

SB

78

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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JUNEAU, ALASKA 99811
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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Hess:

April 2, 1987

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/20/87

FURTHER REFERRALS: Judiciary

DATE: 4/28/87

The Health, Education and Social Services Committee has considered CSSB 78(SA)

"An Act relating to unauthorized use of handicapped parking."

RECOMMENDS:

- replace with H CS CSSB 78 (HESS) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal notes published _____
- zero with analysis

SIGNING DO PASS:

Roll E. Pell

Wince Hunter

John Ellis

Nita Koponen

Bill Hudson

M. P. Rosenberg

David Doulet

SIGNING OTHER RECOMMENDATIONS:

Nita Koponen
Chairman's signature

John Ellis

CS for SB 78 An Act relating to unauthorized use of
handicapped parking

CONTENT SHEET

- 1 Copy of CS for SB 78 (State Affairs)
- 2 Fiscal Note, Alaska Court System, published 3/16/87
- 3 Fiscal Note, Public Safety, published 1/29/87
- 4 Position paper (with backup) from Senator Kerttula
- 5 Department of Transportation letter by Jane E. Harmon
dated 3/10/87 re Reciprocity Agreements
- 6 House Research Agency report of 2/11/87 to Niilo
Koponen
- 7 The Handicapped Driver's Mobility Guide
- 8) Memo, Michael Ford of LAA to Niilo Koponen, 4/24/87
- 9) CS for CS for SB 78 -Ford, 4/2~~8~~⁶/87
- 10) Sectional analysis of HCSCSSB 78 (HESS), Michael Ford,
4/2~~8~~⁶/87
- 11) House Research report, 4/14/87
- 12) Materials from Washington and Florida

700125

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

SENATE
BILL VERSION: CSSE 78(SA)
PUBLISH DATE: 3/16/87

REQUEST: _____

Revision Date:
Title: An Act Relating to
Handicap Parking
Sponsor: Kerttula
Requestor: Senate Judiciary

Agency Affected: Alaska Court System
BRU: Trial Courts
Components:

| EXPENDITURES/REVENUES: | | (Thousands of Dollars) | | | | | |
|------------------------|-------|------------------------|-------|-------|-------|-------|--|
| OPERATING | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 | FY 92 | |
| Personal Services | •••• | •••• | •••• | •••• | •••• | •••• | |
| Travel | •••• | •••• | •••• | •••• | •••• | •••• | |
| Contractual | •••• | •••• | •••• | •••• | •••• | •••• | |
| Supplies | •••• | •••• | •••• | •••• | •••• | •••• | |
| Equipment | •••• | •••• | •••• | •••• | •••• | •••• | |
| Land & Structures | •••• | •••• | •••• | •••• | •••• | •••• | |
| Grants & Claims | •••• | •••• | •••• | •••• | •••• | •••• | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| CAPITAL | •••• | •••• | •••• | •••• | •••• | •••• | |
| REVENUE | •••• | •••• | •••• | •••• | •••• | •••• | |

| FUNDING: | | (Thousands of Dollars) | | | | | |
|---------------|------|------------------------|------|------|------|------|--|
| General Funds | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| Federal Funds | •••• | •••• | •••• | •••• | •••• | •••• | |
| Other | •••• | •••• | •••• | •••• | •••• | •••• | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |

| POSITIONS: | | | | | | | |
|------------|------|------|------|------|------|------|--|
| Full-time | •••• | •••• | •••• | •••• | •••• | •••• | |
| Part-time | •••• | •••• | •••• | •••• | •••• | •••• | |
| Temporary | •••• | •••• | •••• | •••• | •••• | •••• | |

ANALYSIS: _____

No fiscal impact.

Prepared by: Robert G. Fisher, Fiscal Officer
Division: Alaska Court System
Approved by: *Stephanie J. Cole*
Stephanie J. Cole, Deputy Director
Agency: Alaska Court System

Phone: 264-8215
Date: 1-28-87
Date: 1-28-87

- Distribution (by preparer):
- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management & Budget
- Impacted Agency(ies)
- Senate Secretary

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

SENATE
BILL VERSION: CSSB 78(SA)
PUBLISH DATE: 1/29/87

REQUEST
Revision Date: _____
Title: "An Act relating to unauthorized
use of handicapped parking."
Sponsor: Sen. Kerttula
Requestor: Senate State Affairs

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Detachments & C.I.B.

EXPENDITURES/REVENUES: (Thousands of Dollars)

| | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 | FY 92 |
|-------------------|-------|-------|-------|-------|-------|-------|
| OPERATING | | | | | | |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------|---|---|---|---|---|---|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|---------|---|---|---|---|---|---|

| | | | | | | |
|---------|--|--|--|--|--|--|
| REVENUE | | | | | | |
|---------|--|--|--|--|--|--|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|---|---|---|---|---|---|
| GENERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | | | | | |

POSITIONS:

| | | | | | | |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5691
Date: 1/26/87

Approved by Commissioner: William R. Mix
Agency: Public Safety

Date: 1/26/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary



Official Business

Alaska State Legislature

Senate

P.O. BOX V
State Capitol
Juneau, Alaska 99811

April 1, 1987

CSSB 78

An Act relating to unauthorized use of handicapped parking.

Sponsor Synopsis

This bill will give the state troopers the authority to give tickets and the court system the jurisdiction to collect fines in areas where there is not a municipal ordinance covering handicapped parking.

There are now areas where there are no ordinances. CSSB-56 will allow for state enforcement in those areas, thus closing a loophole in present law.

The bill also sets up a statutory fine schedule. An offender will be fined no less than \$100.00 for parking in a handicapped parking place (since this is an infraction the maximum fine will be \$300.00).

The Department of Motor Vehicles supports this legislation as necessary for enforcing unauthorized use of handicapped parking. The State Troopers also support the bill.

This bill is a step toward making life a bit simpler and easier for the handicapped by enacting a deterrent to unlawfully parking in handicapped spaces.

PUBLIC OPINION MESSAGE

DEAR: SENATOR ABOOD

NAME: BOB NESTEL
TITLE:
ADDRESS: 16810 EASY ST., #2
CITY: EAGLE RIVER
PHONE: 694-4372
BILL NO: SB 78

ZIP: 99577

SUBJECT: MOTOR VEHICLES; HANDICAPPED PARKING
MESSAGE: THIS IS TESTIMONY FOR THE STATE AFFAIRS MEETING, 1/26/87. I HAVE BEEN HANDICAPPED FOR TEN YEARS. H OF A HANDICAPPED PARKING ORDINANCE SHOULD BE A MODEL. SUGGEST A CHANGE SO VIOLATORS ON PUBLIC OR PRIVATE PROPERTY ARE SUBJECT TO A FINE NOT EXCEEDING \$100 OR TWO DAYS OF COMMUNITY SERVICE WORK.

POIID: 03081303
DATE: 01/23/87
TIME: 08:13:03
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES SENATORS

COTTEN
PHILLIPS

UEHLING
FAIKS
HENSLEY
JOSEPHSON
KELLY
HALFORD
KERTTULA

BILL NO: SB 78

DATE: 1/26/87

TITLE: "An Act relating to unauthorized use of handicapped parking.

CONTACT: Maj. Walter J. Gilmour
Acting Director

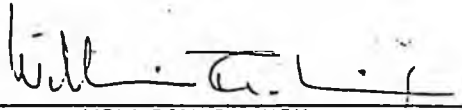
DEPARTMENT OF
PUBLIC SAFETY

POSTMASTER /

The Division of Alaska State Troopers supports passage of this legislation.

Too often citizens ignore the necessity of handicapped parking restrictions. No state statute has previously existed to enforce handicapped parking, only municipal ordinances in certain jurisdictions.

Passage of this bill will provide statutory authority to state and local law enforcement agencies to enforce handicapped parking restrictions.



WILLIAM R. NIX
Acting Commissioner



Department of Transportation
MOTOR VEHICLES DIVISION

1905 LANA AVENUE N.E., SALEM, OREGON 97314

March 10, 1987

Carla Hart
House Research Agency
P. O. Box Y
Juneau, Alaska 99811-3100

RE: Handicapped Parking Reciprocity Agreements

Dear Carla:

As we discussed by telephone today, I am forwarding to you copies of documents pertaining to an international program to achieve handicapped parking reciprocity between all states and Canadian Provinces.

This program is the result of several years work through jurisdiction's participation in the American Association of Motor Vehicle Administrators (AAMVA). ~~I am enclosing a pamphlet that provides information on that group for your review.~~ You can see that the participation in this association provides all of us with a vehicle to share valuable information, ideas and concerns. Additionally, by meeting together several times a year, we readily identify contacts in other jurisdictions, who we grow to depend upon throughout the years.

When you have had an opportunity to review this packet, please feel free to call me to discuss it further. My telephone number is (503)378-4734.

Sincerely,

Jane E. Harmon, Manager
Special Programs Section
Vehicle Services

Encls.
JEH:j

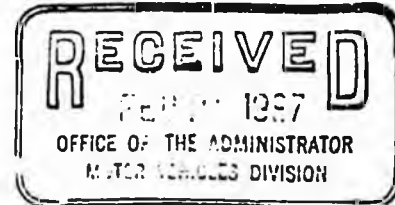


State of Florida DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

LEONARD R. MELLON
Executive Director
Neil Kirkman Building, Tallahassee, Florida 32399-0500

BOB MARTINEZ
Governor
GEORGE FIRESTONE
Secretary of State
BOB BUTTERWORTH
Attorney General
GERALD LEWIS
Comptroller
BILL GUNTER
Treasurer
DOYLE CONNER
Commissioner of Agriculture
BETTY CASTOR
Commissioner of Education

February 17, 1987



David P. Moomaw, Administrator
Motor Vehicles Division
1905 Lana Avenue, N.E.
Salem, Oregon 97314

Dear Mr. Moomaw:

The American Association of Motor Vehicle Administrators (AAMVA) Ad Hoc Committee on Handicapped Reciprocity is conducting an international program to achieve handicapped parking reciprocity between all states and Canadian Provinces. Your assistance in making this program a success is imperative.

