue, without charge, to former prisoners of war, defined as any regularly appointed, enrolled, enlisted, or inducted member of the military forces of the United States who was captured and incarcerated by an enemy of the United States during an armed conflict, upon presentation of satisfactory evidence of such prisoner of war status, as determined by the registrar, distinctive registration plates for one pleasure passenger vehicle owned and principally used by said individual or a distinctive emblem to be affixed to a "VETERAN" registration plate for a motorcycle owned and principally used by such individual; provided, however, that the surviving spouse of a deceased prisoner of war may elect to retain a distinctive registration plate or emblem for personal use until such time as such spouse remarries or fails to renew or cancels such registration. The registrar may issue, without charge, to a member of the Legion of Valor of the United States of America, Inc., upon presentation of satisfactory evidence of such membership as determined by the registrar, distinctive registration plates for one private passenger motor vehicle owned and principally used by such member or a distinctive emblem to be affixed to a "VETERAN" registration plate for a motorcycle owned and principally used by such individual; provided, however, that the surviving spouse of a deceased member of said Legion of Valor of the United States of America, Inc. may elect to retain such distinctive registration plates or emblem for personal use upon payment of the established registration fee for private passenger motor vehicles or motorcycles and an additional annual twenty dollar fee for personal use until such time as such spouse remarries or fails to renew or cancels such registration. The registrar may also, upon payment of the fee required in section thirty-three, furnish to owners of private passenger motor vehicles special number plates of distinctive types, to be known as distinctive initial plates, which may contain a register number consisting of a group of letters or a combination of numbers and letters; provided, however, that such group or combination shall not consist of more than six letters or numbers or combination thereof; and provided further, that there shall be no duplication of identification. The registrar may determine such standards and qualifications for the issuance of said plates as he deems proper. Any number plate furnished under this chapter shall, except in case the registrar for any valid reason extends the time, be valid only until the expiration date appearing on the certificate of registration. If the registrar extends the time he may make rules and regulations requiring the display of visible evidence upon every motor vehicle that it has been registered and that the plates in use thereon are valid. Any plate becoming illegible because of construction defects shall be replaced by the registrar without cost. All number plates issued by the registrar of motor vehicles under this chapter shall be reflectorized in accordance with specifications prescribed by him.

The registrar may furnish plates displaying the "International Symbol of Access" for a pleasure passenger vehicle or a pick-up truck used exclusively for noncommercial purposes, owned or leased by and used by a blind person or a person who has suffered the loss or permanent loss of use of one or both feet, or of one or both hands, the registrar may furnish plates displaying the "International Symbol of Access" and the words "Disabled Veteran" for a pleasure passenger vehicle or a pick-up truck owned or leased by and used by a veteran who, according to the

records of the United States Veterans' Administration, by reason of service in the armed forces of the United States has suffered loss or permanent loss of use of one or both feet; or loss or permanent loss of use of one or both hands; or permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye, or any other disability or handicap and the registrar may furnish emblems displaying the "International Symbol of Access" to be affixed to motorcycle registration plates in a location to be determined by the registrar; provided, however, that the medical advisory board established by section 8C may determine such other standards of disability and handicap and of qualification for the issuance of such plates or emblems as the board deems proper; and provided, further, that this sentence shall not apply to motorized bicycles. The registrar shall make available to the owners of private passenger motor vehicles registered in the counties of Barnstable, Dukes, or Nantucket, distinctive number plates which shall display on the face of said plate a design representing the Cape and Islands. Such design shall be selected through a contest to be judged by the Barnstable county commissioners or their designees, and one county commissioner from each of the counties of Nantucket and Dukes. Before selecting a contest winner, said judges shall consult with the registrar of motor vehicles or his designee. There shall be a twenty-five dollar fee for said plate in addition to the established registration fee for passenger motor vehicles. Within 30 days after receipt of such fee, the portion of the fee remaining after the deduction of costs directly attributable to issuing such plate shall be transferred, in amounts proportional to the number of vehicles registered in each county, to the county commissioners of Dukes and Nantucket counties and, in the case of Barnstable county, 40 per cent to the Barnstable county commissioners, 40 per cent to the Cape Cod Economic Development Council, Inc. or its successor and 20 per cent to the Lower Cape Community Development Corporation; provided, however, that all amounts so transferred shall be used to promote tourism and economic development; provided, further, that twice annually the Lower Cape Community Development Corporation shall furnish to the Barnstable county commissioners a full accounting of the expenditures of such funds; and provided further, that the Cape Cod Economic Development Council, Inc. or its successor shall report twice annually to the department of economic development on the nature of all activities taken within the preceding six months and anticipated activities in the subsequent six months including, but not limited to, a list of all programs offered and attendance at such programs, a description of any travel and tourism initiatives and any other documents or information requested by said department and shall file annually with said department and the state auditor a certified financial audit which shall be so certified by a certified public accountant. The department of economic development may suspend, by written notice to the registrar, the transfer of funds to the Cape Cod Economic Development Council, Inc. or its successor upon a determination by said department that said Council has incurred questionable costs or has engaged in an inappropriate use of funds, until such time as the matters are resolved to the satisfaction of said department. The registrar may issue plates displaying the "International Symbol of Access" for a motor vehicle owned or leased by and used by, any organization or institution or the commonwealth or its political subdivisions for the transportation of handicapped persons when the registrar determines that such organization or institution or agency or municipality substantially and regularly provides care and transportation to handicapped persons, and prominently displays the name of the organization or institution or agency or municipality on said vehicle; provided, however, that such vehicles shall include those purchased with grants and loans from the federal government for the purpose of providing transportation to meet the special needs of the elderly and the handicapped.

The registrar may also furnish a special parking identification placard bearing the designation "International Symbol of Access" to any person who meets the eligibility requirements for handicapped plates prescribed herein. The placard shall be of such size and design as the registrar shall require and shall be numbered and contain such identifying features and specifications as the registrar shall deem appropriate. The registrar may also issue a separate identification card identifying the person to whom such placard is issued as the authorized user thereof which shall be carried by the authorized user while the placard is in use. A placard may be used while a vehicle is parked in a designated handicapped space from which the authorized user is entering or exiting, including

immediate drop off or pick up. For the purposes of this section, "immediate" shall mean within ten minutes. Only a vehicle bearing private passenger registration or a private passenger vehicle bearing a commercial registration or a vehicle designed and used for the transportation of handicapped persons may be used in conjunction with a placard. When used by the authorized user, the placard shall be displayed so as to be readily visible through the windshield of the vehicle and in accordance with instructions provided by the registrar from time to time. Upon application and for good cause shown by the applicant, the registrar may issue to any person both a plate displaying the "International Symbol of Access" and a placard described in this section. Any person who wrongfully displays a handicapped plate on or a placard in a motor vehicle parked in a designated handicapped parking space or in a regular metered space or in a commercial parking space shall be subject to a fine of \$500 for a first offense and \$1,000 for a second or subsequent offense. The registrar shall suspend the operator's license or right to operate of any person found to have violated the provisions of this section relative to the wrongful use or display of a special handicapped plate or parking identification placard for a period of 30 days for a first offense, for a period of 90 days for a second offense and for a period of one year for a third or subsequent offense. Such suspension shall be in addition to any other penalty, fine, suspension, revocation or requirement that may be imposed for such violation including, but not limited to, those applicable under section 37E of chapter 266. The registrar may revoke the plate or placard as issued to a person upon a finding that the person to whom the plate or placard was issued willingly and without coercion or duress authorized, permitted or allowed it to be used by another person. Nothing in this section shall be construed to extend the posted time available for parking in a space designated as commercial or to modify the provisions related to the use of a space designated as commercial other than as is specifically stated in this section. A penalty under this paragraph shall not be a surchargeable offense under section 113B of chapter 175.

