

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 739

H.P. 545

House of Representatives, February 14, 2003

**An Act To Clarify Handicapped Parking Status for Disabled
Veterans**

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McKEE of Wayne.
Cosponsored by Senator TREAT of Kennebec and
Representatives: COWGER of Hallowell, LAVERRIERE-BOUCHER of Biddeford, LORING
of the Penobscot Nation, McLAUGHLIN of Cape Elizabeth, SAVIELLO of Wilton,
THOMPSON of China, WHEELER of Kittery.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** it is a hardship for out-of-state disabled veterans
6 to contact the Secretary of State to obtain a placard in order to
be able to park in a handicapped parking space; and

8 **Whereas,** the tourist season will have started before the 90
10 days have passed for this legislation to take effect; and

12 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
14 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
16 safety; now, therefore,

18 **Be it enacted by the People of the State of Maine as follows:**

20 **Sec. 1. 29-A MRSA §521, sub-§11,** as amended by PL 2001, c. 77,
§1, is further amended to read:

22 **11. Violation.** A person other than a person with a
24 disability or an organization transporting a person with a
disability using a set of disability registration plates or a
26 windshield placard or a person other than a disabled veteran from
another state that has special designating plates that bear the
28 words "Disabled Veteran" commits a traffic infraction and is
subject to a penalty of not less than \$100 nor more than \$500.
30 The disability registration plates or removable windshield
placard may be suspended for improper use.

32 **Sec. 2. 29-A MRSA §521, sub-§12,** as enacted by PL 2001, c.
34 151, §1, is amended to read:

36 **12. Parking at meters.** Pursuant to Title 30-A, section
3009, subsection 1, paragraph C, subparagraph (4), a vehicle that
38 exhibits a permanent placard, a temporary placard ~~or~~ a
disability registration plate or an out-of-state registration
40 plate that bears the words "Disabled Veteran" may park at a
parking area with a meter without a charge and may park a length
42 of time that does not exceed twice the limit otherwise allowed.

44 **Sec. 3. 30-A MRSA §3009, sub-§1, ¶C,** as amended by PL 2001, c.
151, §2, is further amended to read:

46 C. The municipal officers may regulate the parking of motor
48 vehicles on any public way or public parking area,
including, but not limited to, providing for the
50 installation of parking meters, providing the fact that any

2 vehicle is illegally parked or is in a metered space when
the time signal on the parking meter for that space
4 indicates no parking permitted without the deposit of a coin
or coins is prima facie evidence that the vehicle has been
6 parked illegally by the person in whose name the vehicle is
registered, and establishing reasonable charges for metered
8 parking.

10 (1) Illegal parking of a vehicle in violation of any
ordinance authorized by this paragraph is a civil
12 violation.

14 (2) The municipal officers may establish a method by
which persons charged with the violation of parking
16 regulations may waive all court action by payment of
specified fees within stated periods of time.

18 (3) The revenue collected from parking meters must be
used:

20 (a) To purchase, maintain and police the meters;

22 (b) To construct and maintain public ways;

24 (c) To acquire, construct, maintain and operate
26 public parking areas; and

28 (d) For no other purpose.

30 (4) A vehicle that exhibits a permanent placard, a
32 temporary placard or a disability registration plate
issued under Title 29-A, section 521 or an out-of-state
34 registration plate that bears the words "Disabled
Veteran" may park at a parking area with a meter
36 without a charge and may park a length of time that
does not exceed twice the time limit otherwise allowed.

38 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect July 1, 2003.
40

42 SUMMARY

44 This bill clarifies that a disabled veteran who resides out
of state and has a motor vehicle that has a license plate that
46 bears the words "Disabled Veteran" may park in a handicapped
parking area without having to obtain a special placard from the
48 Secretary of State.