On September 10, 1986, at the AAMVA International Conference in Salt Lake City, Utah, the RTVDM Committee nominated Florida to chair the Ad Hoc Committee on Handicapped Reciprocity for the purpose of developing a program that would achieve handicapped reciprocity internationally. To achieve our goal, that is to obtain handicapped parking reciprocity between all states and Canadian Provinces prior to the September 1987 AAMVA International Conference in Washington, D.C., we are asking that you submit a request for reciprocity to all other States and Provinces. In an effort to assist you, we have enclosed a mailing list of names and addresses of those individuals in each jurisdiction through whom reciprocity may be obtained.

Two proposed reciprocity agreements are attached for your use for State reciprocity agreements and Canadian Province reciprocity agreements. Florida has successfully used these agreements with 43 other jurisdictions with the exception of the following:

Amended agreement to exclude free metered parking:

| | |
|-------------|----------|
| Arizona | Michigan |
| Connecticut | Missouri |
| Indiana | Nebraska |
| Iowa | |

Amended agreement to include "DV" and "DP" plates:

California

Amended agreement to reference statute:

New Jersey

Reciprocates on plates only--taglets and decals are not allowable:

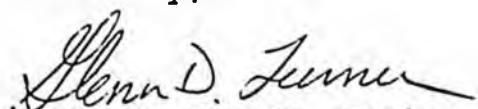
Vermont

Also, as a monitoring and reporting device, we have enclosed a National Handicapped Reciprocity Chart which will be maintained by the Committee. Periodic reports will be submitted to each jurisdiction reflecting new agreements as they are obtained and reported to this committee. If your jurisdiction already has handicapped reciprocity agreements with other States or Provinces which are not indicated on the charts, please advise as soon as possible in order that the committee may report your current success nationally.

Please keep in mind that if 43 jurisdictions could reciprocate with Florida (see attached Florida Report), then the same 43 jurisdictions can reciprocate with each other by simply mailing a letter of request, a proposed agreement, and obtaining the necessary signatures.

Your assistance in successfully pursuing handicapped parking reciprocity with all other jurisdictions will go a long way toward helping some of our most valuable citizens. Let's do it now!

Sincerely,


GLENN D. TURNER, Chairman
AAMVA Ad Hoc Committee on
Handicapped Reciprocity
Neil Kirkman Building, A-114
Tallahassee, Florida 32399-0626
(904) 488-6921

CANADIAN PROVINCE - STATE AGREEMENT

STATE OF _____

MEMORANDUM OF UNDERSTANDING REGARDING
PARKING PRIVILEGES FOR VEHICLES DISPLAYING
THE "INTERNATIONAL SYMBOL OF ACCESSIBILITY"

WHEREAS, the _____ (State) _____ Vehicle Law provides that the State of _____ may designate parking spaces for use by a person who has been issued a special registration plate for disabled persons or a disabled persons parking permit.

WHEREAS, the State of _____ will provide by a common "Memorandum of Understanding" that mutual recognition may be provided to a person for whom special plates or a disabled persons parking permit are issued entitling such person to certain privileges, regardless of whether the special plate or disabled persons parking permit is issued under _____ (State) _____ Vehicle Law or a similar provision of any Canadian Province.

WHEREAS, in _____ (State) _____, the person for whom a special plate or a disabled persons parking permit is issued:

1. May park in specially designated and marked motor vehicle parking spaces reserved for their use;
2. May park without the payment of any fees on the public streets or highways of this state; and
3. is not required to pay any parking meter fees of the state, any county, municipality, or any agency of this state.

WHEREAS, the provisions of the _____ (State) _____ Vehicle Law cited in paragraph 3 supersede any local ordinance, except that they do not apply:

1. To clearly defined bus loading zones, fire zones, or areas posted as "No Parking" zones; or
2. Where there is a local ordinance that prohibits parking during heavy traffic periods in morning, afternoon, or evening rush hours, or where parking clearly would present a traffic hazard.

WHEREAS, both the Canadian Province of _____ and the State of _____ extend certain parking privileges to handicapped persons displaying distinguishing license plates or identification cards or placards; and

WHEREAS, the Canadian Province of _____ and the State of _____, in order to effectuate an understanding of reciprocal parking privileges for handicapped persons, declare it to be in the best interests of the Canadian Province of _____ and the State of _____ to enter into such understanding.

NOW THEREFORE, the Canadian Province of _____ agrees to grant the same parking privileges to handicapped persons who are residents of the State of _____ as are extended to handicapped persons who are residents of the Canadian Province of _____. The State of _____ agrees to grant the same parking privileges to handicapped persons who are residents of the Canadian Province of _____ as

are extended to handicapped persons who are residents of the State of _____. Such privileges will be granted only when the vehicle used by such a handicapped person is properly identified by some special license plate, tab, device, identification card, placard, or other visible means of identification, issued by the resident jurisdiction and such identifying device bears the international symbol of accessibility.

This Memorandum of Understanding shall become effective on _____ and shall be in force thereafter until modified or canceled by either party upon thirty days written notice.

STATE OF _____

CANADIAN PROVINCE OF _____

DATE _____

DATE _____

BY _____

BY _____

STATE OF _____

DECLARATION OF RECIPROCITY REGARDING
PARKING PRIVILEGES FOR VEHICLES DISPLAYING
THE "INTERNATIONAL SYMBOL OF ACCESS"

WHEREAS, the _____ (State) _____ Vehicle Law provides that the State of _____ may designate parking spaces for use by a person who has been issued a special registration plate for disabled persons or a disabled person's parking permit.

WHEREAS, the _____ (State) _____ Vehicle Law provides that a person for whom special plates or a disabled person's parking permit are issued is entitled to certain privileges, regardless of whether the special plates or disabled person's parking permit are issued under the _____ (State) _____ Vehicle Law or a similar provisions of any other state.

WHEREAS, in _____ (State) _____, the person for whom special plates or a disabled person's parking permit:

1. May park in specially designated and marked motor vehicle parking spaces reserved for their use;
2. May park without the payment of any fees on the public streets or highways of this state; and
3. Is not required to pay any parking meter fees of the state, any county, municipality, or any agency of this state.

WHEREAS, the provisions of the _____ (State) _____ Vehicle Law cited in paragraph 3 supersede any local ordinance, except that they do not apply:

1. To clearly defined bus loading zones, fire zones, or in areas posted as "No Parking" zones; or

2. Where there is a local ordinance that prohibits parking during heavy traffic periods in morning, afternoon, or evening rush hours, or where parking clearly would present a traffic hazard.

WHEREAS, both the State of _____ and the State of _____ extend certain parking privileges to handicapped persons displaying distinguishing license plates or identification cards or placards; and

WHEREAS, the State of _____ and the State of _____, in order to effectuate a program of reciprocal parking agreements for handicapped persons, declare it to be in the best interests of the State of _____ and the State of _____ to enter into such agreement.

NOW THEREFORE, the State of _____ agrees to grant the same parking privileges to handicapped persons who are residents of the State of _____ as are extended to handicapped persons who are residents of the State of _____. The State of _____ agrees to grant the same parking privileges to handicapped residents of the State of _____ as are extended to handicapped persons who are residents of the State of _____. Such privileges will be granted only when the vehicle used by such a handicapped person is properly identified by some special license plate, tab, device, identification card, placard, or other visible means of identification, issued by the resident jurisdiction and such identifying device bears the international symbol of accessibility.

This Letter of Understanding shall become effective _____ and shall be in force thereafter until modified or can led by either party upon thirty days written notice.

STATE OF _____

STATE OF _____

DATE _____

DATE _____

BY _____

BY _____

BY _____

BY _____

Robert B. McCain, Director
Motor Vehicle Division
Post Office Box 104
Montgomery, Alabama 36130

Lt. Col. James D. Vaden, Director
Division of Motor Vehicles
Post Office Box 100960
Anchorage, Alaska 99510

Juan Martin, Jr., Division Director
Motor Vehicle Division
1801 W. Jefferson Street
Phoenix, Arizona 85007

Fred D. Porter, Administrator
Office of Motor Vehicles
Post Office Box 1272
Little Rock, Arkansas 72103

A. A. Pierce, Director
Department of Motor Vehicles
Post Office Box 11828
Sacramento, California 95853

Frank A. Mansheim, Jr., Director
Motor Vehicle Division
140 W. 6th Avenue
Denver, Colorado 80204

Benjamin A. Muzio, Commissioner
Department of Motor Vehicles
60 State Street
Wethersfield, Connecticut 06109

Robert J. Voshell, Director
Division of Motor Vehicles
Post Office Box 698
Dover, Delaware 19903

Lawrence Greenberg, Chief
Bureau of Motor Vehicle Services
301 C Street NW, Room 1018
Washington, D.C. 20001

Colonel Hugh Hardison, Commissioner
Department of Public Safety
Post Office Box 1456
Atlanta, Georgia 30371-2303

L. P. Mac Sheesley
Motor Vehicle Bureau
Post Office Box 34
Boise, Idaho 83731-0034

Sam McGaw, Director
Vehicle Services Department
Centennial Building
Springfield, Illinois 62756

Michael Packard, Commissioner
Bureau of Motor Vehicles
100 North Senate Avenue
Indianapolis, Indiana 46204

Gordon A. Sweitzer, Director
Motor Vehicle Division
Iowa Department of Transportation
5268 N.W. Second Avenue
Des Moines, Iowa 50313

Harold B. Turntine
Vehicle Services Administrator
Division of Vehicles
State Office Building
Topeka, Kansas 66626-0001

