

MEETING DATE 10/10/05

**AGENDA ITEM Consideration Regarding Exempting
Vehicles Belonging to Certain Classification
of Veterans from Certain Municipal Parking
Regulations**

ATTACHMENTS

		Pages
1	Excerpt State of California Vehicle Code Sections 5101 3 Pearl Harbor Survivor, 5101 4 Legion of Valor, 5101 5 Former American Prisoner of War 5101 6 Congressional Medal of Honor and 5101 8 Purple Heart Recipient	1-4
2	City of Fresno, California, Municipal Code Article 24 Specified Veterans' Permit Parking	5

ATTACHMENT NO 1



California Vehicle Code Division 3 - Registration of Vehicles and Certificates of Title

5101 3 Pearl Harbor Survivor Plates

5101 3 (a) Any person otherwise eligible under this article who qualifies under subdivision (b) may apply for special license plates that shall run in a separate numerical series and shall contain the words "Pearl Harbor Survivor". The plates may be issued for any vehicle except a vehicle used for transportation for hire, compensation, or profit, or a motorcycle which is owned or co-owned by the person.

(b) To qualify for issuance of the special plates, the applicant by satisfactory proof shall show all of the following:

(1) The applicant was a member of the United States Armed Forces on December 7, 1941, and received an honorable discharge from military service.

(2) The applicant was on station at Pearl Harbor, the Island of Oahu, or offshore within a distance of three miles, on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. Hawaii time, as certified by a California chapter of the Pearl Harbor Survivors Association.

(c) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(d) Sections 5106 and 5108 do not apply to this section.

Amended Sec. 2, Ch. 114, Stats. 1997, Effective January 1, 1998.

Amended Sec. 1, Ch. 612, Stats. 1999, Effective January 1, 2000.

5101 4 Legion of Valor License Plates

5101 4 (a) Any person otherwise eligible under this article who is a recipient of the Army Medal of Honor, Navy Medal of Honor, Air Force Medal of Honor, Army Distinguished Service Cross, Navy Cross, or Air Force Cross may apply for special license plates for the vehicle under this article.

(b) The applicant, by conclusive evidence, shall show that the applicant is a recipient of one of the nation's highest decorations for valor, as specified in subdivision (a).

(c) The special license plates issued under this section shall contain the words 'Legion of Valor' and shall run in a regular numerical series. An adhesive sticker denoting which of the nation's highest decorations for valor as specified in subdivision (a) is held by the applicant shall be affixed in a recess provided for it on the license plates.

(d) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(e) Sections 5106 and 5108 do not apply to this section.

Added Ch 358 Stats 1991 Effective January 1 1992
Amended Ch 392 Stats 1993 Effective January 1 1994
Amended Sec 2 Ch 612 Stats 1999 Effective January 1 2000

5101.5 Special License Plates Former American Prisoners of War

5101.5 (a) Any person otherwise eligible under this article who is a former American prisoner of war may apply for special license plates for the vehicle under this article. The special plates assigned to the vehicle shall run in a separate numerical series and contain a replica design of the American Prisoner of War Medal followed by the letters 'POW' and four numbers. The special license plates issued under this subdivision also shall contain the following words: 'Ex-Prisoner of War'. The department shall, pursuant to this article, reserve and issue the license plates provided for by this section only to persons who show by satisfactory proof his or her former prisoner of war status. Any person otherwise issued license plates within this series pursuant to this article prior to January 1 1982 may retain them.

(b) Special license plates may be issued pursuant to subdivision (a) only for a vehicle owned or co-owned by a former American prisoner of war.

(c) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(d) Any vehicle exempted from fees by Section 9105 and by Section 10783 of the Revenue and Taxation Code shall lose the exemption upon the death of the former American prisoner of war.

(e) Sections 5106 and 5108 do not apply to this section.

(f) The department shall recall all former prisoner-of-war license plates issued pursuant to this section prior to January 1 1999 and shall issue to the holder of those plates without charge the revised plates authorized by this section

(g) This section shall become operative on July 1 1999

Added Sec 4 Ch 563 Stats 1998 Effective January 1 1999 Operative July 1 1999

5101 6 Congressional Medal of Honor

5101 6 (a) Any person otherwise eligible under this article who is a Congressional Medal of Honor recipient may apply for special license plates for the vehicle under this article The special license plates assigned to the vehicle shall run in a separate numerical series and shall have inscribed on the license plate the words "Congressional Medal of Honor" or "Medal of Honor " The department shall reserve and issue the special license plates to all applicants providing the proof required by subdivision (b)

(b) The applicant shall by satisfactory proof show that the applicant is a Congressional Medal of Honor recipient

(c) Special license plates may be issued pursuant to subdivision (a) only for a vehicle owned or co-owned by a Congressional Medal of Honor recipient