If the registrar shall determine at any time that, for any reason, a motor vehicle or trailer is unsafe or improperly equipped or otherwise unfit to be operated, he may refuse to register such motor vehicle or trailer or, if it is already registered, may suspend or revoke its registration. The registration of every motor vehicle and trailer registered under this chapter, except those motor vehicles and trailers owned by the commonwealth or any political subdivision thereof that are exempt from the payment of fees provided for by section thirty-three, shall expire at midnight of the expiration date appearing on said certificate of registration as determined by the registrar. In no event shall a registration be valid for less than a period of twelve months.

The registrar shall furnish at his office at no less than cost to members of the council, senate and house of representatives and to constitutional officers, plates bearing facsimiles of the seal of the commonwealth suitable for attachment to a motor vehicle owned solely or in part by those members and officers and registered under this chapter. Whoever, except the members and officers aforesaid, displays or has attached to his motor vehicle while operating on the highways of the commonwealth such a plate issued by the registrar shall be punished by a fine not exceeding twenty-five dollars.

The registrar shall furnish, at no cost to residents of the commonwealth who have been awarded the Congressional Medal of Honor, distinctive registration plates bearing up to three letters designating the recipient's initials followed by the letters CMH signifying the Congressional Medal of Honor suitable for attachment to a motor vehicle owned and principally used by such recipient or a distinctive emblem to be affixed to a "VETERAN" registration plate for a motorcycle owned and principally used by such recipient; provided, however, that the surviving spouse of a deceased Congressional Medal of Honor recipient may elect to retain such distinctive registration plates or emblem for personal use upon payment of the established registration fee for private passenger motor vehicles or motorcycles and an additional annual twenty dollar fee until such time as such spouse remarries or fails to renew or cancels such registration.

The registrar may issue without an additional registration fee, distinctive license plates for vehicles used for the transportation of school pupils in accordance with the provisions of section seven D.

The registrar shall not register any motor vehicle which does not comply with the provisions of section one hundred and forty-two K of chapter one hundred and eleven and any regulations promulgated thereunder, or qualify as an exemption under subsection (b) of said section one hundred and forty-two K. Upon a determination that a motor vehicle is exempt under said section one hundred and forty-two K, it shall forever be exempt and the exemption shall be noted on the title of such vehicle. Said registrar shall not register any motor vehicle which has not complied with any emission system related recall. The registrar shall not issue a registration, or if said registration has already been issued, shall suspend or not renew the registration of any motor vehicle which does not comply with the provisions of sections one hundred and forty-two J and one hundred and forty-two M of chapter one hundred and eleven or any regulation promulgated thereunder. Whoever, through fraud or misrepresentation, procures or attempts to procure the registration of a motor vehicle in violation of the provisions of this paragraph, shall be subject to a fine of not more than twenty-five thousand dollars or by imprisonment for not more than one year or both such fine and imprisonment, and shall be subject to a civil penalty of not more than twenty-five thousand dollars for each such violation. Said penalties shall be in addition to any other penalties provided for any violation hereunder. The civil penalty may be assessed in an action brought on behalf of the commonwealth in any court of competent jurisdiction.

The registrar shall furnish, upon application, to owners of private passenger motor vehicles and motorcycles who are veterans, as defined in clause Forty-third of section 7 of chapter 4 and upon presentation of evidence deemed satisfactory by the registrar, distinctive registration plates bearing on the left side the word "VETERAN". These plates shall also include a distinctive emblem or decal for those individuals who have been awarded the Iraqi Freedom Campaign Ribbon or who served in Operation Enduring Freedom. There shall be an annual \$20 fee for such "VETERAN" plates in addition to the established registration fee for private passenger motor vehicles and motorcycles. For the purposes of this paragraph, the word "motorcycles" shall not include motorized bicycles.

The registrar shall furnish without charge to owners of private passenger motor vehicles who are veterans as defined in said clause Forty-third of said section seven of said chapter four who have been awarded the Order of the Purple Heart and upon evidence deemed satisfactory by the registrar, distinctive registration plates bearing the words, "ORDER OF THE PURPLE HEART RECIPIENT" for one private passenger motor vehicle owned and principally used by such Purple Heart recipient or a distinctive emblem to be affixed to a "VETERAN" registration plate for a motorcycle owned and principally used by such recipient; provided, however, that the surviving spouse of a deceased recipient of the Purple Heart may elect to retain such distinctive registration plates or emblem for personal use upon payment of the established registration fee for private passenger motor vehicles or motorcycles and an additional annual twenty dollar fee until such time as such spouse remarries or fails to renew or cancels such registration.

The registrar shall furnish without charge to owners of private passenger motor vehicles who are survivors of the attack on Pearl Harbor, upon presentation of satisfactory evidence of such status as determined by the registrar, distinctive registration plates for one private passenger motor vehicle owned and principally used by such survivor or a distinctive emblem to be affixed to a "VETERAN" registration plate for a motorcycle owned and principally used by such survivor; provided, however, that the surviving spouse of a deceased survivor may elect to retain such distinctive registration plates or emblem for personal use upon payment of the established registration fee for private passenger motor vehicles or motorcycles and an additional annual twenty dollar fee until such time as such spouse remarries or fails to renew or cancels such registration.

The registrar shall furnish, at the request of an owner of a motorcycle or a motor vehicle who has been issued "VETERAN" plates pursuant to this section, a distinctive emblem to be affixed to such plates which identifies the branch of the armed services in which such owner served, the receipt of the Silver star, Bronze Star or Distinguished Flying Cross by such owner or the wartime service in which such owner served as defined in clause Forty-third of section seven of chapter four. The registrar may charge a fee directly attributable to the cost of issuance of such emblem, provided, however, that the registrar shall furnish without charge to owners of private

passenger motor vehicles and motorcycles who received the Silver star, Bronze star or Distinguished Flying Cross a "VETERAN" plate and an emblem representing the awarding of said Silver star, Bronze star or Distinguished Flying Cross for one private passenger motor vehicle or motorcycle owned and principally used by such recipient. The surviving spouse of a deceased recipient may elect to retain the distinctive registration plate and distinctive emblem for personal use upon payment of the established registration fee and an additional \$20 fee until such time as the spouse remarries or fails to renew or cancels the registration.