John K. Penrod, Commissioner
Department of Vehicle Regulation
State Office Building, Room 1001
Frankfort, Kentucky 40622

John J. Politz, Assistant Secretary
Office of Motor Vehicles
Post Office Box 64886
Baton Rouge, Louisiana 70896

Linwood Ross, Deputy Secretary of State
Motor Vehicle Division
State House Station #29
Augusta, Maine 04333

W. Marshall Rickert, Administrator
Maryland Department of Transportation
6601 Ritchie Highway, N.E.
Glen Burnie, Maryland 21062

Alan A. Mackey, Registrar
Registry of Motor Vehicles
100 Nashua Street
Boston, Massachusetts 02114

Lars Syverson, Secretary
Michigan Highway Reciprocity Board
7064 Crowner Drive
Lansing, Michigan 48918

Paul J. Tschida, Commissioner
Department of Public Safety
211 Transportation Building
St. Paul, Minnesota 55155

A. C. Lambert, Sr.
State Tax Commission
Post Office Box 1033
Jackson, Mississippi 39205

Jackie Kemmer, Executive Secretary
Highway Reciprocity Commission
1014 Madison Street
Jefferson City, Missouri 65101

Larry G. Majerus, Administrator
Motor Vehicle Division
303 North Roberts
Helena, Montana 59620

Holly Jensen, Director
Department of Motor Vehicles
301 Centennial Mall South
Lincoln, Nebraska 68509

Hale Bennett
Department of Motor Vehicles
Registration Division
Carson City, Nevada 89711

Kenneth H. Lewis, Assistant Director
Division of Motor Vehicles
James H. Hayes Safety Building
Hazen Drive
Concord, New Hampshire 03305

Robert S. Kline, Acting Director
Division of Motor Vehicles
25 South Montgomery Street
Trenton, New Jersey 08666

A. Austin Basham, Director
Motor Vehicle Division
Manual Lujan, Sr., Building
Santa Fe, New Mexico 87503

Patricia Adduci, Commissioner of Motor
Vehicles
Swan Street Building
Empire State Plaza
Albany, New York 12228

William S. Hiatt, Commissioner
Division of Motor Vehicles
1100 New Bern Avenue
Raleigh, North Carolina 27697

Bruce Larson, Registrar
Motor Vehicle Department
Capitol Grounds
Bismarck, North Dakota 58505-0176

William H. Denihan, Director
Ohio Department of Highway Safety
240 Parsons Avenue
Post Office Box 7167
Columbus, Ohio 43266-0563

Joe H. Wall, Director of Administration
Vehicle Inspection Division
Oklahoma Department of Public Safety
Post Office Box 11415
Oklahoma City, Oklahoma 73136-0415

David P. Moomaw, Administrator
Motor Vehicles Division
1905 Lana Avenue, N.E.
Salem, Oregon 97314

John J. Zogby, Deputy Secretary
Safety Administration
1200 Transportation & Safety Building
Harrisburg, Pennsylvania 17120

Segundo Alicea Huertas, Director
Motor Vehicles
Post Office Box 41269/Minillas Station
Santurce, Puerto Rico 00940

Thomas M. Harrington, Deputy Director
Division of Motor Vehicles
State Office Building
Providence, Rhode Island 02903
ATTN: Richard Bishop

Will Utsey, Director
Motor Vehicle Division
Post Office Drawer 1498
Columbia, South Carolina 29216

Michael D. Oakland, Director
Division of Motor Vehicles
118 West Capitol Avenue
Pierre, South Dakota 57501

Kathy Celaur, Commissioner
Department of Revenue
500 Deaderick Street
Nashville, Tennessee 37242

Dian Neill, Director
Motor Vehicle Division
West 40th and Jackson Avenue
Austin, Texas 78779

Ronald L. Posselli, Director of
Motor Vehicles
1095 Motor Avenue
State Fairgrounds
Salt Lake City, Utah 84116

William H. Conway, Jr.
Commissioner
Department of Motor Vehicles
Montpelier, Vermont 05603

Donald E. Williams, Commissioner
Division of Motor Vehicles
Post Office Box 27412
Richmond, Virginia 23269

Paul W. Downey, Assistant Administrator
Prorate and Reciprocity
Department of Licensing
Post Office Box 9904
Olympia, Washington 98504

L. W. Bechtold, Commissioner
Department of Motor Vehicles
1800 Washington Street, East
Charleston, West Virginia 25317

Herbert K. Anderson, Administrator
Division of Motor Vehicles
Post Office Box 7911
Madison, Wisconsin 53707

Gerald Iverson, Director
Field Services Division
122 W. 25th Street, Herschler Building
Cheyenne, Wyoming 82002-1100

The Honourable Ken Rostad
Solicitor General
Alberta Transportation and Utilities
Legislature Building
Edmonton, Alberta CANADA
T5K 2B6

P. K. Jackman, Superintendent
Motor Vehicle Department
2631 Douglas Street
Victoria, British Columbia CANADA
V8T 5A3

John S. Plohman, Minister
Department of Highways & Transportation
203 Legislative Building
450 Broadway Avenue
Winnipeg, Manitoba CANADA
R3C 0V8

Douglas H. Seely, Registrar &
Director of Motor Vehicles
Motor Vehicle Division
Post Office Box 6000
Fredericton, New Brunswick CANADA
E3B 5H1

M. M. Haire, Registrar
Motor Registration Division
Viking Building
Crosbie Street
St. John's, Newfoundland CANADA
A1C 5T4

John E. Hill, Chairman
Highway Transport Board
Box 697
Yellowknife, Northwest Territories CANADA
X1A 2N5

Clifford J. Smith, P. Eng., Registrar
Registry of Motor Vehicles
6061 Young Street
Halifax, Nova Scotia CANADA
B3J 2N2

Thomas G. Smith, Asst. Deputy Minister
& Registrar of Motor Vehicles
Safety and Regulation Program
1201 Wilson Avenue
Downsview, Ontario CANADA
M3M 1J8

J. Glen Beaton, Director
Highway Safety Division
Post Office Box 2000
Charlottetown, PEI CANADA
C1A 7N8

Marc-Yvan Cote, Ministre
Ministre des Transports
700, boulevard St-Cyrille est
Quebec, Province of Quebec CANADA
G1R 5A9

W. R. McLaren, Chairman
Highway Traffic Board
2260 11th Avenue
Regina, Saskatchewan CANADA
S4P 3V7

Ronald G. Wilson, Registrar
Highways and Transportation
Box 2703
Whitehorse, Yukon Territory CANADA
Y1A 2C6



State of Florida
DEPARTMENT OF
HIGHWAY SAFETY AND MOTOR VEHICLES

LEONARD R. MELLON
Executive Director
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BOB BUTTERWORTH
Attorney General
GERALD LEWIS
Comptroller
BILL GUNTER
Treasurer
DOYLE CONNER
Commissioner of Agriculture
BETTY CASTOR
Commissioner of Education

FLORIDA'S REPORT ON HANDICAPPED RECIPROCIITY

The Florida Department of Highway Safety and Motor Vehicles wishes to inform you of our efforts to obtain reciprocity agreements with other states regarding parking privileges for vehicles of disabled persons displaying the "International Symbol of Accessibility."

The 1985 session of the Florida Legislature created Section 316.1958, Florida Statutes, to provide:

"--Motor vehicles displaying a special license plate or parking permit issued to a handicapped person by any other state or district subject to the laws of the United States shall be recognized as a valid license plate or permit, allowing such vehicle the special parking privileges allowed pursuant to the provisions of ss. 316.1955 and 316.1956, provided such other state or district grants reciprocal recognition for handicapped residents of this state."

In the interest of minimizing the burden of mobility endured by handicapped individuals, this agency, on January 13, 1986, submitted a letter to all states requesting a declaration of reciprocity regarding special parking privileges for motor vehicles displaying a disabled person's special license plate, placard, parking permit or parking taglet.

The response to this request is as follows:

| <u>States</u> | <u>Result</u> |
|---------------|---|
| 43 | Reciprocate with Florida |
| 1 | Pending new legislation |
| 2 | Handicapped reciprocity is determined at the county level and cannot sign a statewide agreement |
| 2 | Do not reciprocate |
| 1 | Allows reciprocity for license plates only--taglets and decals not accepted--does not reciprocate |
| <hr/> 49 | States Total |

For your information, attached is a reciprocity control log reflecting the current status of our efforts with each respective state. Further updates will be submitted as final responses are received.

Your efforts and assistance in successfully obtaining this agreement between our states has gone a long way toward helping and accommodating our handicapped citizens.

Any questions regarding this matter should be directed to the Division of Motor Vehicles, Bureau of Registration Services, Motor Carrier Services Section, at (904) 488-6921.

FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
 DIVISION OF MOTOR VEHICLES
 RECIPROCITY CONTROL LOG
 HANDICAPPED PARKING RECIPROCITY AGREEMENT
 February 3, 1987

| STATE | AGREED TO RECIPROCATATE | EFFECTIVE DATE | COMMENTS |
|------------------|----------------------------|-------------------|---|
| Alabama | Yes | 01/28/86 | |
| Alaska | No | | |
| Arizona | Yes | 03/10/86 | Applies on County Level, not statewide |
| Arkansas | Yes | 02/01/86 | By statute, except free metered parking |
| California | Yes | 05/01/86 | Amended to include "DV" and "DP" plates |
| Colorado | Yes | 02/01/86 | |
| Connecticut | Yes | 04/17/86 | By statute, except free metered parking |
| Delaware | Yes | 04/15/86 | |
| Washington, D.C. | Yes | 03/01/86 | |
| Georgia | Yes | 03/04/86 | By statute, did not sign due to clear statutory auth. |
| Idaho | Yes | 02/01/86 | |
| Illinois | Yes | 04/03/86 | |
| Indiana | Yes | 11/20/86 | By statute, except free metered parking |
| Iowa | Yes | 02/06/86 | By statute, except free metered parking |
| Kansas | Yes | 07/01/86 | By statute, did not sign due to clear statutory auth. |
| Kentucky | Yes | 05/13/86 | |
| Louisiana | Yes | | Pending Florida signatures |
| Maine | Yes | 04/09/86 | |
| Maryland | Yes | 02/13/86 | 2-13-86, Maryland Letter of Understanding |
| Massachusetts | Yes | 03/23/86 | |
| Michigan | Yes | 06/02/86 | By statute, except free metered parking, also signed agr. |
| Minnesota | Yes | 01/23/86 | |
| Mississippi | No | | Applies on County Level, not statewide |
| Missouri | Yes | 03/25/86 | By statute, except parking fees |
| Montana | Yes | 04/07/86 | |
| Nebraska | Yes | 06/01/86 | Deletion of free metered parking |
| Nevada | Yes | | Pending--signed agreement not yet received |
| New Hampshire | Yes | 01/01/86 | |
| New Jersey | Yes | 04/01/86 | Amended to reference New Jersey Statutes |
| New Mexico | No | | |
| New York | Yes | 05/07/86 | |
| North Carolina | Yes | 01/27/86 | |
| North Dakota | Yes | 03/01/86 | |
| Ohio | No | | Statute does not allow handicapped reciprocity |
| Oklahoma | Yes | 03/01/86 | |
| Oregon | Yes | 05/01/86 | |

RECIPROCIITY CONTROL LOG
 HANDICAPPED PARKING RECIPROCIITY AGREEMENT
 (Page Two)

| STATE | AGREED TO RECIPROCIATE | EFFECTIVE DATE | COMMENTS |
|----------------|---------------------------|-------------------|---|
| Pennsylvania | Yes | 07/01/86 | |
| Rhode Island | Yes | 12/23/86 | |
| South Carolina | Yes | 02/01/86 | |
| South Dakota | Pending | | Pending new legislation |
| Tennessee | Yes | 04/15/86 | |
| Texas | Yes | 04/02/86 | Also, 3-8-84, Texas Declaration of Reciprocity |
| Utah | Yes | 06/01/86 | Also, new legislation passed statutorily granting recip. |
| Vermont | No | | Partial Rec. Plates Only--taglets & decals not allowable |
| Virginia | Yes | 02/18/86 | By statute, did not sign due to clear statutory authority |
| Washington | Yes | 01/20/86 | |
| West Virginia | Yes | 04/07/86 | |
| Wisconsin | Yes | 01/28/86 | |
| Wyoming | Yes | 05/05/86 | |



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

February 11, 1987

MEMORANDUM

TO: Representative Niilo Koponen

ATTN: Lisa McLaren

FROM: Karla Hart *KH*
Legislative Analyst

RE: Handicapped Parking for Interstate Visitors
Research Request 87.103

You requested information regarding parking permits for handicapped visitors to Alaska and for handicapped Alaskans visiting other states. For handicapped visitors to obtain an Alaska permit for handicapped parking, they must have an Alaska-licensed physician complete an Affidavit of Handicap or Disability (Form 12-861) and return it to the Division of Motor Vehicles within the Department of Public Safety. The permit will then be issued immediately.

At this time, there is no Alaska statute requiring a handicapped license or permit to park in handicapped parking spaces. Most local governments have ordinances governing handicapped parking. The Alaska State Troopers currently cite vehicles wrongly parked in handicapped spaces outside of local jurisdictions. The violation carries a five to ten dollar fine. Committee Substitute for Senate Bill 78 (State Affairs) would restrict the use of handicapped parking places to those persons holding an Alaska permit or license plate and impose a fine of not less than \$100 for violations.

Interstate Agreements

Many states have reciprocity agreements for handicapped parking (see Attachment A). Washington State's statute reads:

46.16.390 Special plate, card, or decal issued by another jurisdiction. A special license plate, card, or decal issued by another state or country that indicates an occupant of the vehicle is disabled, entitles the vehicle on or in which it is displayed and being used to transport the disabled person to lawfully park in a parking place reserved for physically disabled persons.

Oregon has individual reciprocity agreements with 13 other states at this time. They are sending information on how Alaska can enter into an agreement with them. Several states recognize any permit that displays the international symbol of access (wheelchair logo). Although Alaska does not have any reciprocity agreements, the Division of Motor Vehicles said any state or country's permit displaying the international symbol is currently honored by the Troopers and local police.

Types of Permits

Several states offer various forms of placards and stickers which individuals can take with them as they travel. Nevada offers residents a choice of a license plate (permanently attached to a single vehicle) or a plastic or metal permit which is transferable between vehicles and allows a person to use handicapped parking privileges regardless of what vehicle they are using (including a rental).

Texas handicapped permits are issued by the counties. Individuals may purchase their choice of stickers, cardboard tags (to be used in any vehicle and in other states with reciprocity agreements) or disabled plates from the State Motor Vehicle Division. Texas honors any other state or country's permits.

Federal Recommendations

Public Law 98-78, Title III, Section 321, August 15, 1983 addresses handicapped parking and states that Congress encourages each of the several states to:

- 1) adopt the International Symbol of Access as the only recognized and adopted symbol to be used to identify vehicles carrying those citizens with acknowledged physical impairments;
- 2) grant to vehicles displaying this symbol the special parking privileges which a State may provide; and
- 3) permit the International Symbol of Access to appear either on a specialized license plate, or on a specialized placard.

The statute also encouraged States to enter into agreements of reciprocity relating to special parking privileges for handicapped people so as to:

- 1) facilitate the free and unencumbered use between the several States, of the special parking privileges afforded those people with acknowledged handicapped conditions, without regard to the State of residence of the handicapped person utilizing such privilege;
- 2) improve the ease of law enforcement in each State of its special parking privileges and to facilitate the handling of violators; and

Representative Koponen
February 11, 1987
Page 3

- 3) ensure that motor vehicles carrying individuals with acknowledged handicapped conditions be given fair and predictable treatment throughout the Nation.

The Congressional Research Service report **Parking and Licensing of Motor Vehicles Used by Handicapped Persons: A Comparison of Model Regulations and Other Existing Standards** (Attachment B) provides more information and a copy of the public law. Abuse of handicapped parking privileges, is addressed in Attachment C which is an article from a Kansas newspaper.

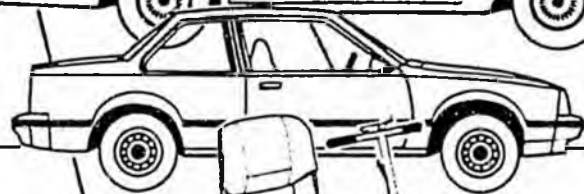
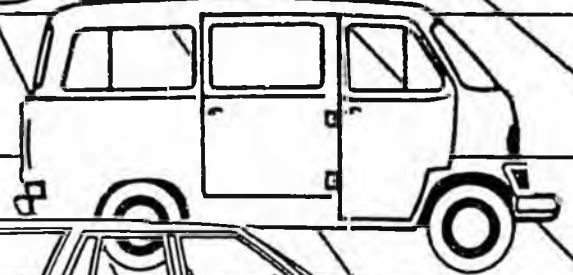
If you have further questions, please call.

KH

Attachments

the handicapped driver's

Mobility Guide



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LICENSE PLATE—BLUE CURB LAW SURVEY

| State | Special Designations | Blue Curb Laws ¹ | States with Parking Reciprocity ² | Disabled Vet Tags |
|-------|----------------------|-----------------------------|--|-------------------|
| AL | YES | • | ✓ | YES |
| AK | YES | BCL | ▲ | YES |
| AZ | YES | BCL | ✓ | NO |
| AR | YES | BCL | DNR | YES |
| CA | YES | BCL | ✓ | YES |
| CO | YES | BCL | ✓ | NO |
| CT | YES | BCL | ✓ | YES |
| DE | YES | NO BCL | ▲ | NO |
| DC | YES | BCL | X | YES |
| FL | YES | BCL | ▲ | YES |
| GA | YES | NO BCL | ▲ | YES |
| HI | NO | NO BCL | ▲ | NO |
| ID | YES | NO BCL | ▲ | NO |
| IA | YES | BCL | ✓ | YES |
| IL | YES | BCL | ✓ | YES |
| IN | YES | BCL | ✓ | YES |
| KS | YES | BCL | ▲ | YES |
| KY | YES | BCL | ✓ | YES |
| LA | YES | BCL | DNR | YES |
| ME | YES | BCL | ✓ | YES |
| MT | YES | BCL | ✓ | YES |
| MA | YES | NO BCL | ▲ | YES |
| MI | YES | BCL | ▲ | NO |
| MN | YES | BCL | ✓ | YES |
| MS | YES | NO BCL | ✓ | YES |
| MO | YES | BCL | ▲ | YES |
| MT | YES | BCL | ▲ | YES |
| NE | YES | NO BCL | ▲ | NO |
| NV | YES | BCL | ▲ | NO |
| NH | YES | BCL | ✓ | YES |
| NJ | YES | BCL | ▲ | YES |
| NM | YES | BCL | ▲ | YES |
| NY | YES | BCL | ✓ | YES |
| NC | YES | BCL | ✓ | YES |
| NT | YES | BCL | ▲ | YES |
| OH | YES | BCL | ▲ | YES |
| OK | YES | BCL | ▲ | YES |
| OR | YES | BCL | ✓ | NO |
| PA | YES | BCL | ✓ | YES |
| RJ | YES | BCL | DNR | YES |
| SC | YES | BCL | DNR | YES |
| SD | YES | BCL | ▲ | YES |
| TN | YES | • | DNR | YES |
| TX | YES | • | DNR | YES |
| UT | YES | BC | ✓ | NO |
| VT | YES | BCL | ✓ | YES |
| VA | YES | BCL | ✓ | YES |
| WA | YES | BCL | ✓ | YES |
| WV | YES | BCL | ✓ | YES |
| WI | YES | BCL | DNR | YES |
| WY | YES | BCL | ✓ | YES |

¹BCL — has Blue Curb Laws

• — considering BCL

• — Establishing BCL

²▲ — no rec

X — limited

✓ — total r.

