

Date of Hearing: April 25, 2022

ASSEMBLY COMMITTEE ON TRANSPORTATION
Laura Friedman, Chair
AB 2837 (Cristina Garcia) – As Introduced February 18, 2022

SUBJECT: Vehicles: disabled veterans

SUMMARY: Reduces the disability rating required to be considered a disabled veteran from 100% to 70% for veterans that meet the definition of “disabled veteran”.

EXISTING LAW:

- 1) For motor vehicle purposes, defines a “disabled veteran” as any person who, as a result of injury or disease suffered while on active service with the armed forces of the United States, suffers any of the following:
 - a) Has a disability which has been rated at 100% by the Department of Veterans Affairs (CalVet) or the military service from which the veteran was discharged, due to a diagnosed disease or disorder which substantially impairs or interferes with mobility.
 - b) Is so severely disabled as to be unable to move without the aid of an assistant device.
 - c) Has lost, or has lost use of, one or more limbs; and,
 - d) Has suffered permanent blindness, as defined in Section 19153 of the Welfare and Institutions Code.
- 2) Requires the Department of Motor Vehicles (DMV) to issue to a qualifying veteran a disabled veteran placard or license plates.
- 3) Permits a vehicle with a disabled veteran license plates or placard to use designated disabled parking spaces.
- 4) Exempts from all fees for duplicate license plates, duplicate certificates, or duplicate cards, for a single vehicle subject to registration, and that is not used for transportation for hire, compensation, or profit, any of the following:
 - a) A disabled veteran.
 - b) A former American prisoner of war.
 - c) The surviving spouse of a former American prisoner of war who has elected to retain the issued special license plates issued.
 - d) A Congressional Medal of Honor recipient; and,
 - e) The surviving spouse of a Congressional Medal of Honor recipient who has elected to retain the issued special license plates.

FISCAL EFFECT: Unknown

COMMENTS: *Disability Rating and Compensation by the U.S. Department of Veterans Affairs (USDVA):* Disability ratings are assigned in 10 point increments, from 10 to 100%. A 100-percent disabled veteran is very likely going to depend heavily upon disability compensation from the USDVA. The amount of compensation is based on the severity of the disability, and the size of the veteran’s household, including dependent parents.

It is difficult to determine what injuries or conditions with ratings between 70 and 90% would qualify a veteran under this bill. Some partial amputations are lower than 100%, but meet the criterion for limb loss. A 70% rating is awarded for “markedly severe residual weakness, pain or limitation of motion following implantation of (hip) prosthesis,” and may meet the definition of “substantial” impairment or interference with mobility.

According to the author, “AB 2837 addresses one component of what constitutes a “Disabled Veteran” in California Vehicle Code. Of the four circumstances defining what is a disabled veteran the most controversial relies on a disability rating that could rate a veteran with more than one service related injury over 100%, or on the lower side percentage wise. This bill solely modifies the rating requirement of what is a disabled veteran. California like other states administers the Disabled Veteran License Plate program; for entry into the program a veteran must meet one of the four criterion stipulated in Vehicle Code as prerequisite. In 2020 there were 81,000 veterans rated at 100%, however an additional 120,000+ veterans were rated between 70 & 90%. I recognize there are four criteria of which any one meet the requirements that allow entry into the DVLP program, however we could make it easier for those veterans rated at 70%+ and show appreciation for their sacrifices.”

Committee comments: The purpose of the disabled veteran license plate is to grant use of disabled parking spaces to veterans who have been disabled through military service to a degree that necessitates the use of those parking spaces, under criteria unique to disabled veterans. This bill amends the required rating from 100 to 70%, but it does not change the requirement that the connected disability “substantially impairs or interferes with mobility.” Any single one of the other three eligibility criteria is also sufficient to establish eligibility. It is not immediately clear whether this change will substantially expand the number of veterans who will qualify for disabled veteran plates. If it does, this may result in increased demand for disabled parking spaces.

Related and previous legislation: AB 408 (Frazier), Chapter 42, Statutes of 2020 - required the DMV to accept a certificate certifying a veteran is disabled for the purpose of a disability license plate from a County Veteran Service Officer (CVSO) or the CalVet.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Aaron Kurz / TRANS. / (916) 319-2093