

# MAINE STATE LEGISLATURE

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R. of S.

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L.D. 1402  
(Filing No. S-148 )

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STATE OF MAINE  
SENATE  
113TH LEGISLATURE  
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A " to S.P. 458, L.D. 1402, Bill, "AN ACT to Prevent Abuse of Handicapped Parking Spaces."

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Amend the Bill in section 1 in paragraph E in the 5th line (page 1, line 12 in L.D.) by striking out the underlined figures "20" and inserting in its place the following: '25'

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Further amend the Bill in section 5 by striking out all of paragraph K and inserting in its place the following:

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'K. Providing for the establishment and policing of parking spaces designated for handicapped persons. A municipality with off-street public parking areas may set aside an adequate number of these spaces for use by handicapped persons. A municipality with on-street public parking spaces may set aside an adequate number of these spaces in appropriate locations for use by handicapped persons. The municipality may post any of the signs authorized by this paragraph adjacent to and visible from each handicapped parking space. One sign shall consist of a profile view of a wheelchair with an occupant in white on a blue background with a printed inscription. The inscription shall read: "Handicapped Parking: Special Plate Required. Unauthorized vehicles are subject to a fine." The other signs authorized under this paragraph and which may be posted in lieu of the first sign shall consist of a profile view of a wheelchair with an occupant in white on a blue background which may bear an inscription. Any new sign erected or any sign replaced after the effective date of this paragraph shall conform to the signs authorized by

COMMITTEE AMENDMENT " A " to S.P. 458, L.D. 1402

1 this paragraph. Any existing posted signs that  
 2 do not conform to the provisions of this para-  
 3 graph and which were erected prior to the effec-  
 4 tive date of this paragraph shall be deemed to be  
 5 valid for enforcement purposes. Any vehicle  
 6 parked in a clearly marked parking space desig-  
 7 nated ~~by a municipality~~ as a handicapped parking  
 8 space that does not bear a special registration  
 9 plate or placard issued under Title 29, section  
 10 252, or a similar plate issued by another state,  
 11 shall be cited for a penalty ~~not-to-exceed-\$25~~ of  
 12 not less than \$50 unless otherwise established by  
 13 local ordinance. Owners of private off-street  
 14 parking ~~may shall arrange for private enforcement~~  
 15 ~~or shall enter into agreements with local or~~  
 16 ~~county law enforcement agencies for the policing~~  
 17 ~~of stalls and spaces dedicated for handicapped~~  
 18 ~~persons' vehicles, under which agreements unau-~~  
 19 ~~thorized vehicles shall be tagged. Where service~~  
 20 ~~facilities are established on the Maine Turnpike~~  
 21 ~~and on the interstate highway system in Maine,~~  
 22 ~~the State Police shall enforce this subsection.~~  
 23 "Clearly marked" includes painted signs on pave-  
 24 ment, vertical standing signs or barriers, to the  
 25 extent possible, visible in all weather condi-  
 26 tions.

27 Under such agreements public law enforcement of-  
 28 officials may exercise their vested authority to  
 29 ensure that parking spaces designated for the  
 30 handicapped are utilized appropriately by handi-  
 31 capped persons, irrespective of whether the des-  
 32 ignated handicapped parking spaces are located on  
 33 public or private lots open to the public.'

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COMMITTEE AMENDMENT " A " to S.P. 458, L.D. 1402

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STATEMENT OF FACT

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This amendment changes the number 20 to 25 parking spaces, one of which would be designated a handicapped persons' parking space. Spaces shall be clearly marked and visible. The fine shall be \$50 for each offense, not only the first offense. The amendment requires owners of private lots to arrange for enforcement by private means or public agencies.

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Reported by Senator Tuttle for the Committee on State and Local Government. Reproduced and Distributed Pursuant to Senate Rule 12.  
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