DNR — did not respond



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PARKING AND LICENSING OF MOTOR VEHICLES USED BY HANDICAPPED PERSONS:
A COMPARISON OF MODEL REGULATIONS AND OTHER EXISTING STANDARDS

Nancy Lee Jones
Legislative Attorney
American Law Division
April 5, 1985

EXECUTIVE SUMMARY

The Paralyzed Veterans of America (PVA) have drafted model regulations for the parking and licensing of motor vehicles used by handicapped persons in an attempt to encourage uniformity among the states and to encourage agreements of reciprocity. These regulations have been compared with standards issued by the American National Standards Institute (ANSI), with regulations promulgated pursuant to the Architectural Barriers Act (referred to as the UFAS regulations) and with the Illinois State statutes.

The PVA model regulations are very similar to the ANSI and UFAS standards in several respects although there are significant differences due to the differences intended in coverage. For example, the ANSI and UFAS standards cover all types of accessibility, including accessibility to telephones, so their definition of handicapped person will of necessity be broader than that of the PVA model regulations which only cover parking. Several of the differences between the PVA model regulations and the ANSI and UFAS standards are not explicable for this reason, however. For example, all three standards discuss the size of parking spaces but the UFAS regulations contain a requirement not found in the PVA or ANSI standards that parking spaces and access aisle shall be level with surface slopes not to exceed 1:50.

Since many of the provisions of the PVA model regulations were not directly comparable to the ANSI or UFAS standards, a state statute was selected to compare to the PVA model regulations. This comparison indicated that the Illinois State statutes contain some of the same provisions, i.e., providing parking spaces for handicapped persons, penalties of their misuse, etc., but the Illinois statutes are generally not as detailed. It should be noted, however, that there may be state regulations which provide more detail.

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PARKING AND LICENSING OF MOTOR VEHICLES USED BY HANDICAPPED PERSONS:
A COMPARISON OF MODEL REGULATIONS AND OTHER EXISTING STANDARDS

I. INTRODUCTION

P.L. 98-78, 23 U.S.C §402 note, discussed the importance of special parking privileges for handicapped persons. In this statute, Congress made several findings, including the need for such parking privileges, and the fact that such parking privileges vary from state to state. The statute then stated that "Congress encourages each of the several States ... to (1) adopt the International Symbol of Access as the only recognized and adopted symbol to be used to identify vehicles carrying those citizens with acknowledged physical impairments; (2) grant to vehicles displaying this symbol the special parking privileges which a State may provide; and (3) permit the International Symbol of Access to appear either on a specialized license plate, or on a specialized placard." In addition, the statute provided that "[i]t is the sense of the Congress that agreements of reciprocity relating to the special parking privileges granted handicapped individuals should be developed and entered into by and between the several States...."^{1/}

In an attempt to encourage agreements of reciprocity, the Paralyzed Veterans of America (PVA) have drafted model regulations for the parking and licensing of motor vehicles used by handicapped persons. This report

^{1/} The complete language of the statute is reproduced as Appendix A.

will compare these model regulations with two other standards, those promulgated by the American National Standards Institute (ANSI), and those promulgated pursuant to the Architectural Barriers Act, 42 U.S.C. §§4151-4157, by the General Services Administration, the Department of Defense, the Department of Housing and Urban Development, and the United States Postal Service. This latter standard is generally referred to as the Uniform Federal Accessibility Standard (UFAS). Many of the distinctions between the PVA model regulations and the ANSI and UFAS standards can be traced to their different purposes. The PVA model regulations are provided as a model for state statutes; the ANSI and UFAS standards were intended to provide certain general accessibility standards, they do not attempt to cover subjects such as license requirements. However, the three standards do contain sufficient similar coverage to provide a meaningful comparison in several areas. The portions of the PVA model regulations which do not have parallel sections in either of these two standards may well have parallel sections in state statutes. One state statute will be compared with the PVA model regulations as an example in these areas.

II. COMPARISON OF PVA MODEL REGULATIONS WITH ANSI STANDARDS AND REGULATIONS ISSUED PURSUANT TO THE ARCHITECTURAL BARRIERS ACT

A. Definition of Handicapped Person

The PVA model regulations define handicapped or disabled person as an individual "with a severe visual, audio, or physical impairment including partial paralysis, lower limb amputation, chronic heart condition, emphysema, arthritis, rheumatism or other debilitating condition which limits one's personal mobility and results in an inability to travel, unassisted more than 200 feet, without the use of a wheelchair, crutch,

walker, prosthetic, orthotic or other assistive device." Both the ANSI and the UFAS standards contain definitions of handicapped person but these definitions differ from the PVA regulations. The ANSI standards define both disability and handicapped. Disability is defined as "[a] limitation or loss of use of physical, mental, or sensory body part or function"^{2/} and handicapped is defined as "[t]hose with significant limitations in using specific parts of the environment."^{3/} The UFAS regulations define physically handicapped as "[a]n individual who has a physical impairment, including impaired sensory, manual, or speaking abilities, which results in a functional limitation in access to and use of a building or facility."^{4/}

The ANSI and UFAS definitions of handicapped persons differ from the PVA definition in that the PVA definition is limited to disabilities relating solely to mobility while the other definitions are broader. This distinction is probably due in large part to the fact that the ANSI and UFAS standards cover access generally, including access to such materials as telephones, while the PVA model regulations are limited to the parking and licensing of motor vehicles.

B. Designated Handicapped Parking Spaces

Section 3 of the PVA model regulations define designated handicapped parking spaces as "a parking space reserved for use by a motor vehicle

^{2/} American National Standards Institute, Inc., American National Standard -- Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People (ANSI A117.1-1980) 11 (1980). (Hereafter cited as ANSI standard).

^{3/} Id. 12.

^{4/} 49 Fed. Reg. 31536 (1984).

which is owned and/or operated by or for a handicapped person." The section also discusses placement, marking, size, and number of such spaces.

The PVA model regulations provide that designated parking spaces shall be placed as near as practicable to building entrances, elevators or walkways which have curb cuts and appropriately designed ramps. In addition, the model regulations require the space to be clearly marked. The ANSI and UFAS standards are very similar to one another but they vary from the PVA standards. The UFAS standards provide that parking spaces for disabled persons shall be "the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a particular building, parking spaces for disabled people shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility."^{5/} The UFAS and the ANSI standards, like the PVA model regulations, also contain signage requirements.^{6/}

Requirements for the size of the parking spaces are also provided in each of the three standards. The PVA model regulations require that parallel curb side parking for handicapped persons be separated from adjacent spaces by a minimum of five feet of a striped no parking area. Perpendicular parking spaces are to be at least eight feet wide and free of obstruction if at the end of a line of parking spaces and all adjacent spaces are to be at least eight feet wide with an additional five feet of a striped no parking area between each such space.

^{5/} 49 Fed. Reg. 31562 (1984). See also ANSI standard at 22.

^{6/} 49 Fed. Reg. 31563 (1984); ANSI standard at 22.

The ANSI and UFAS standards for the size of parking spaces are basically the same: both require that parking spaces shall be at least eight feet wide with an access aisle of five feet, that parking access aisles shall be part of an accessible route to the building to facility entrance, that two accessible parking spaces may share a common access aisle, and that parked vehicle overhangs shall not reduce the clear width of an accessible circulation route.^{7/} The UFAS standard has an additional requirement that parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 and contains an exception relating to space for vans.^{8/}

The PVA model regulations contain a chart providing the number of spaces to be designated for use by handicapped persons in lots or facilities with various numbers of parking spaces. The UFAS regulations contain the same chart but also have several exceptions. These exceptions provide: (1) that the total number of accessible parking spaces may be distributed among parking lots, and (2) that the chart does not apply to parking provided for official government vehicles. In addition, the UFAS regulations specifically discuss passenger loading zones, parking spaces for side lift vans, parking spaces at accessible housing, and parking spaces at health care facilities.^{9/} The ANSI standards are much more general than either the PVA model regulations or the UFAS regulations; they simply provide that "[i]f parking spaces are provided, a reasonable number, but always at least

^{7/} 49 Fed. Reg. 31562-31563 (1984); ANSI Standard at 22.

^{8/} 49 Fed. Reg. 31563 (1984).

^{9/} 49 Fed. Reg. 31538 (1984).

one, of accessible spaces shall comply with 4.6.2 through 4.6.4" (the accessibility requirements). ^{10/}

III. COMPARISON OF PVA MODEL REGULATIONS TO A STATE STATUTE

A. Motor Vehicle Identification

The PVA model regulations specify that only motor vehicles bearing the proper identification shall be allowed to park in spaces designated for use by handicapped persons. Proper identification was described as a license plate with the international symbol of access or a placard with the international symbol of access.

Motor vehicle identification is a subject most often dealt with in state statutes. For example, Illinois State law provides that a motor vehicle which bears registration plates or a special decal may park in places specially designated for handicapped persons parking. ^{11/} The statute describes the special license plate as one easily recognizable through the use of the international accessibility symbol. ^{12/}

B. Parking Privileges for Handicapped Persons

The PVA model regulations provide that the designated handicapped parking space is reserved for the exclusive use of a motor vehicle owned and/or operated by a handicapped persons which carries a valid license plate or placard. Any vehicle displaying the proper identification is to be granted

^{10/} ANSI Standard at 22.

^{11/} Ill. Ann. Stat. ch. 95 1/2 §11-1301.3.

