

MAINE STATE LEGISLATURE

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L.D. 1706

DATE: 2/15/06

(Filing No. H- 764)

TRANSPORTATION
Majority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1213, L.D. 1706, Bill, "An Act To Prohibit Parking in Access Aisles"

Amend the bill by inserting before section 1 the following:

'Sec. 1. 5 MRSA §4594-G is enacted to read:

§4594-G. Access aisle signs

Any entity that is required under this chapter or under the federal Americans with Disabilities Act Standards for Accessible Design, 28 Code of Federal Regulations, Part 36, Section 4 (2004) to have a disability parking space access aisle shall post a sign adjacent to and visible from each access aisle. The sign for an access aisle must incorporate the international symbol of accessibility and indicate the fine for violation of Title 29-A, section 521, subsection 9-A.'

Further amend the bill in section 1 in subsection 9-A in the last line (page 1, line 36 in L.D.) by inserting after the following: "placard." the following: 'Notwithstanding section 2604, a person who violates this subsection is subject to a fine of not less than \$100 and not more than \$500.'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 30-A MRSA §3009, sub-§1, ¶D, as amended by PL 2003, c. 117, §1, is further amended to read:

COMMITTEE AMENDMENT

Rds

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

(1) Municipal public parking areas are subject to any applicable requirements of the Maine Human Rights Act, Title 5, chapter 337, subchapter 5. The municipality shall post a sign adjacent to and visible from each handicapped disability parking space established by the municipality. The sign must display the international symbol for accessibility. The municipality shall post a sign adjacent to and visible from each access aisle established by the municipality. The sign for an access aisle must incorporate the international symbol of accessibility and indicate the fine for violation of Title 29-A, section 521, subsection 9-A.

(2-A) Enforcement of handicapped disability parking restrictions must be in accordance with Title 29-A, section 521, subsection 9-A.

(3) Any vehicle or motorcycle parked in a parking space clearly marked as a handicapped disability 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 fine of not less than \$100 and not more than \$500. "Clearly marked" includes painted signs on pavement and vertical standing signs that are visible in existing weather conditions.

(4) The municipal officers may establish and enforce the time limit for use of a parking space reserved as a handicapped disability parking space on a public way or public parking area.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report of the Joint Standing Committee on Transportation, adds a fine of not less than \$100 or more than \$500 for persons who illegally park in a disability parking space or an access aisle. This amendment also provides that municipalities and places of public accommodation

COMMITTEE AMENDMENT "A" to H.P. 1213, L.D. 1706

that are required by law to have disability parking space access
aisles shall post a sign adjacent to and visible from each access
aisle.

This amendment also changes the term "handicapped parking
space" to "disability parking space."

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 1706

LR 2621(02)

An Act to Prohibit Parking in Access Aisles

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

Majority Report

Fiscal Note

Minor cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes a new traffic infraction.

The collection of additional fines may increase General Fund revenue by minor amounts.