

MAINE STATE LEGISLATURE

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 127, L.D. 151, Bill, "An Act to Allow Municipal Law Enforcement Officials to Enforce Handicapped Parking Restrictions"

Amend the bill by striking out the title and substituting the following:

'An Act to Increase the Penalty for Illegally Parking in a Handicapped Parking Space'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 30-A MRSA §3009, sub-§1, ¶D, as amended by PL 1995, c. 65, Pt. A, §128 and affected by §153 and Pt. C, §15, is further amended to read:

D. The following provisions apply to the establishment and policing of parking spaces for handicapped persons.

(1) Municipal public parking areas are subject to any applicable requirements of the Maine Human Rights Act, Title 5, chapter 337, subchapter V. The municipality shall post a sign adjacent to and visible from each handicapped parking space established by the municipality. The sign shall must display the international symbol for accessibility.

(2) Owners of private off-street parking shall arrange for private enforcement or shall enter into agreements with local or county law enforcement agencies to enforce handicapped parking restrictions. Under these agreements, unauthorized vehicles will be ticketed. An

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owner of private off-street parking who fails to arrange for private enforcement or to enter into an agreement with a law enforcement agency commits a civil violation for which a forfeiture of not less than \$50 may be adjudged.

Under these agreements, public law enforcement officials may ensure that parking spaces designated for the handicapped are used appropriately by handicapped persons, whether the designated handicapped parking spaces are located on public lots or on private lots open to the public. Handicapped parking restrictions in private lots may also be enforced by county or municipal volunteer parking enforcement specialists as provided in sections 471 and 472.

Where service facilities are established on the Maine Turnpike and on the interstate highway system in the State, the State Police shall enforce any handicapped parking restrictions at those facilities.

(3) Any vehicle or motorcycle parked in a parking space clearly marked as a handicapped parking space and that does not bear a special registration plate or placard issued under Title 29-A, section 521 or 523, or a similar plate issued by another state, must be cited for a forfeiture of not less than \$50 \$100. "Clearly marked" includes painted signs on pavement and vertical standing signs that are visible in existing weather conditions.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

Increasing the fine for improperly parking in a designated handicapped parking space may increase General Fund revenue by a minor amount.'

SUMMARY

This amendment strikes all of the changes proposed in the bill and raises the fine for improperly parking in a handicapped parking space from \$50 to \$100. It also adds a fiscal note to the bill.