^{12/} Ill. Ann. Stat. ch. 95 1/2 §§3-611, 11-1301.2.

the use of the spaces regardless of the state in which the vehicle is registered.

The Illinois statutes prohibit parking in a space designated for handicapped persons except where the proper registration plates or decals are exhibited.^{13/} Since these plates or decals are to be those issued by the State of Illinois, the Illinois statutes apparently do not explicitly provide for the recognition of the license plates of other states as does the PVA model regulation.

C. Parking Privileges for Temporarily Handicapped Persons

The PVA model regulations provide for a special color-coded placard to be issued to a person who is temporarily disabled. This placard shall be valid only for a period of 180 days but may be renewed for an additional 180 days. The Illinois statutes do not contain a specific section on parking privileges for temporarily handicapped persons but it is possible that the general Illinois statutes on parking privileges for handicapped persons may cover persons temporarily handicapped as well.

D. Rules and Regulations for Issuance

The PVA model regulations provide that the Commissioner of Motor Vehicles or other state official shall make rules as necessary pertaining to parking for handicapped persons and that in formulating such rules consideration shall be given to the uniformity and conformity of the laws with those of other states. In order to obtain the special handicapped license plate, each state is to require a written medical statement that the applicant is in fact disabled; this medical verification shall be one time

^{13/} Ill. Ann. Stat. ch. 95 1/2 §11-1301.3.

only for permanently disabled persons. The use of placards which can be more easily transferred than license plates is also encouraged as is the centralization of the process and procedure for the issuance of handicapped parking placards and license plates. Finally, the PVA model regulations require that the the Commissioner of Motor Vehicles or designated official of each state shall compile and maintain a registry of the names, addresses and license numbers of all handicapped persons who obtain special plates or placards in order to help insure that an adequate number of spaces are available.

Many of these PVA model regulation provisions have no parallel in the Illinois statutes. The Illinois statutes provide that the Secretary of State has the authority to promulgate rules concerning special decals for handicapped parking ^{14/} and to make special designations so that automobiles using plates for handicapped persons are easily recognizable. ^{15/} This authority does not appear to be as broad as that in the PVA model regulations. The Illinois statutes also contain a provision requiring a statement certified by a physician that the person seeking registration is a physically handicapped person ^{16/} and a provision relating to special decals. ^{17/} The other provisions of the PVA model regulations have no parallel in the Illinois statutes.

^{14/} Ill. Ann. Stat. 95 1/2 §11-1301.2.

^{15/} Ill. Ann. Stat. 95 1/2 §3-611.

^{16/} Ill. Ann. Stat. 95 1/2 §3-616.

^{17/} Ill. Ann. Stat. 95 1/2 §11-1301.2.

E. Penalty Provisions

The PVA model regulations provide that parking in a space marked for a handicapped person without the proper license plate or placard is a traffic offense punishable by a minimum \$50.00 fine and towing. This penalty is to be enforced by the local police. In addition, the PVA model regulations provide that any person who willfully and falsely represents himself as a handicapped person in order to obtain a special licence plate or placard is guilty of a misdemeanor and subject to a minimum fine of \$500.00. The Illinois statute provides that vehicles parking in a space marked for handicapped persons who do not display an appropriate license plate or decal are subject to towing.^{18/}

IV. SUMMARY

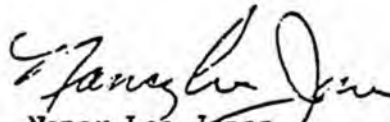
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^{18/} Ill. Ann. Stat. ch. 95 1/2 §11-1301.3.

their definition of handicapped person will of necessity be broader than that of the PVA model regulations which only cover parking. Several of the differences between the PVA model regulations and the ANSI and UFAS standards are not explicable for this reason, however. For example, all three standards discuss the size of parking spaces but the UFAS regulations contain a requirement not found in the PVA or ANSI standards that parking spaces and access aisle shall be level with surface slopes not to exceed 1:50.

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Nancy Lee Jones
Legislative Attorney

APPENDIX A

Special Parking Privileges for Handicapped Persons. Pub. L. 93-78, Title III, § 321, Aug. 13, 1973, 97 Stat. 473, provided that:

"(a) The Congress finds that—

"(1) in this Nation there exist millions of handicapped people with severe physical impairments including partial paralysis, limb amputation, chronic heart condition, emphysema, arthritis, rheumatism, and other debilitating conditions which greatly limit their personal mobility;

"(2) these people reside in each of the several States and have need and reason to travel from one State to another for business and recreational purposes;

"(3) each State maintains the right to establish and enforce its own code of regulations regarding the appropriate use of motor vehicles operating within its jurisdiction;

"(4) within a given State handicapped individuals are oftentimes granted special parking privileges to help offset the limitations imposed by their physical impairment;

"(5) these special parking privileges vary from State to State as do the methods and means of identifying vehicles used by disabled individuals, all of which serve to impede both the enforcement of special parking privileges and the handicapped individual's freedom to properly utilize such privileges;

"(6) there are many efforts currently underway to help alleviate these problems through public awareness and administrative change as encouraged by concerned individuals and national associations directly involved in matters relating to the issue of special parking privileges for disabled individuals; and

"(7) despite these efforts the fact remains that many States may need to give the matter legislative consideration to ensure a proper reso-

lution of this issue, especially as it relates to law enforcement and placard responsibility.

"(b) The Congress encourages each of the several States working through the National Governors Conference to—

"(1) adopt the International Symbol of Access as the only recognized and adopted symbol to be used to identify vehicles carrying those citizens with acknowledged physical impairments;

"(2) grant to vehicles displaying this symbol the special parking privileges which a State may provide; and

"(3) permit the International Symbol of Access to appear either on a specialized license plate, or on a specialized placard placed in the vehicles so as to be clearly visible through the front windshield, or on both such places.

"(c) It is the sense of the Congress that agreements of reciprocity relating to the special parking privileges granted handicapped individuals should be developed and entered into by and between the several States so as to—

"(1) facilitate the free and unencumbered use between the several States, of the special parking privileges afforded those people with acknowledged handicapped conditions, without regard to the State of residence of the handicapped person utilizing such privilege;

"(2) improve the ease of law enforcement in each State of its special parking privileges and to facilitate the handling of violators; and

"(3) ensure that motor vehicles carrying individuals with acknowledged handicapped conditions be given fair and predictable treatment throughout the Nation.

"(d) as used in this section the term 'State' means the several States and the District of Columbia.

"(e) The Secretary of Transportation shall provide a copy of this section to the Governor of each State and the Mayor of the District of Columbia."

Special ID cards to help identify abusers of handicapped parking privileges

By BILL BLANKENSHIP
Capital-Journal law enforcement writer

It's infuriating.

You and what seems like a thousand other would-be shoppers circle the supermarket parking lot in a seemingly futile search for a parking space within biking distance of the front door. As you pass the store's entrance for the umpteenth time, you see a car slip easily into a parking stall reserved for the handicapped.

You think how nice it would be to find a parking place so close as you wait behind a car whose driver is carefully tracking the path of a couple leaving the store with a small child, a packed grocery cart and a harried sacker in tow.

Then you see it, and it makes your blood boil.

Out of the car that parked in the handicapped stall hounds a seemingly able-bodied young woman. She

strides into the store displaying no apparent malady. Your first thought is that she has parked illegally, and your instinct is to call the police. But then you notice that from her car's rearview mirror hangs a valid, state-issued handicapped-parking placard.

Moments later, the same young woman walks out the exit toting a 50-pound sack of dog food. She easily hauls it to her car, opens the door, tosses it on the passenger seat, gets in and drives off.

You say to yourself, "There ought to be a law to prevent such abuse." Effective Tuesday, there is.

More than likely, says Topekan Bob Burke, a longtime advocate of parking privileges for the handicapped, the young woman has a family member who is handicapped and truly deserves the parking privileges extended by state law.

However, the young woman either through ignorance or willful disregard is violating handicapped-

parking statutes.

"People forget that handicapped-parking permits are issued to people, not cars. And if the handicapped person is not in the car, the driver should not park in a handicapped stall," said Burke, who suffers from muscular dystrophy and wears braces on both legs.

To aid law enforcement officers in catching abusers like the young woman, new handicapped parking statutes effective Tuesday require the state Department of Revenue to issue special identification cards to holders of handicapped or disabled-veteran license plates and handicapped-parking placards.

Ken Clark, a spokesman for the Division of Motor Vehicles, said his agency will begin sending letters this week to the more than 36,000 Kansans who hold permanent special-parking privileges for disabled people, as well as about 4,000 others

Continued on page 3, column 1

who currently have temporary placards for such ailments as broken limbs.

Clark said those receiving the letters will have 30 days to return a form certifying their need for the parking privileges along with \$1 for the new billfold ID card. Disabled veterans will be exempt from paying the card fee but will have to return the form, he said.

If holders of the handicapped license plates and placards fail to return the forms within 30 days, Clark said, the division will mail them another letter in early August, saying they must respond within 60 days or their handicapped privileges will be canceled.

Numbers on the identification cards will correspond to numbers on disabled people's license plates or placards to ensure that parking privileges are used only by the handicapped person to whom the plate or placard is issued, or by people transporting the holder of the placard, Clark said.

After the ID cards are issued, police seeing an apparently able-bodied person park in a handicapped parking stall may ask the person to produce the ID card and driver's license to compare names. If the names don't match, an officer can issue the person a ticket for illegally parking in a handicapped stall, which in Topeka carries a fine of \$10 to \$100 and, in places without a local ordinance, a fine of up to \$25.

In addition, the person can be cited for falsely using a handicapped-parking privilege and be subject to a



fine of up to \$250, according to the new statute.

Burke said another important change, which current handicapped license plate and placard holders should keep in mind when asked to recertify their need for parking privileges, is a new definition of a "handicapped person" for purposes of obtaining a parking permit.

