

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 873

H.P. 604

House of Representatives, March 5, 2009

### **An Act To Improve Wheelchair-dependent Parking Access**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative THIBODEAU of Winterport.  
Cosponsored by Representatives: ADAMS of Portland, AYOTTE of Caswell, CRAY of  
Palmyra, CURTIS of Madison, GIFFORD of Lincoln, GILES of Belfast, HASKELL of  
Portland, SAVIELLO of Wilton.

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

2 **Sec. 1. 29-A MRS §521, sub-§9-A,** as amended by PL 2005, c. 528, §1, is  
3 further amended to read:

4 **9-A. Enforcement of disability parking restrictions.** A law enforcement officer  
5 may enforce disability parking restrictions. The State Police shall enforce disability  
6 parking restrictions at service facilities established on the Maine Turnpike and on the  
7 interstate highway system in the State. ~~A person commits a traffic infraction if that~~  
8 ~~person parks in a parking space designated and clearly marked for persons with physical~~  
9 ~~disabilities and has not been issued or is not transporting a person who has been issued a~~  
10 ~~disability registration plate or a removable windshield placard pursuant to this section or~~  
11 ~~section 523 or a disability registration plate or placard issued by another state. A person~~  
12 ~~commits a traffic infraction if that person parks in an access aisle, regardless of whether~~  
13 ~~the person has been issued a disability registration plate or removable placard.~~  
14 ~~Notwithstanding section 2604, a person who violates this subsection is subject to a fine of~~  
15 ~~not less than \$200 and not more than \$500.~~

16 A. A person commits a traffic infraction if that person:

17 (1) Parks in a parking space designated and clearly marked for persons with  
18 physical disabilities and has not been issued or is not transporting a person who  
19 has been issued a disability registration plate or a removable windshield placard  
20 pursuant to this section or section 523 or a disability registration plate or placard  
21 issued by another state;

22 (2) Parks in an access aisle, regardless of whether the person has been issued a  
23 disability registration plate or removable placard; or

24 (3) Has a disability registration plate or removable windshield placard and parks  
25 in a van accessible disability parking space with an access aisle, as described  
26 under 28 Code of Federal Regulations, Part 36, Appendix A, Standards for  
27 Accessible Design, Section 4.1.2(5), and does not require or is not transporting a  
28 person who requires mobility equipment, including, but not limited to, a  
29 wheelchair, or mobility equipment lift systems necessary for a person to enter or  
30 exit the vehicle safely. This subparagraph does not apply if the parking lot has  
31 only one designated disability parking space.

32 B. Notwithstanding section 2604, a person who violates this subsection is subject to  
33 a fine of not less than \$200 and not more than \$500.

34 **SUMMARY**

35 This bill prohibits a person who possesses a disability registration plate or removable  
36 windshield placard from parking in a van accessible disability parking space as described  
37 under 28 Code of Federal Regulations, Part 36, Appendix A, Standards for Accessible  
38 Design, Section 4.1.2(5). This provision does not apply if the parking lot has only one  
39 designated disability parking space.