

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1

(EMERGENCY)

2

FIRST REGULAR SESSION

3

4

ONE HUNDRED AND ELEVENTH LEGISLATURE

5

6

Legislative Document

No. 728

7

8

H.P. 580

House of Representatives, February 10, 1983

9

Referred to the Committee on Local and County Government, sent up for concurrence and ordered printed.

10

11

EDWIN H. PERT, Clerk

Presented by Representative Andrews of Portland.

Cosponsor: Representative Murphy of Kennebunk.

12

13

STATE OF MAINE

14

15

IN THE YEAR OF OUR LORD

16

NINETEEN HUNDRED AND EIGHTY-THREE

17

18

AN ACT Relating to Handicapped Parking  
Space Designation.

19

20

21

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

22

23

24

Whereas, the law permitting the reserving and enforcement of special handicapped parking spaces was enacted in 1982; and

25

26

27

Whereas, that law requires a handicapped parking warning to contain 2 forms of notice that the space is reserved for handicapped parking; and

28

29

30

Whereas, many facilities already have signs that provide one form of warning but not both, making them legally insufficient as a proper warning under the law; and

31

32

33

1           Whereas, this legislation proposes to amend the  
2 law so that either form of warning is sufficient; and

3           Whereas, unless enacted as an emergency, the  
4 public purpose behind handicapped parking designation  
5 will be further delayed; and

6           Whereas, in the judgment of the Legislature,  
7 these facts create an emergency within the meaning of  
8 the Constitution of Maine and require the following  
9 legislation as immediately necessary for the preser-  
10 vation of the public peace, health and safety; now,  
11 therefore,

12           Be it enacted by the People of the State of Maine as  
13 follows:

14           30 MRSA §2151, sub-§2, ¶K, as enacted by PL 1981,  
15 c. 587, is amended to read:

16           K. Providing for the establishment and policing  
17 of parking spaces designated for handicapped per-  
18 sons. A municipality with off-street public  
19 parking areas may set aside an adequate number of  
20 these spaces for use by handicapped persons. A  
21 municipality with on-street public parking spaces  
22 may set aside an adequate number of these spaces  
23 in appropriate locations for use by handicapped  
24 persons. There shall be adjacent to and visible  
25 from each handicapped parking space a posted sign  
26 consisting of a profile view of a wheelchair with  
27 occupant in white on a blue background and, a  
28 sign bearing the following warning: "Handicapped  
29 Parking: Special Plate Required. Unauthorized  
30 vehicles are subject to a fine."; or any other  
31 sign or symbol that clearly designates that the  
32 space is reserved for handicapped parking only.  
33 Any vehicle parked in a parking space designated  
34 by a municipality as a handicapped parking space  
35 that does not bear a special registration plate  
36 or placard issued under Title 29, section 252, or  
37 a similar plate issued by another state, shall be  
38 cited for a penalty not to exceed \$25 unless  
39 otherwise established by local ordinance. Owners  
40 of private off-street parking may enter into  
41 agreements with local or county law enforcement

1 agencies for the policing of stalls and spaces  
2 dedicated for handicapped persons' vehicles,  
3 under which agreements unauthorized vehicles  
4 shall be tagged.

5 **Emergency clause.** In view of the emergency  
6 cited in the preamble, this Act shall take effect  
7 when approved.

8 STATEMENT OF FACT

9 The purpose of this bill is to increase the  
10 number of designations that may be used to identify  
11 handicapped parking spaces. Under current law, to be  
12 properly designated a handicapped parking space, the  
13 space must contain a sign with both the universal  
14 handicapped symbol and the verbal warning. Many  
15 spaces only have one or the other of these notices.  
16 This bill permits the use of either of these forms of  
17 notice or any other sign or symbol that clearly  
18 identifies the parking space as being reserved for  
19 handicapped persons.

20

1457020483