[Paragraph inserted following eighteenth paragraph by 2012, 108, Sec. 8B effective May 31, 2012.]

The registrar shall furnish, at the request of owners of private passenger motor vehicles and motorcycles, who are residents of the commonwealth and serving in active duty, a distinctive emblem to be affixed to the registration plate that identifies the branch of the armed services in which the owner serves. The registrar may charge a fee directly attributable to the cost of issuance of that emblem; provided, however, that this fee shall not exceed \$35. Any member of the armed forces who is dishonorably discharged shall return such plates to the registrar not later than 30 days after that discharge. The registrar shall not renew the license plate of a dishonorably discharged armed forces member until confirming that the distinctive emblem is not affixed to the plate. For the purposes of this section "active duty" shall mean full-time duty in active military service of the army, navy, marine corps, coast guard or air force of the United States, but shall not include active duty being served for the purpose of training as a reservist in the army national guard or air national guard.

The registrar shall furnish, without charge, to owners of private passenger motor vehicles and motorcycles who have been awarded the Silver Star, the Bronze Star, the Distinguished Flying Cross or the Purple Heart distinctive registration plates with an emblem representing the award received for either 1 private passenger motor vehicle or a motorcycle owned and principally used by such recipient upon presentation by an applicant of satisfactory evidence, as determined by the registrar, of receipt of such award and that the applicant, on the date of such application, is currently on active service in the armed forces of the United States. The surviving spouse of a deceased recipient may elect to retain such distinctive registration plates and emblem for personal use upon payment of the established registration fee for private passenger motor vehicles or motorcycles and an additional annual \$20 fee until such time as the spouse remarries or fails to renew or cancels the registration.

The registrar shall furnish without charge to owners of private passenger motor vehicles, who are parents, children, siblings, grandchildren or spouses of members of the military who were killed in action upon presentation of satisfactory evidence of such status as determined by the registrar, distinctive registration plates that read "Gold Star Family" for one private passenger motor vehicle owned and principally used by such persons or a distinctive "Gold Star Family" emblem to be affixed to a registration plate for a motorcycle privately owned and principally used by such persons.

The registrar is hereby authorized and directed to conduct a lottery of any unissued or returned registration plates of not more than four characters which shall be issued to the winners of such lottery at no extra charge. A resident of the commonwealth who is the registered owner of a private passenger motor vehicle registered in the commonwealth may participate in such lottery which shall be held once in each calendar year prior to September fifteenth. The registrar shall promulgate rules and regulations necessary to effectuate the purposes of this paragraph.

The registrar shall furnish upon application to owners of private passenger vehicles distinctive registration plates which shall display on the face of said plate a design representing the official symbol of the United States olympic committee. There shall be a twenty-five dollar fee for said plate in addition to the established registration fee for passenger motor vehicles. The portion of said fee remaining after the deduction of cost directly attributable to issuing said plate shall be transferred to the Massachusetts United States Olympic Fund established pursuant to section thirty-five *O* of chapter ten.

The registrar shall furnish, upon application, to owners of private passenger motor vehicles distinctive registration plates which shall display on their face a design commemorating the Basketball Hall of Fame as the "Birthplace of Basketball". The registrar shall issue such plates at the direction of the Basketball Hall of Fame. There shall be a biennial fee of not less than \$40 for such plates in addition to the established registration fee for private passenger motor vehicles, such fee being payable at the time of registration of such vehicle and at each renewal thereof. The portion of the fee remaining after the deduction of costs directly attributable to the issuance of such plates shall be transferred within 90 days of receipt thereof to the Basketball Hall of Fame education program at the Basketball Hall of Fame in the city of Springfield.

Nothing in this section shall be construed to prevent the surviving spouse of a veteran from retaining the distinctive "VETERAN" registration plate until the surviving spouse remarries or cancels or fails to renew the registration.

The registrar shall develop guidelines for and shall implement a license plate retention program for members of the United States military and the United States Department of Defense employees who are deployed to, or present in, a theater of combat operations. Under the program, a resident of the commonwealth who is serving in the United States military, the United States military reserves, the Massachusetts National Guard or working as a civilian employee of the United States Department of Defense or any of its agencies, and is deployed to, or present in, a theater of combat operations, may retain 1 or more of his motor vehicle license plates, at no charge, for the duration of his deployment. The registrar shall develop and make available appropriate forms which may be used by a qualifying individual to cancel his automobile insurance and suspend his vehicle's registration, taking effect prior to deployment and upon the sale or storage of his motor vehicle. Upon returning from his deployment, the vehicle's owner shall furnish the registrar with proof that his automobile insurance policy has been reinstated, and the registrar may then allow him to register and affix his plates to a new vehicle or to re-register the plates and affix them to an existing vehicle held in storage.

Nothing in this section shall prevent the surviving spouse of a veteran, whose veteran spouse was not in possession of a "VETERAN" registration plate at the time of death, from applying for and receiving a "VETERAN" registration plate if the surviving spouse has not remarried.

Nothing in this section shall prevent the surviving spouse of a veteran, whose veteran spouse's "VETERAN" registration plate was returned to the registry at the time of death, from applying for and receiving a "VETERAN" registration plate if the surviving spouse has not remarried.

2. MGL Chapter 40 Section 21:

Law Authorizing Ordinances and Requiring Off-Street HP Parking Spaces

CHAPTER 40 POWERS AND DUTIES OF CITIES AND TOWNS

Section 21 By-laws of towns; purpose

Section 21. Towns may, for the purposes hereinafter named, make such ordinances and by-laws, not repugnant to law, as they may judge most conducive to their welfare, which shall be binding upon all inhabitants thereof and all persons within their limits. They may, except as herein provided, affix penalties for breaches thereof not exceeding three hundred dollars for each offense, which shall ensure to the town or to such uses as it may direct.

Notwithstanding the provisions of any special law to the contrary, fines shall be recovered by indictment or on complaint before a district court, or by noncriminal disposition in accordance with section twenty-one D.

(1) For directing and managing their prudential affairs, preserving peace and good order, and maintaining their internal police.

(2) For preventing the fall of snow and ice from roofs and securing the removal thereof in such portions of their limits and to such extent as they deem expedient. The penalty for violation of such by-laws shall apply to the owner of such building or to his agent having the care thereof.

(3) For providing for the removal of snow and ice from the sidewalks, within the limits of the public ways therein to such extent as they deem expedient. The penalty for the violation of such by-laws shall apply to the owner of abutting property or his agent having charge thereof.

(4) For requiring owners of buildings near the line of public ways to erect barriers, or to take other suitable measures to prevent the fall of snow and ice therefrom upon persons traveling on such ways, and to protect such persons from other dangers incident to the maintenance, occupation or use thereof.

(5) For declaring any sewer or drain laid in any land or way, public or private, opened or proposed to be opened for public travel, to be a common sewer, and that it shall not be laid or connected with any existing common sewer except by the board or officers authorized to lay and maintain common sewers.

(6) For regulating, under a penalty not exceeding fifty dollars for each offence, the use of the common sewers and the connections which may be made therewith.

(7) For regulating throughout the town or within a limited portion thereof, by any designated board or commission, the inspection, materials, construction, alteration or use of pipes and fixtures through which water is supplied by public water works; and to prohibit the use of such water by persons neglecting or refusing to comply with such by-laws.

(8) For regulating, under a penalty not exceeding fifty dollars for each offence, the use of reservoirs connected with its water supply and land and driveways appurtenant thereto.

(9) For regulating the width of tires of vehicles owned in such town and used on the highways thereof.

(10) For requiring and regulating the numbering of buildings on or near the line of public or private ways and prescribing by whom and the method in which it shall be done.

(11) For regulating the disposal by town boards, officers or departments of personal property belonging to the town.

(12) For regulating the making of annual reports by boards, officers or departments not required by law to make such reports.

(13) For requiring all town officers to pay all fees received by them by virtue of their office into the town treasury, or to report the amount thereof from time to time to the selectmen, who shall publish the same in the annual town report.

(14) For prohibiting or regulating the leaving of vehicles unattended within the limits of private ways furnishing means of access for fire apparatus to any building.

(15) For regulating the use, occupation and maintenance, by clubs or associations, whether or not incorporated, of dwelling houses used in common by any or all of their members. In addition to any other remedy provided by law for violation of any ordinance or by-law made under authority of this paragraph, the superior court shall have jurisdiction in equity to restrain any such violation.

(16) For authorizing the superintendent of streets or other officer having charge of ways, for the purpose of removing or plowing snow, or removing ice, from any way, to remove, or cause to be removed, to some convenient place, including in such term a public garage, any vehicle interfering with such work, and for imposing liability for the cost of such removal, and of the storage charges, if any, resulting therefrom, upon the owner of such vehicle.

(16A) For authorizing the board or officer having charge of the collection of garbage and refuse, for the purpose of facilitating such collection, to remove, or cause to be removed, to some convenient place in the city or town, including in such term a public garage, from any portion of a public way therein or from any private way therein open to public use any vehicle parked contrary to a sign within one hundred feet banning parking at such time and place, and for imposing liability for the cost of such removal, and of the storage charges, if any, resulting therefrom, upon the owner of such vehicle.

(16B) For designating areas upon public streets to be used as bicycle lanes and for establishing a noncriminal ticketing procedure against violations of bicycle laws, and a schedule of fines for breaches thereof, not to exceed twenty dollars for each offense.

(17) For prohibiting or regulating the removal of soil, loam, sand or gravel from land not in public use in the whole or in specified districts of the town, and for requiring the erection of a fence or barrier around such area and the finished grading of the same. The superior court shall have jurisdiction in equity to compel compliance with any ordinance or by-law made hereunder. The penalty for violation of any ordinance or by-law made hereunder shall be as follows:—for the first offence, fifty dollars; for the second offence, one hundred dollars; and for each subsequent offence, two hundred dollars. Any order or by-law prohibiting such removal hereunder shall not apply to any soil, loam, sand or gravel which is the subject of a permit or license issued under the authority of the town or by the appropriate licensing board of such town or by the board of appeal, or which is to be removed in compliance with the requirements of a subdivision plan approved by the town planning board.

(18) For regulating the inspection, materials, construction, installation, alteration or use of pipes, fittings and fixtures through which gas is supplied within buildings and other structures.

(19) For requiring any person excavating land or any person in charge of such excavation and for requiring any owner of land which has been excavated to erect barriers or take other suitable measures within two days after such person has been notified in writing by the mayor or city manager and the city council, the selectmen or the building inspector, of the city or town in which the land is located that in their opinion such excavation constitutes a hazard to public safety. The penalty for violation of any ordinance or by-law made hereunder shall not exceed two hundred dollars per day for every day such person is in violation of such notice commencing with the fourth day thereof. The superior court shall have jurisdiction in equity to compel compliance with any ordinance or by-law made under the provisions of this clause. Notwithstanding the foregoing, no person shall be found guilty of a

violation of such an ordinance or by-law, nor shall a person be compelled in equity to comply therewith unless, in the opinion of the court, such excavation constitutes a hazard.

(20) For requiring owners of land whereon is located an abandoned well or a well in use, to either provide a covering for such well capable of sustaining a weight of three hundred pounds or to fill same to the level of the ground. The penalty for violation of any ordinance or by-law made hereunder shall be a fine of not less than one hundred dollars nor more than five hundred dollars.

(21) For prohibiting or regulating the parking of any motor vehicle in front of any dwelling house except by the occupants of said dwelling house, provided that notice of said prohibition or regulation is given by the use of portable or permanent signs.

(22) For controlling and abating noise from whatever source, including, without limiting the generality of the foregoing, the right to restrict or limit the use of automobile horns and the operation of motor vehicles in such a manner as to cause excessive noise.

(23) For requiring that designated parking spaces for vehicles either owned and operated by disabled veterans or by handicapped persons and bearing the distinctive number plates authorized by section two of chapter ninety, or for vehicles transporting handicapped persons and displaying the special parking identification plate authorized by said section two of said chapter ninety, or for vehicles bearing the official identification of a handicapped person issued by any other state, or any Canadian Province, be provided in public and private off-street parking areas.

(a) Any ordinance or by-law made hereunder shall require any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, to reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by said section two of said chapter ninety or for any vehicle transporting a handicapped person and displaying the special identification plate authorized by section two of chapter ninety or for any vehicle bearing the official identification of a handicapped person issued by any other state, or any Canadian Province, according to the following formula:—

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five per cent of such spaces but not less than two; more than forty but not more than one hundred, four per cent of such spaces but not less than three; more than one hundred but not more than two hundred, three per cent of such spaces but not less than four; more than two hundred but not more than five hundred, two per cent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half per cent of such spaces but not less than ten; more than one thousand but not more than two thousand, one per cent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one per cent of such spaces but not less than twenty; and more than five thousand, one-half of one per cent of such spaces but not less than thirty.

