

[§§ 3772 to 3775. Renumbered §§ 2051 to 2054]

CHAPTER 39—AUTOMOBILES AND ADAPTIVE EQUIPMENT FOR CERTAIN DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES

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CODIFICATION

This chapter as added by Pub. L. 91-666, §2(a), Jan. 11, 1971, 84 Stat. 1998, constitutes a general revision of the provisions of a prior chapter 39, as enacted by Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1215, and amended thereafter. The analysis in the original consisted of the following provisions:

“Automobiles For Disabled Veterans” in the chapter heading.

“Veterans eligible for assistance” in item 1901.

“Limitation on types of assistance furnished and veterans otherwise entitled” in item 1902.

“Limitation on amounts paid by United States” in item 1903.

“Prohibition against duplication of benefits” in item 1904.

“Applications” in item 1905.

AMENDMENTS

1991—Pub. L. 102-83, §5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 1901 to 1904 as 3901 to 3904, respectively.

1976—Pub. L. 94-581, title II, §205(b)(1), Oct. 21, 1976, 90 Stat. 2858, struck out “; coordination with other Federal programs” in item 1904.

1974—Pub. L. 93-538, §§4(c), 5(b), Dec. 22, 1974, 88 Stat. 1737, inserted “; special training courses” in item 1903, and added item 1904.

§ 3901. Definitions

For purposes of this chapter:

(1) The term “eligible person” means the following:

(A) Any veteran entitled to compensation under chapter 11 of this title for any of the following disabilities, if the disability is the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service:

(i) The loss or permanent loss of use of one or both feet.

(ii) The loss or permanent loss of use of one or both hands.

(iii) The 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.

(iv) A severe burn injury (as determined pursuant to regulations prescribed by the Secretary).

(B) Any member of the Armed Forces serving on active duty who is suffering from any disability described in clause (i), (ii), (iii), or

(iv) of subparagraph (A) if such disability is the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service.

(2) The term “adaptive equipment” includes, but is not limited to, power steering, power brakes, power window lifts, power seats, and special equipment necessary to assist the eligible person into and out of the automobile or other conveyance. Such term also includes (A) air-conditioning equipment when such equipment is necessary to the health and safety of the veteran and to the safety of others, regardless of whether the automobile or other conveyance is to be operated by the eligible person or is to be operated for such person by another person; and (B) any modification of the size of the interior space of the automobile or other conveyance if needed because of the physical condition of such person in order for such person to enter or operate the vehicle.

(Added Pub. L. 91-666, §2(a), Jan. 11, 1971, 84 Stat. 1998, §1901; amended Pub. L. 93-538, §2, Dec. 22, 1974, 88 Stat. 1736; Pub. L. 94-433, title III, §303, Sept. 30, 1976, 90 Stat. 1377; Pub. L. 95-116, §1(a), Oct. 3, 1977, 91 Stat. 1062; renumbered §3901, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 111-275, title VIII, §803(a), (b), Oct. 13, 2010, 124 Stat. 2889.)

AMENDMENTS

2010—Pub. L. 111-275, §803(b)(1), substituted “chapter:” for “chapter—” in introductory provisions.

Par. (1). Pub. L. 111-275, §803(b)(2)(A), substituted “means the following:” for “means—” in introductory provisions.

Par. (1)(A). Pub. L. 111-275, §803(a)(1)(A), (b)(2)(B)(i), in introductory provisions, substituted “Any veteran” for “any veteran” and “the following disabilities” for “the disabilities described in subclause (i), (ii), or (iii) below”.

Par. (1)(A)(i), (ii). Pub. L. 111-275, §803(b)(2)(B)(ii), substituted period for semicolon at end.

Par. (1)(A)(iii). Pub. L. 111-275, §803(b)(2)(B)(iii), substituted period for “; or” at end.

Par. (1)(A)(iv). Pub. L. 111-275, §803(a)(1)(B), added cl. (iv).

Par. (1)(B). Pub. L. 111-275, §803(a)(2), (b)(2)(C), substituted “Any member” for “any member” and “clause (i), (ii), (iii), or (iv) of subparagraph (A)” for “subclause (i), (ii), or (iii) of clause (A) of this paragraph”.

1991—Pub. L. 102-83 renumbered section 1901 of this title as this section.

1977—Par. (1). Pub. L. 95-116 struck out “on or after September 16, 1940” after “or air service” in cls. (A) and (B).

1976—Par. (1). Pub. L. 94-433, §303(1), (2), substituted “on or after September 16, 1940” for “during World War II or thereafter” in cls. (A) and (B).

1974—Par. (1)(A). Pub. L. 93-538, §2(1), substituted “World War II or thereafter” for “World War II, or the Korean conflict; or if the disability is the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service performed after January 31, 1955, and the injury was incurred or the disease was contracted in line of duty as a direct result of the performance of military duty.”

Par. (1)(B). Pub. L. 93-538, §2(2), substituted “World War II or thereafter” for “World War II, the Korean conflict, or the Vietnam era; or if such disability is the result of an injury incurred or disease contracted in or aggravated by any other active military, naval, or air service performed after January 31, 1955, and the injury was incurred or the disease was contracted in line of duty as a direct result of the performance of military duty.”