It provides a more specific mobility standard than current law, Burke said.

The law specifies that to be considered handicapped for the purpose of getting a state-issued handicapped license or placard, a person must have a debilitating physical condition that limits unassisted walking to less than 200 feet.

The definition also includes severely visually impaired people. Burke said this was necessary because of instances in which a blind passenger has been mugged or has fallen after being dropped off at curb side by a driver unable to find a close parking place.

The purpose of the definition, according to Burke, is to limit the

Although he has no more than his own personal experience in dealing with handicapped parking for several years, Burke estimates 30 percent to 40 percent of current holders of handicapped-parking permits do not meet the new requirements.

One of the reasons for such abuse, according to Burke, is the absence of any sanction in current law against physicians who knowingly certify a healthy person's request for a handicapped parking permit.

Very often, family members of an elderly person seek a permit simply because their otherwise healthy relative is getting old, Burke said.

"And age alone is not a handicap," he said. "But doctors have told me that they have had family members of patients threaten to change doctors unless they sign the application form for a handicapped-parking placard."

To correct that situation, the new law says a physician who willfully and falsely certifies that a person is qualified for handicapped-parking privileges would be guilty of a class C misdemeanor. A class C misdemeanor carries a fine of up to \$500 or a jail term of up to 30 days.

The law provides identical penalties for the applicant who misrepresents himself for the purpose of obtaining a handicapped-parking permit.

Clark said the recertification forms being distributed to issue the ID cards do not require any medical review. However, a new provision requires all handicapped placard

ning July 1, 1989.

Clark said his agency has not yet decided whether the three-year recertification form will require a medical statement. Also, beginning July 1, 1989, the placards' color will be changed every three years as a means of better enforcing the recertification process.

The new law also requires the return of placards to the Department of Revenue upon the death of the handicapped person. Similarly, special license plates must be returned to the county treasurer for exchange. Temporary placards must be returned upon expiration.

Burke said he has been told of instances in which a handicapped person's survivors continue to use the deceased's parking placard to park in handicapped stalls.

Burke and Clark agree that these provisions and others Burke will seek during the next legislative session will go a long way in reducing abuse of handicapped-parking privileges.

And if abuse is reduced, Burke said both handicapped and non-handicapped motorists will benefit. Handicapped parkers will stand a better chance of finding an available parking space. And non-handicapped drivers will know that attractive space near the front door of a business is reserved for and will be used by someone who truly needs it.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P. O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

April 14, 1987

MEMORANDUM

TO: Representative Niilo Koponen

ATTN: Lisa McLaren

FROM: Karla Hart *KH*
Legislative Analyst

RE: Handicapped Parking Regulations
Research Request 87.260

You requested information to be used in preparing legislation on handicapped parking. Each of your questions is addressed below.

Handicapped Parking Permits Currently Issued in Alaska

Handicapped permits are currently issued in Alaska by the Division of Motor Vehicles (DMV), Department of Public Safety. Applicants must present a statement by an Alaska-licensed physician stating the need for handicapped parking privileges. Applicants then receive their choice of a license plate or a heavy paper permit, both with the international symbol of access (wheelchair logo). The paper permit is assigned to an individual rather than a vehicle. Unless the doctor specifies that the handicap is of a temporary nature, the permit is issued for an indefinite period of time. There is no charge for the permit, and the license plate fee is the same as for a standard plate.

The Juneau Police Department issues permits that are valid only within the Juneau city and borough. A physician's statement of need is required and the permit is issued for a set period of time, requiring regular renewals. The permit is the same as that issued for legislators, delivery vans, and others who are allowed special parking privileges; it does not display the wheelchair logo. The Chief of Police stated that he would be glad to have the State handle the issuance of all handicapped permits. Police departments in Anchorage, Fairbanks and Ketchikan were also contacted. None of these communities issue any sort of handicapped permit, they refer all inquiries for permits to DMV.

The Division of Vocational Rehabilitation, in the Department of Education, has also been giving handicapped parking decals--wheelchair logo stickers to affix to a car bumper or window--to their clients who they believe are in need of handicapped parking privileges. This

distribution is apparently handled differently at each vocational rehabilitation office in the state. Pat Young, Deputy Director of Vocational Rehabilitation, was unaware that permits were available free of charge at DMV. He indicated that he would have no objection to letting DMV handle the distribution of all handicapped parking permits.

Permit Styles

Handicapped permit styles used in various states include: license plates; plastic, metal or cardboard permits to place in the dash; metal "taglets" affixed to license plates; stickers placed in specified car windows; and annual validation stickers which include the wheelchair logo. Glenn Turner, Chairman of the American Association of Motor Vehicle Administrators' Ad Hoc Committee on Handicapped Reciprocity, felt the ideal permit may be one similar to that used in Louisiana--a laminated cardboard permit approximately twice as large as a driver's license which is hung from the rear view mirror. This permit is visible from the back of the vehicle or the front, making enforcement easier. The size is such that it is easily transferred from vehicle to vehicle. Louisiana requires that permit holders also carry an identification card with them to prevent abuse of permit privileges.

Permit Fees and Renewals

Mr. Turner said that fees for handicapped parking permits generally range from one to five dollars. For example, Florida's permits are five dollars, with two dollars going to county tag agents for issuing permits and three dollars to the state. No serious complaints have been made regarding the fee in Florida. Mr. Young foresaw no problem with charging a nominal fee to cover the cost of issuing handicapped parking permits in Alaska, as long as the fee was set to cover costs and not to generate revenue for the State.

Florida found that permits issued indefinitely were subject to a great deal of abuse. A person purchasing a car with a handicapped sticker in place could park in handicapped spaces, or the family of a deceased handicapped permit holder could continue to use the permit. Florida currently requires an annual renewal, although Mr. Turner said legislation has been introduced to renew permits biennially. A doctor's authorization is required only with the initial application.

Penalties for Handicapped Parking Violations

Handicapped parking violations generally result in the issuance of a uniform traffic citation and fines range from \$15 to \$50 according to Mr. Turner. In Florida, the counties elected to add a fee of \$100 as an extra deterrent to individuals who may be willing to risk getting a small parking fine.

Representative Koponen
April 14, 1987
Page 3

An issue related to penalties is the treatment of handicapped permit holders who fail to display the proper permit and are ticketed. Options include: forgiving the entire penalty if proof of a valid permit is submitted to the ticketing agency within a specified period of time; requiring payment of a token fine to encourage individuals to remember to display permits; and, leaving the disposition of the ticket up to the licensing authority.

Posting of Handicapped Parking Spaces

You were concerned that handicapped parking spaces be signed in such a manner that winter conditions would not obscure the sign. The Department of Transportation requires that a handicapped posting be visible when a vehicle is parked in the space. This also assures that under normal snow conditions, a sign would not be snow covered. The City and Borough of Juneau has recently introduced standards for signing handicapped parking spaces (Attachment).

I hope this information is helpful. If you have additional questions, please call.

Attachment

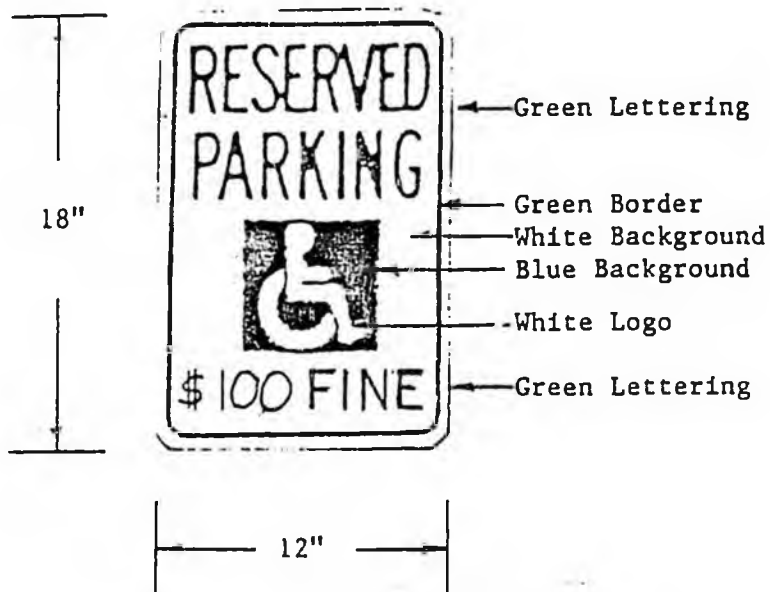


CITY/BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY

HANDI-CAP PARKING STANDARDS

The owner or his representative in control of private property which is open to the public may establish legally enforceable handi-cap parking zones by placing privately owned traffic control devices in a manner as approved by a municipality, or as outlined in the Manual of Uniform Traffic Control Devices.

The approved signs used for establishing a handi-cap parking zone shall be twelve inches wide by eighteen inches high (12"x 18"). They shall have a white background with green lettering and borders. The handi-cap logo shall be white with a blue background. Wording shall be as shown below.



If the handi-cap parking zone is to be established along a private street or roadway, the zone shall be posted by placing a designated sign at both the beginning and end of the zone. The zone should be a minimum of fifteen feet (15') in length and have the curb painted blue the full length of the zone. In addition to this, a blue thirty-eight inch square (38 x 38") handi-cap logo must be painted on the pavement in the center of the zone.

A handi-cap parking zone established within a parking lot must have the designated sign posted so it is centered at the head of the parking space. Six inch (6") blue lines must be painted on both sides of the space and at the head of the space. If either side or the head of the space is adjacent to the curb this should be painted blue. In addition, the blue thirty-eight inch square (38" x 38") handi-cap logo must be painted on the pavement in the center of the space. The space should be a minimum of ten feet (10') wide to allow proper access.

If the signs are posted on poles or posts where they could interfere with or be a hazard to foot traffic, the bottom of the sign should be placed a minimum of seven feet (7') off of the surface. If the sign is placed flush on a building wall the bottom of the sign should be three feet (3') off of the paved surface.

The C.B.J. Public Works Department will loan out our handi-cap logo stencil for pavement painting provided arrangements are made in advance. We will also supply the required signs at cost beginning May 1, 1987. For further information please contact us at 586-5254.

DN/jlh

who currently have temporary placards for such ailments as broken limbs

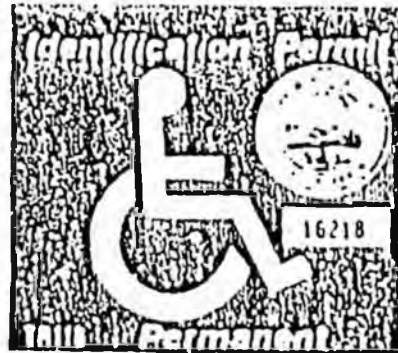
Clark said those receiving the letters will have 30 days to return a form certifying their need for the parking privileges along with \$1 for the new billfold ID card. Disabled veterans will be exempt from paying the card fee but will have to return the form, he said.

If holders of the handicapped license plates and placards fail to return the forms within 30 days, Clark said, the division will mail them another letter in early August, saying they must respond within 60 days or their handicapped privileges will be canceled.

Numbers on the identification cards will correspond to numbers on disabled people's license plates or placards to ensure that parking privileges are used only by the handicapped person to whom the plate or placard is issued, or by people transporting the holder of the placard, Clark said.

After the ID cards are issued, police seeing an apparently able-bodied person park in a handicapped parking stall may ask the person to produce the ID card and driver's license to compare names. If the names don't match, an officer can issue the person a ticket for illegally parking in a handicapped stall, which in Topeka carries a fine of \$10 to \$100 and, in places without a local ordinance, a fine of up to \$25.

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(7) It is a traffic infraction, with a monetary penalty of not less than fifteen and not more than fifty dollars for any person to park a vehicle in a parking place provided on private property without charge or on public property reserved for physically disabled persons without a special license plate, card, or decal. If a person is charged with a violation, the person shall not be determined to have committed an infraction if the person produces in court or before the court appearance the special license plate card, or decal required under this section or demonstrates that the person was entitled to the special license plate card, or decal.

(8) It is a misdemeanor for any person to wilfully obtain a special decal, license plate, or card in a manner other than that established under this section. [1984 c 154 § 2.]

Intent—1984 c 154: "The legislature intends to extend special parking privileges to persons with disabilities that substantially impair mobility." [1984 c 154 § 1.]

Application—1984 c 154: "This act applies to special license plates, cards, or decals issued after June 7, 1984. Nothing in this act invalidates special license plates, cards, or decals issued before June 7, 1984." [1984 c 154 § 9.]

Severability—1984 c 154: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1984 c 154 § 10.]

46.16.390 Special plate, card, or decal issued by another jurisdiction. A special license plate, card, or decal issued by another state or country that indicates an occupant of the vehicle is disabled, entitles the vehicle on or in which it is displayed and being used to transport the disabled person to lawfully park in a parking place reserved for physically disabled persons pursuant to chapter 70.92 RCW or authority implemental thereof. [1984 c 51 § 1.]

46.16.450 Appeals to superior court from suspension, revocation, cancellation, or refusal of license or certificate under chapter 46.16 RCW. See RCW 46.12.240.

46.16.460 Nonresident members of armed forces—Temporary motor vehicle license—Issuance authorized. Upon the payment of a fee of ten dollars therefor, the department of licensing shall issue a temporary motor vehicle license for a motor vehicle in this state for a period of forty-five days when such motor vehicle has been or is being purchased by a nonresident member of the armed forces of the United States and an application, accompanied with prepayment of required fees, for out of state registration has been made by the purchaser. [1979 c 158 § 141; 1967 c 202 § 4.]

46.16.470 Nonresident members of armed forces—Display. The temporary license provided for in RCW 46.16.460 shall be carried on the interior of the motor vehicle in such a way as to be clearly visible from outside the vehicle. [1967 c 202 § 5.]

46.16.480 Nonresident members of armed forces—Not liable for sales, use or motor vehicle excise taxes—Extent of exemption. The original purchaser of

a motor vehicle, for which a temporary license as provided in RCW 46.16.460 has been issued, shall not be subject to the sales tax, use tax, or motor vehicle excise tax during the effective period of such license or thereafter unless the motor vehicle, after the effective period of such license, is still in this state or within a period of one year after the effective period of such license is returned to this state. [1967 c 202 § 6.]

Motor vehicle excise tax: Chapter 82.44 RCW.

46.16.490 Nonresident members of armed forces—Rules and regulations—Proof. The department of licensing shall prescribe rules and regulations governing the administration of RCW 46.16.460 through 46.16.490. The department may require that adequate proof of the facts asserted in the application for a temporary license shall be made before the temporary license shall be granted. [1979 c 158 § 142; 1967 c 202 § 7.]

46.16.500 Liability of operator and/or owner or lessee for violations. Whenever an act or omission is declared to be unlawful in chapter 46.16 RCW, if the operator of the vehicle is not the owner or lessee of such vehicle, but is so operating or moving the vehicle with the express or implied permission of the owner or lessee, then the operator and/or owner or lessee are both subject to the provisions of this chapter with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee. [1980 c 104 § 3; 1969 ex.s. c 69 § 2.]

46.16.505 Campers—License and plates—Application—Fee. It shall be unlawful for a person to operate any vehicle equipped with a camper over and along a public highway of this state without first having obtained and having in full force and effect a current and proper camper license and displaying a camper license number plate therefor as required by law: *Provided, however,* That if a camper is part of the inventory of a manufacturer or dealer and is unoccupied at all times, and a dated demonstration permit, valid for no more than seventy-two hours is carried in the motor vehicle at all times it is operated by any such individual, such camper may be demonstrated if carried upon an appropriately licensed vehicle.

Application for an original camper license shall be made on a form furnished for the purpose by the director. Such application shall be made by the owner of the camper or his duly authorized agent over the signature of such owner or agent, and he shall certify that the statements therein are true and to the best of his knowledge. The application must show:

- (1) Name and address of the owner of the camper;
- (2) Trade name of the camper, model, year, and the serial number thereof;
- (3) Such other information as the director requires.



State of Florida
**DEPARTMENT OF
 HIGHWAY SAFETY AND MOTOR VEHICLES**

LEONARD R. MELLON
 Executive Director
 Neil Kirkman Building, Tallahassee, Florida 32309-0500

BOB MARTINEZ
 Governor
 GEORGE FIRESTONE
 Secretary of State
 BOB BUTTERWORTH
 Attorney General
 GERALD LEWIS
 Comptroller
 BILL GUNTER
 Treasurer
 DOYLE CONNER
 Commissioner of Agriculture
 BETTY CASTOR
 Commissioner of Education

FLORIDA'S REPORT ON HANDICAPPED RECIPROCIITY

The Florida Department of Highway Safety and Motor Vehicles wishes to inform you of our efforts to obtain reciprocity agreements with other states regarding parking privileges for vehicles of disabled persons displaying the "International Symbol of Accessibility."

The 1985 session of the Florida Legislature created Section 315.1958, Florida Statutes, to provide:

Motor vehicles displaying a special license plate or parking permit issued to a handicapped person by any other state or district subject to the laws of the United States shall be recognized as a valid license plate or permit, allowing such vehicle the special parking privileges allowed pursuant to the provisions of ~~ss. 315.1955 and 316.1956~~, provided such other state or district grants reciprocal recognition for handicapped residents of this state."

by Canada

425
 28.10.131

AS. ~~28.10.495~~
 28.10.496
 3rd
 AS 28.10.181(d)

In the interest of minimizing the burden of mobility endured by handicapped individuals, this agency, on January 13, 1986, submitted a letter to all states requesting a declaration of reciprocity regarding special parking privileges for motor vehicles displaying a disabled person's special license plate, placard, parking permit or parking taglet.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

MEMORANDUM

April 28, 1987

SUBJECT: Sectional analysis - HCSCSSB 78(HESS)
TO: Representative Niilo Koponen
FROM: Michael F. Ford *m.f.*
Legislative Counsel

The following is a section by section analysis of HCSCSSB 78(HESS):

Section 1 - Prohibits a person from using a handicapped parking permit except when transporting the disabled or handicapped person. Requires the permit be returned to the department upon death of the disabled or handicapped person.

Section 2 - Prohibits parking in a space reserved for the handicapped or disabled unless the person has special permit or license plate issued by the department or by another state, province, territory, or country. Establishes a penalty of not less than \$100 for each violation.

MFF:mkr
m11/080

5-0391X ✓
Ford
4/28/87

Original sponsor: Kerttula

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 78 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unauthorized use of handicapped
7 parking."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 28.10.495(b) is amended to read:

10 (b) A person is not entitled to use the special permit provided
11 for in (a) of this section except when providing transportation for
12 the disabled or handicapped person with respect to whom the permit was
13 issued. Upon the death of the disabled or handicapped person, the
14 special permit shall be returned to the department.

15 * Sec. 2. AS 28.35 is amended by adding a new section to read:

16 Sec. 28.35.235. UNAUTHORIZED USE OF HANDICAPPED PARKING. (a) A
17 person may not park a motor vehicle in a parking place reserved for
18 disabled or medically handicapped persons unless the person has a
19 special permit issued by the department under AS 28.10.495 or the
20 motor vehicle displays a special license plate or permit issued to
21 disabled or handicapped persons by another state, province, territory,
22 or country.

23 (b) A person who violates this section is guilty of an infrac-
24 tion. Upon conviction the court shall impose a fine of not less than
25 \$100.
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27
28
29