(b) Parking spaces designated as reserved under paragraph (a) shall be identified by the use of above-grade signs with white lettering against a blue background and shall bear the words “Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner’s Expense”. The spaces shall be as near as possible to a building entrance or walkway, shall be adjacent to curb ramps or other unobstructed methods permitting

sidewalk access to a handicapped person and shall be at least 8 feet wide, not including the cross hatch access aisle as defined by the architectural access board established in section 13A of chapter 22. The cross hatch access aisle abutting a handicapped parking space shall be considered part of the handicapped parking space to which it abuts to provide individuals who use wheelchairs or other mobility aids with sufficient space to enter and exit their vehicles. No person shall park in the cross hatched access aisle.

(24) For prohibiting or regulating the standing or leaving of vehicles unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons and within certain other areas.

An ordinance or by-law made under this section shall prohibit or regulate the leaving of unauthorized vehicles within parking spaces, including the cross hatch areas, designated for use by disabled veterans or handicapped persons as authorized by clause (23) or in such a manner as to obstruct a curb ramp designed for use by a handicapped person as a means of egress to a street or public way.

The penalty for a violation of an ordinance or by-law made under this section shall be not less than \$100 nor more than \$300 and shall provide for the removal of the vehicle in accordance with section 22D. This penalty shall not be a surcharge-able offense under section 113B of chapter 175.

3. MGL Chapter 40 Section 22A:

Law Exempting Meter Fees for “Handicapped Persons”

[Section 22A Parking meters; fees; exemption from fees for disabled veterans and handicapped persons; bicycle locking devices; motorcycle parking; restricted parking areas for veterans and handicapped persons](#)

Section 22A. Any city or town, for the purpose of enforcing its ordinances, by-laws and orders, rules and regulations relating to the parking of vehicles on ways within its control and subject to the provisions of section two of chapter eighty-five, may appropriate money for the acquisition, installation, maintenance and operation of parking meters, or by vote of the city council or of the town may authorize a board or officer to enter into agreement for such acquisition, installation or maintenance of parking meters; provided, that the city of Boston, for the purpose of enforcing the rules and regulations adopted by its traffic and parking commission, or promulgated by its commissioner of traffic and parking, under chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, may appropriate money for the acquisition, installation, maintenance and operation of parking meters, or, by vote of the city council of said city, subject to the provisions of its charter, may authorize the traffic and parking commission of said city to enter into agreements for the acquisition, installation or maintenance of parking meters. An agreement for the acquisition or installation of parking meters may provide that payments thereunder shall be made over a period not exceeding five years without appropriation, from fees received for the use of such parking meters notwithstanding the provisions of section fifty-three of chapter forty-four. Such fees shall be established and charged at such rates that the revenue therefrom shall not exceed in the aggregate the necessary expenses incurred by such city or town for the acquisition, installation, maintenance and

operation of parking meters and the regulation of parking and other traffic activities incident thereto. No fee shall be exacted and no penalty shall be imposed for the parking of any vehicle owned and driven by a disabled veteran or by a handicapped person and bearing the distinctive number plates authorized by section two of chapter ninety, or for any vehicle transporting a handicapped person and displaying the special parking identification plate authorized by said section two of said chapter ninety or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian Province. Any city or town may, in accordance with the provisions of this section, acquire and operate coin-operated locking devices for bicycle parking. A city or town may, in accordance with the provisions of this section, authorize the parking of more than one motorcycle in a single parking space and may impose a penalty for the full amount of a violation of an ordinance, by-law, order, rule or regulation related to the parking of vehicles on ways within its control and subject to section 2 of chapter 85 for each motorcycle so parked in violation of any such ordinance, by-law, order, rule or regulation. No motorcycle shall be parked in such a manner so as to inhibit the means of egress of another motorcycle currently parked in the same parking space.

Any city or town acting under this section shall further regulate the parking of vehicles on ways within its said control by restricting certain areas thereon for the parking of any vehicle owned and driven by a disabled veteran or handicapped person whose vehicle bears the distinctive number plates authorized by section two of chapter ninety or for any vehicle transporting a handicapped person and displaying the special parking identification plate authorized by said section two of said chapter ninety, or for any vehicle bearing the official identification of a handicapped person issued by any other state, or any Canadian Province, or by prohibiting the parking or standing of any vehicles in such a manner as to obstruct any curb ramp designed for use by handicapped persons. Parking spaces designated as restricted under this paragraph shall be identified by the use of above-grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense". The spaces shall be as near as possible to a building entrance or walkway, shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person and shall be at least 8 feet wide, not including the cross hatch access aisle as defined by the architectural access board established in section 13A of chapter 22. If parking spaces designated as restricted under this paragraph are made temporarily unavailable due to a construction project or other planned event, the city or town shall ensure that the nearest available nonreserved parking space, if any, shall be temporarily designated as restricted under this paragraph. The cost of acquisition, installation and maintenance and operation of any signs or other regulatory devices used to designate such restricted areas shall be considered as a necessary expense for the regulation of parking and shall be paid from appropriations authorized by this section. Any such ordinance, by-law, order, rule or regulation promulgated pursuant to this paragraph shall contain a penalty of not less than \$100 nor more than \$300 and shall provide for the removal of a vehicle in accordance with section 22D. This penalty shall not be a surcharge-able offense under section 113B of chapter 175.

4. 540 CMR: Registry Of Motor Vehicles

540 C 17.00: Issuance Of Disability Plates And Placards

<http://www.mass.gov/courts/docs/lawlib/500-599cmr/540cmr17.pdf>

Section 17.01: Policy, Authority and Application 17.02: Definitions 17.03: General Requirements and Eligibility Standards 17.04: Application Procedures 17.05: Misuse of Plate or Placard 17.06: Procedure on Appeal 17.01: Policy, Authority and Application 540 CMR 17.00 is adopted by the Registrar of Motor Vehicles pursuant to M.G.L. c. 90, §§ 2 and 31 to establish uniform standards and procedures for the issuance and use of disability plates and placards, which carry certain parking privileges under the laws of the Commonwealth, including M.G.L. c. 40, §§ 21 and 22A. Plates and placards are issued by the Medical Affairs Branch of the Registry of Motor Vehicles, to persons meeting the standards contained in 540 CMR 17.00 who, by reason of disability, need a plate or placard to minimize the distance to be traveled between the person's parked vehicle and ultimate destination, or to accommodate movement between the vehicle and a wheelchair or other assistive device. 17.02: Definitions As used in 540 CMR 17.00, the following terms shall have the meaning indicated: Disability Plate or Plate is a registration number plate issued by the Registrar displaying the international symbol of access. Disability Placard or Placard is a special parking identification permit referenced in M.G.L. c. 90, § 2, of such size and design as the Registrar shall require, to be used by the person to whom it is issued when traveling in a private passenger vehicle, a private passenger vehicle bearing a commercial registration, a pickup truck or a vehicle designed and used for the transportation of handicapped persons. A placard may be used while a vehicle is parked in a designated handicapped space from which the authorized user is entering or exiting, including immediate drop off or pick up. Health Care Provider is a medical doctor, optometrist, osteopath, chiropractor, podiatrist, registered nurse, or physician assistant, who is licensed to practice in the Commonwealth of Massachusetts; provided that the Registrar may specify the appropriate type of health care provider to address the applicant's medical qualifications to receive disability plates or placards and hold a driver's license. Immediate Drop Off or Pick-up means ten minutes. Medical Affairs Branch is the Registry of Motor Vehicles' office which initially handles issues involving the medical qualification of applicants for driver's licenses and for disability plates or placards. The name of this office may be changed by the Registrar in his discretion. Private Passenger Vehicle means a vehicle used for non-commercial purposes, and with a gross weight rating of 10,000 pounds or less. 17.03: General Requirements and Eligibility Standards (1) Choice of Plate or Placard. A person who satisfies the qualifications of 540 CMR 17.03(2) shall be entitled to either a plate or a placard. A person may choose to have a placard; but a plate shall be available only to a person who is a registered owner of the motor vehicle to which the plate is to be attached. The rights, privileges and obligations associated with a plate and a placard are the same. The Registrar may issue both a plate and a placard upon application and for good cause shown by the applicant. 540 CMR: REGISTRY OF MOTOR VEHICLES 17.03: continued (2) Medical Standards. To qualify for a plate or a placard, the applicant must meet one or more of the following standards: (a) cannot walk 200 feet without stopping to rest, or cannot walk without the assistance of another person, prosthetic aid, or other assistive device, as a result of a described clinical diagnosis; (b) has a cardiovascular disease to the extent that his or her functional limitations are classified in severity as Class III or Class IV by the American Heart Association; (c) has a pulmonary disease to the extent that forced expiratory volume (FEV-1) in one second when measured by spirometry is less than one liter, or requires continuous oxygen therapy, or has an O₂ saturation level of 88% at rest or with minimal exertion even with supplemental oxygen; (d) is blind to the extent that his or her central visual acuity does not exceed 20/200 (Snellen) in the better eye, with corrective lenses, or has a visual acuity that is greater than 20/200 in the better eye but with a limitation in the field of vision such that the widest diameter of the visual field subtends an angle not greater than 20°; (e) has lost, or permanently lost the use of, one or more limbs. (3) Medical Certification. The applicant's medical condition must be certified by a health care provider, by completion of the relevant sections of the prescribed application form. The health care provider shall also provide an opinion regarding the applicant's ability to safely operate a motor vehicle in light of the medical condition certified. If the medical certification contains insufficient information to enable the Registry reasonably to determine whether the medical

qualifications have been satisfied, it may request supplemental medical documentation, but is under no obligation to do so. (4) Effect on Driving Privileges. If the health care provider is unable to certify that the applicant is medically qualified to operate a motor vehicle safely, the Registry may require the applicant to successfully undergo a competency road skills test as a condition for retaining driving privileges. Applicants who qualify for a plate or placard as a result of a functional Class IV cardiac condition according to the standards set by the American Heart Association, legal blindness, an O2 saturation level of 88% at rest or with minimal exertion even with supplemental oxygen, or any other medical condition that the Registry determines, based on an individual risk assessment, is likely to impede the safe operation of a motor vehicle, shall be required to surrender their license to operate. Upon surrender, such individuals shall have an opportunity for a hearing, at which time they may present further medical qualification testimony. (5) Temporary Placards. If, in the opinion of the health care provider, the duration of the applicant's disability is at least two months but less than 24 months, the applicant shall be issued a Temporary Placard, with an expiration date coincident with the expected duration of the disability. (6) Re-certification of Disability. The Registry may require a holder of a plate or placard to submit a re-certification of the person's disability by a health care provider at such intervals and in such form as the Registrar may determine. 17.04: Application Procedures (1) An applicant for a plate or placard shall submit a completed application form prescribed by the Registrar, including the certification of a health care provider referenced in 540 CMR 17.03(3). The application must be received by the office of the Registry designated in the application instructions within 30 days of the date of the medical certification. (2) If the applicant satisfies the requirements of 540 CMR 17.00, the Registry shall approve the application for a plate or placard, or Temporary Plate or Placard, or both as appropriate. The Registry will send the applicant a notice of approval of the plate or placard with instructions for its issuance and proper use, or the approved placard if all of the necessary supporting applicant information is already on file. The Registry shall use reasonable efforts to make a decision on an application within 30 days of its submission, but the failure of the Registry to act within such time period shall not constitute a decision on the application, nor be the basis for any claim against the Registry. 540 CMR: REGISTRY OF MOTOR VEHICLES 17.04: continued (3) If the Registrar or his designee determines that the applicant has failed to satisfy the requirements of 540 CMR 17.00, the application shall be denied. The applicant shall be provided written notice of the denial, containing an explanation of the reason for the denial, the date of the denial, and a notice of appeal rights. (4) If an applicant receiving a notice of denial has information which he or she believes is responsive to the reason for denial, the applicant may re-submit the application with the supplemental documentation for reconsideration by the Registry. If the resubmission occurs within 90 days of the date of the original medical professional certification, a new certification shall not be required. Any new medical documentation that is provided, however, must be dated within 30 days of the resubmission, must be on a medical information form provided by the Registry, or must be on the letterhead of the health care provider and signed by the medical professional. 17.05: Misuse of Plate or Placard (1) The use of a disability placard, or the special parking privileges associated with a disability plate, is restricted to the person to whom the placard or plate has been issued. A placard may be used while a vehicle is parked in a designated handicapped space from which the authorized user is entering or exiting, including immediate drop off or pick up. No person shall use a Temporary disability placard after its expiration date. (2) If, after affording a holder of a plate or placard an opportunity for a hearing, the Registrar determines that the plate or placard has been misused, the Registrar may suspend or revoke the placard or the special parking privileges associated with the plate. Unless the Registrar finds the existence of special mitigating or egregious circumstances, a first offense of misuse of a plate or placard shall result in a 60 day suspension. A subsequent offense of misuse of a plate or placard is grounds for revocation of the plate or placard and disqualification from future issuance of a new disability placard or plate. (3) A person whose plate or placard is suspended or revoked shall immediately surrender the plate or placard to the Registry. Although any

suspension or revocation shall be effective as of the date specified in the notice of suspension or revocation for purposes of prohibiting use of the special parking privileges associated with the placard or plate, no time shall be credited towards reducing the duration of suspension until the placard or plate has been surrendered to the Registry. (4) The suspension of the special parking privileges associated with a disability plate shall not prevent the holder from obtaining another registration plate that is not a disability plate for use during the suspension period, provided the holder pays all of the usual fees related to the exchange of registration plates, and the holder is not otherwise ineligible for a certificate of registration. (5) Any person who wrongfully displays or uses a placard or plate in violation of 540 CMR 17.05(1), shall be subject to a fine of \$500 for a first offense, and \$1,000 for a second or subsequent offense pursuant to M.G.L. c. 90, § 2. To prevent the improper use of placards and plates, the Registrar shall suspend the operator's license or right to operate of any person found to have violated the provisions of 540 CMR 17.05 relative to the wrongful use or display of a special handicapped plate or parking placard for a period of 30 days for a first offense, for a period of 90 days for a second offense and for a period of one year for a third or subsequent offense. Such suspension shall be in addition to any other penalty, fine suspension, revocation or requirement that may be imposed for such violation including, but not limited to, those applicable under M.G.L. c. 266, § 37E. The Registrar may revoke the plate or placard as issued to a person upon a finding that the person to whom the plate or placard was issued willingly and without coercion or duress authorized, permitted or allowed it to be used by another person.

