

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1250

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H.P. 873

House of Representatives, March 30, 2017

### **An Act To Ensure That Handicapped Parking Is Properly Enforced**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative RILEY of Jay.

Cosponsored by Senator GRATWICK of Penobscot and

Representatives: AUSTIN of Skowhegan, SHEATS of Auburn, Senator: COLLINS of York.

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

2 **Sec. 1. 29-A MRSA §521, sub-§9-A**, as amended by PL 2015, c. 52, §1, is  
3 further amended to read:

4 **9-A. Enforcement of disability parking restrictions.** A law enforcement officer  
5 ~~may shall~~ enforce disability parking restrictions on public property and on private  
6 property open to public use. The State Police shall enforce disability parking restrictions  
7 at service facilities established on the Maine Turnpike and on the interstate highway  
8 system in the State. A person commits a traffic infraction if that person parks in a  
9 parking space designated and clearly marked for persons with physical disabilities and  
10 has not been issued or is not transporting a person who has been issued a disability  
11 registration plate or a removable windshield placard pursuant to this section or section  
12 523 or a disability registration plate or placard issued by another state. A person commits  
13 a traffic infraction if that person parks in an access aisle, regardless of whether the person  
14 has been issued a disability registration plate or removable placard. A person who  
15 violates this subsection is subject to a fine of not less than \$200 and not more than \$500,  
16 except that a court may suspend up to 1/2 of the fine and impose a nonmonetary sanction  
17 meant to educate the offender about accommodating persons with disabilities. Testimony  
18 under oath with clear photographic evidence from a person with a disability or the driver  
19 of a vehicle transporting a person with a disability that a vehicle was parked in violation  
20 of this subsection is prima facie evidence of a violation of this subsection. For purposes  
21 of this subsection, "person with a disability" has the same meaning as in subsection 1.

22 **Sec. 2. 29-A MRSA §521, sub-§9-B, ¶E**, as amended by PL 2013, c. 381, Pt. C,  
23 §2, is further amended to read:

24 E. A person who violates this subsection is subject to a fine of not less than \$200 and  
25 not more than \$500, except that a court may suspend up to 1/2 of the fine and impose  
26 a nonmonetary sanction meant to educate the offender about accommodating persons  
27 with disabilities.

28 **Sec. 3. 29-A MRSA §2602, sub-§4, ¶B**, as amended by PL 2003, c. 498, §6 and  
29 affected by §12, is further amended to read:

30 B. Of the fines and forfeitures collected for traffic infractions under sections 511,  
31 2354, 2356, 2360, 2380, 2387 and 2388, 7% accrues to the General Fund, 6% accrues  
32 to the Law Enforcement Agency Reimbursement Fund and the balance accrues to the  
33 General Highway Fund; ~~and~~

34 **Sec. 4. 29-A MRSA §2602, sub-§4, ¶C**, as amended by PL 2003, c. 498, §6 and  
35 affected by §12, is further amended to read:

36 C. Of the fines and forfeitures collected for violations other than traffic infractions  
37 under sections 511, 2354, 2356, 2360, 2380, 2387 and 2388, only \$5 or 13%,  
38 whichever is greater, accrues to the General Fund and the balance accrues to the  
39 Highway Fund; ~~and~~

40 **Sec. 5. 29-A MRSA §2602, sub-§4, ¶D** is enacted to read:

