

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 151

H.P. 127

House of Representatives, January 14, 1997

**An Act to Allow Municipal Law Enforcement Officials to Enforce  
Handicapped Parking Restrictions.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SIROIS of Caribou.  
Cosponsored by Representatives: DESMOND of Mapleton, JONES of Greenville, MAILHOT  
of Lewiston, O'NEAL of Limestone, SHIAH of Bowdoinham, SKOGLUND of St. George,  
STANLEY of Medway, Senator: KIEFFER of Aroostook.

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

2  
3       **Sec. 1. 30-A MRSA §3009, sub-§1, ¶D**, as amended by PL 1995, c.  
4 65, Pt. A, §128 and affected by §153 and Pt. C, §15, is further  
5 amended to read:

6  
7       D. The following provisions apply to the establishment and  
8 policing of parking spaces for handicapped persons.

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

18           ~~(2) Owners of private off street parking shall arrange~~  
19 ~~for private enforcement or shall enter into agreements~~  
20 ~~with local or county law enforcement agencies to~~  
21 ~~enforce handicapped parking restrictions. Under these~~  
22 ~~agreements, unauthorized vehicles will be ticketed. An~~  
23 ~~owner of private off street parking who fails to~~  
24 ~~arrange for private enforcement or to enter into an~~  
25 ~~agreement with a law enforcement agency commits a civil~~  
26 ~~violation for which a forfeiture of not less than \$50~~  
27 ~~may be adjudged. Handicapped parking restrictions may~~  
28 be enforced by local and county law enforcement  
29 officials, county or municipal volunteer parking  
30 enforcement specialists as provided in sections 471  
31 and 472, or persons with whom the owner of a private  
32 off street parking area has entered an agreement for  
33 enforcement.

34  
35           ~~Under these agreements, public~~ Public law enforcement  
36 officials may ensure that parking spaces designated for  
37 the handicapped are used appropriately by handicapped  
38 persons, whether the designated handicapped parking  
39 spaces are located on public lots or on private lots  
40 open to the public. ~~Handicapped parking restrictions~~  
41 ~~in private lots may also be enforced by county or~~  
42 ~~municipal volunteer parking enforcement specialists as~~  
43 ~~provided in sections 471 and 472.~~

44  
45           Where service facilities are established on the Maine  
46 Turnpike and on the interstate highway system in the  
47 State, the State Police shall enforce any handicapped  
48 parking restrictions at those facilities.

2 (3) Any vehicle or motorcycle parked in a parking  
4 space clearly marked as a handicapped parking space and  
6 that does not bear a special registration plate or  
8 placard issued under Title 29-A, section 521 or 523, or  
10 a similar plate issued by another state, must be towed  
12 immediately and cited for a forfeiture of not less than  
14 \$50 for the first violation and \$100 for each  
16 subsequent violation. "Clearly marked" includes  
18 painted signs on pavement and vertical standing signs  
20 that are visible in existing weather conditions.  
22

### SUMMARY

16 This bill authorizes local law enforcement officials to  
18 enforce handicapped parking restrictions on private as well as  
20 public property, increases the fee for 2nd and subsequent  
22 violations of handicapped parking restrictions and requires that  
vehicles illegally parked in spaces reserved for handicapped  
parking be towed immediately.