540 CMR: REGISTRY OF MOTOR VEHICLES 17.06: Procedure on Appeal (1) Any person who is aggrieved by any ruling or decision of the Registrar, including the denial of an application for a disability plate or placard, or a suspension or revocation of a plate or placard, or a license or right to operate for misuse of a plate or placard, may appeal the ruling or decision to the Board of Appeal on Motor Vehicle Liability Policies and Bonds, pursuant to M.G.L. c. 90, § 28, within ten days of the ruling or decision. (2) A person aggrieved by a decision of the Board of Appeal may seek further review under the provisions of M.G.L. c. 30A, § 14. REGULATORY AUTHORITY 540 CMR 17.00: M.G.L. c. 90, §§ 2 and 31.

5. MGL Chapter 60A Section 1: Law Authorizing Exemption of Motor Vehicle Excise Tax for Disabled Veterans and Disabled Plates and Placards

[Section 1 Excise tax on motor vehicles; assessment and levy; exemptions; abatement for theft of motor vehicle](#)

Section 1. Except as hereinafter provided, there shall be assessed and levied in each calendar year on every motor vehicle and trailer registered under chapter ninety, for the privilege of such registration, an excise measured by the value thereof, as hereinafter defined and determined, at the rate of twenty-five dollars per thousand of valuation. For the purpose of this excise the value of each such motor vehicle or trailer shall be deemed to be the value, as determined by the commissioner, of motor vehicles or trailers of the same make, type, model, and year of manufacture as designated by the manufacturer, but not in excess of the following percentages of the list price established by the manufacturer for the year of manufacture.

A motor vehicle dealer to whom a general distinguishing number or mark has been issued shall, for the privilege of such registration, pay to the collector of taxes for the city or town in which such dealership is licensed, a special excise in the amount of \$100.00 for each registration plate issued by the registrar of motor vehicles under such

general distinguishing number or mark. Such motor vehicle dealer shall otherwise be exempt from the excise imposed by this section on any motor vehicle owned by such motor vehicle dealer, which motor vehicle may be operated by such dealer, the spouse of such dealer, a co-owner of such dealer or dealership entity, the spouse of such co-owner or an employee of such dealer whose duties involve the sale of motor vehicles at any time for any purpose, including personal use, provided that such employee renders at least 20 hours of service each week to such dealer and provided that such co-owner holds at least 40 per cent proprietary interest in such motor vehicle dealer or any such dealership entity; provided, however, that a motor vehicle which is operated under such general or distinguishing mark or number shall, at all times, display all notices and stickers required by applicable law to be eligible for sale.

The term "year of manufacture", as used in this section, shall mean the year used by the manufacturer of the motor vehicle or trailer in connection with the designation by him or it of the model of such motor vehicle or trailer.

Nothing in this section shall be construed to prevent the board of assessors or the commissioner of revenue, as the case may be, from granting an abatement in any case in which the valuation aforesaid is in their or his opinion excessive.

The excise imposed by this section shall not apply to motor vehicles or trailers owned and registered by the commonwealth or any political subdivision thereof, or to motor vehicles or trailers owned and registered by a corporation whose personal property is exempt from taxation under clauses Third and Tenth of section five of chapter fifty-nine. Motor vehicles or trailers owned or controlled by a manufacturer, or farmer to whom has been issued a general distinguishing number or mark under section five of chapter ninety, and trailers owned or controlled by a dealer to whom there has been issued a general distinguishing number or mark, shall be exempt from the excise imposed by this section, upon application in writing filed with the assessors, if and so long as such motor vehicle or trailer is operated or propelled over the highways solely in connection with the business of the owner or controller as such manufacturer or farmer and in no way for his personal use or convenience or the personal use and convenience of his family or any other person; provided, that such application shall contain a statement subscribed under penalties of perjury by such owner or controller to the effect that such motor vehicle or trailer is and will be operated or propelled only in the manner aforesaid; and provided further that if any such motor vehicle or trailer is operated or propelled otherwise than in the manner aforesaid, there shall be assessed and levied on such motor vehicle or trailer the excise imposed by this chapter, and a penalty of one hundred dollars, which excise and penalty shall be assessed by the assessors and collected by the collectors of taxes, nor shall such excise be abated by reason of any subsequent transfer of such motor vehicle or trailer. If no application for exemption is filed with the assessors as aforesaid, any motor vehicle or trailer owned or controlled by a manufacturer and operated or propelled under a general distinguishing number or mark issued to such manufacturer shall be subject to the excise imposed by this chapter, which excise shall be assessed by the assessors and collected by the collectors of taxes.

The excise imposed by this section shall not apply to motor vehicles leased for a full calendar year to a charitable organization when such vehicle is owned and registered by a lessor engaged in the business of leasing motor vehicles. In any city or town which accepts the provisions of this sentence, by a vote of the city council with the approval of the mayor, in a town, by a vote of the town meeting, and in a municipality having a town council form of government, by a vote of the town council. The excise tax imposed by this section shall not apply to a motor vehicle owned and registered by or leased to a former prisoner of war defined as any regularly appointed,

enrolled, enlisted, or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict; provided, however, that the excise tax shall not apply to a motor vehicle owned and registered by or leased to the surviving spouse of a deceased former prisoner of war, until such time as the surviving spouse remarries or fails to renew such registration. As used herein, the term "charitable organization" means an organization, other than a degree granting or diploma awarding educational institution, whose personal property is exempt from taxation under clause Third of section five of chapter fifty-nine.