(d) Upon the death of a person issued special license plates pursuant to this section his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section Upon the death of the spouse the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration whichever occurs first

(e) Any vehicle exempted from fees by Section 9105 and by Section 10783 of the Revenue and Taxation Code shall lose the exemption upon the death of the Congressional Medal of Honor recipient

(f) Sections 5106 and 5108 do not apply to this section

Amended Ch 392 Stats 1993 Effective January 1 1994

5101 8 Purple Heart Recipient Plates

5101 8 (a) Any person otherwise eligible under this ()¹ **article** who is a Purple Heart recipient may apply for special license plates for vehicles that are not used for transportation for hire compensation or profit under this article The special plates assigned to the vehicle shall run in a separate numerical series shall have inscribed on the plate the Purple Heart insignia and shall contain the words "Combat Wounded and Purple Heart" or at least the letters "PH" as part of the numerical series The

department shall reserve and issue the special plates to all applicants providing the proof required by subdivision (b)

(b) The applicant by satisfactory proof shall show that the applicant is a Purple Heart recipient

(c) Special plates may be issued pursuant to subdivision (a) only for a vehicle owned or co-owned by a Purple Heart recipient ()²

(d) Upon the death of a person issued special license plates pursuant to this section his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section Upon the death of the spouse the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration whichever occurs first

(e) When an applicant for the Purple Heart license plate qualifies as a disabled veteran as specified in subdivision (b) of Section 22511 55 the applicant may also apply for a distinguishing placard described in subdivision (a) of Section 22511 55 to be used in conjunction with the Purple Heart license plate for the purpose of allowing special parking privileges pursuant to subdivision (a) of Section 22511 5 ()³

(f) Sections 5106 and 5108 do not apply to this section

Amended Sec 171 Ch 91 Stats 1995 Effective January 1 1996

Amended Sec 3 Ch 612 Stats 1999 Effective January 1 2000 Amended Sec 1 Ch 201 Stats 2004 Effective January 1 2005

The 2004 amendment added the italicized material and at the point(s) indicated deleted the following

1 "Article'

2 and may not be transferred to any other person including the co-owner of the vehicle The special plates shall be surrendered to the department upon the death of the Purple Heart recipient"

3 (e)

ATTACHMENT NO 2

MUNICIPAL CODE City of Fresno, California

ARTICLE 24 SPECIFIED VETERANS' PERMIT PARKING

Sec 10-2401 Definitions

Sec 10-2402 Privileges of Veterans Parking Permits

Sec 10-2403--10-2410 (Repealed)

SECTION 10-2401 DEFINITIONS

(a) Unless the particular provision or the context otherwise requires the definitions and provisions contained in this section shall govern the construction meaning and application of words and phrases used in this article and except to the extent that a particular word or phrase is otherwise specifically defined in this section the definitions and provisions contained in Article 3 of Chapter 1 of this Code shall also govern the construction meaning and application of words and phrases used in this article unless the particular provisions or the context otherwise requires The definition of each word or phrase shall constitute to the extent applicable the definition of each word or phrase which is derivative from it or from which it is a derivative as the case may be

(b) "Motor vehicle" means an automobile truck motorcycle or other motor-driven form of transportation not in excess of 6 000 pounds gross weight

(c) Veterans License Plate means a valid license plate issued by the California Department of Motor vehicles under Vehicle Code Section 5101 4 5101 5 5101 6 and 5101 8 or such other statutes as later enacted which provide for the issuance of license plates to Medal of Honor recipients Legion of Valor recipients Purple Heart recipients Pearl Harbor Survivors and Former Prisoners of War and such other plates issued by another state which indicate a similar status

(d) Controlled parking space for purposes of this Article means a parking space in a city-owned lot or space in a time restricted zone of one hour or more or a metered space "Controlled parking space does not mean a space assigned to city employees a time controlled space of less than one hour or space dedicated to disabled persons (Added Ord 96-27 § 2 eff 5-10-96 Am Ord 96-75 § 2 eff 1-17-97)

SECTION 10-2402 PRIVILEGES OF VETERANS' PARKING LICENSES A person may park a motor vehicle upon which a Veterans Parking license is displayed in any controlled parking space without charge (Added Ord 96-27 § 2 eff 5-10-96 Am Ord 96-75 § 2 eff 1-17-97)

Editor's note Ord 96-75 § 4 effective January 17 1997 repealed former Section 10-2402 § 4 of said ordinance renumbered former § 10-2403 as a new § 10-2402
SECTIONS 10-2403--10-2410 REPEALED

Editor's note Ord 96-75 § 5 effective January 17 1997 repealed former Sections 10-2404--10-2410

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