

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2018

H.P. 1439

House of Representatives, January 14, 2020

An Act To Require That Parking Lots for State Agencies Meet the Standards Set Forth in the Federal Americans with Disabilities Act of 1990

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

ROBERT B. HUNT
Clerk

Presented by Representative RILEY of Jay.

Cosponsored by Senator LIBBY of Androscoggin and

Representatives: CROCKETT of Portland, FAY of Raymond, TERRY of Gorham, TUELL of East Machias, Senators: CLAXTON of Androscoggin, VITELLI of Sagadahoc.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this Act requires that each state department, state agency and quasi-
4 independent state entity conduct an examination of parking areas serving buildings
5 housing the state department, state agency or quasi-independent state entity to ensure that
6 each parking area meets the federal standards related to the marking of parking space
7 access aisles under the 2010 standards for accessible design under the federal Americans
8 with Disabilities Act of 1990; and

9 **Whereas,** such examinations must be conducted by June 1, 2020 to ensure that the
10 state department, state agency or quasi-independent state entity can make necessary
11 changes to the marking of parking space access aisles during the upcoming construction
12 season; and

13 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
14 the meaning of the Constitution of Maine and require the following legislation as
15 immediately necessary for the preservation of the public peace, health and safety; now,
16 therefore,

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

18 **Sec. 1. 5 MRSA §4594-H** is enacted to read:

19 **§4594-H. Marking of parking space access aisles**

20 Notwithstanding any provision of this subchapter to the contrary, a state department,
21 state agency or quasi-independent state entity shall ensure that parking areas serving
22 state-owned or state-leased buildings housing that state department, state agency or quasi-
23 independent state entity meet the federal standards related to the marking of parking
24 space access aisles under the 2010 ADA Standards for Accessible Design, 28 Code of
25 Federal Regulations, Sections 35.104 and 35.151. For the purposes of this section,
26 "quasi-independent state entity" has the same meaning as in section 12021, subsection 5.

27 **Sec. 2. Parking space access aisles; examination and changes.** By June 1,
28 2020, each state department, state agency and quasi-independent state entity shall conduct
29 an examination of the parking areas serving state-owned or state-leased buildings housing
30 that state department, state agency or quasi-independent state entity to ensure that each
31 parking area meets the federal standards related to the marking of parking space access
32 aisles under the 2010 ADA Standards for Accessible Design, 28 Code of Federal
33 Regulations, Sections 35.104 and 35.151 as required by the Maine Revised Statutes, Title
34 5, section 4594-H. By November 1, 2020, each state department, state agency and quasi-
35 independent state entity shall implement any necessary changes identified in the
36 examination to ensure that each parking area subject to this section meets the federal
37 standards related to the marking of parking space access aisles under the 2010 ADA
38 Standards for Accessible Design, 28 Code of Federal Regulations, Sections 35.104 and
39 35.151. For the purposes of this section, "quasi-independent state entity" has the same
40 meaning as in Title 5, section 12021, subsection 5.