The excise imposed by this section shall not apply to a motor vehicle owned and registered by or leased to a veteran, as defined in section 7 of chapter 4, who according to the records of the United States Veterans Administration, by reason of service in the armed forces of the United States, has suffered loss, or permanent loss of use of, one or both feet, or loss, or permanent loss of use of, one or both hands, or has been determined by the medical advisory board established under section 8C of chapter 90 to be permanently disabled; nor to a motor vehicle owned and registered by or leased to a veteran, as defined in section 7 of chapter 4, who is receiving a statutory award from the Veterans Administration for the loss of sight of one eye or who according to the records of the United States Veterans Administration, by reason of service in the armed forces of the United States, has suffered permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye; nor to a motor vehicle owned and registered to or leased to any person who has suffered loss, or permanent loss of use of, both legs or both arms; nor to a motor vehicle owned and registered to or leased to any person who has suffered permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye. This exemption shall apply to not more than one motor vehicle owned and registered for or leased for the personal, noncommercial use of such veteran or person. After the assessors have allowed an exemption under this paragraph no further evidence of the existence of the facts required by this paragraph shall be required in any subsequent year in the city or town in which the exemption has been so allowed; provided, however, that the assessors may refuse to allow an exemption in any subsequent year if they become aware that the veteran or person did not satisfy all of the requisites of this section at the time the exemption was first granted.

In any city or town accepting the provisions of this paragraph, the excise imposed by this chapter shall not apply to a motor vehicle owned and registered by or leased to a resident who is in active and full-time military service as a member in the armed forces of the United States or the national guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the commonwealth for a period of at least 45 days in the calendar year of the exemption. If the military member is wounded or killed in an armed conflict, he shall not be subject to the foregoing period of service qualification for the calendar year in which he is wounded or killed. This exemption shall apply only to a motor vehicle owned and registered by or leased to a military member in his own name or jointly with a spouse for a non-commercial purpose and a military member may qualify for this exemption for only 1 motor vehicle for each calendar year. A municipality which accepts the provisions of this paragraph shall, in connection with the issuance of warrant to collect unpaid motor vehicle or trailer excise tax from a delinquent taxpayer, add \$3 to the fee prescribed in clause 9 of section 15 of chapter 60. The acceptance

by a municipality of this paragraph shall take effect on the first day of January next occurring after the approval by the municipality to accept this paragraph.

A person who qualifies for any calendar year for exemption from the excise imposed by this section on a motor vehicle owned and registered or leased by him shall be entitled to the exemption upon application to the assessors for that year as provided in section 2 for the procedure of an owner aggrieved by the excise assessed. An application for exemption may be made by such person; his spouse, if the motor vehicle is jointly owned and registered or leased in the names of the person and spouse; or, if the person is deceased, a surviving spouse, administrator, executor or trustee of the estate, will or trust, as the case may be.

If a motor vehicle or trailer is originally registered after January thirty-first in any year, the excise under this section shall be that proportion of the excise for the full year which the number of months in said year following the month preceding that in which the motor vehicle or trailer is registered bears to twelve; but no excise shall be assessed on the same motor vehicle or trailer more than once in any calendar year by reason of the renewal of the registration of such vehicle within the calendar year, unless its ownership is transferred by sale or otherwise and its registration surrendered or it is registered after a surrender or expiration of registration upon removal of its owner to another state and registration in such other state. If during any calendar year ownership of a motor vehicle or trailer subject to an excise under this section is transferred by sale or otherwise and the registration of such motor vehicle or trailer is surrendered, or if during any calendar year the owner of a motor vehicle or trailer subject to such an excise removes to another state and registers such motor vehicle or trailer in such other state and surrenders or does not renew his registration in this state, the excise under this section shall be reduced upon application by an abatement equal to that proportion of an excise under this section on such motor vehicle or trailer for the full calendar year which the number of months in said year remaining after the month in which such transfer by sale or otherwise or such surrender or expiration of registration occurs bears to twelve; provided, however, that if in the month in which such transfer by sale or otherwise occurs, the person making such transfer registers another motor vehicle or trailer under chapter ninety and thereby becomes subject to an excise under this section on such other motor vehicle or trailer for such month, the excise under this section on the motor vehicle or trailer transferred shall be further reduced upon application as aforesaid by an abatement equal to one twelfth of a full calendar year's excise under this section on the motor vehicle or trailer transferred. If before an excise imposed under this section is assessed, notice of transfer by sale or otherwise and surrender of registration or of surrender or expiration of registration as aforesaid is received by the official or officials authorized to make the assessment, the excise shall be assessed in the amount to which it would be reduced by abatement as aforesaid. The excise imposed by this section shall in no event be less than five dollars; no abatement under this section shall reduce any such excise to less than five dollars; no abatement shall be granted in an amount less than five dollars; and no refund shall be paid in an amount less than five dollars.

The excise imposed by this section shall not apply to the registration by an inhabitant of any state other than this commonwealth or by a partnership, voluntary association or corporation which does not have a principal place of business in this commonwealth, of any motor vehicle or trailer to be customarily kept in another state; provided, such motor vehicle or trailer is also registered in such other state during the period when registered in this commonwealth, and if such other state does not impose an excise, privilege or property tax or fee in lieu of or in addition to a registration fee, or does not impose a registration fee at a rate greater than that required for registration in this commonwealth, upon motor vehicles or trailers, as the case may be, customarily kept in this commonwealth and registered by an inhabitant of this commonwealth, or by a partnership, voluntary association or corporation having its principal place of business in this commonwealth. The commissioner shall determine

what states do not impose such additional excise, privilege or property tax or fee, or registration fee or fee in lieu of such levies and his determination shall be final.

If a motor vehicle or trailer is stolen, the owner of such motor vehicle or trailer may apply for an abatement of excise, provided:

(1) The owner of the stolen vehicle or trailer has notified the local police authorities of the theft within forty-eight hours of discovery of the theft.

(2) The owner of the stolen motor vehicle or trailer has surrendered the certificate of registration of the stolen motor vehicle or trailer and has obtained a certificate, setting forth the facts, and signed by the registrar of motor vehicles or his authorized agent. Such surrender shall not be made sooner than thirty days subsequent to the date of the theft.

The excise may then be reduced by an abatement equal to that proportion of an excise under this section on such motor vehicle or trailer for the full calendar year which the number of months in said year remaining after the month in which such surrender of the certificate of registration occurs bears to twelve; provided, however, that should the motor vehicle or trailer be subsequently recovered and registered in the same calendar year by the same owner an additional excise which shall be that proportion of the excise for the full year which the number of months in said year following the month preceding that in which the motor vehicle or trailer is registered bears to twelve, shall be paid, notwithstanding any provisions of this section to the contrary. The commissioner or the assessors, as the case may be, may require that the owner of the stolen motor vehicle or trailer exhibit the certificate of surrender of registration and provide them with a written statement from the local police authorities certifying that such authorities were notified of the theft and that the stolen motor vehicle or trailer has not been recovered.

Whoever falsely reports the theft of a motor vehicle or trailer for the purposes of securing an abatement of excise shall forfeit a sum not larger than three times the excise due on the vehicle for the entire year, such sum to be recovered in a civil action brought by the city or town to which the excise was payable.