

**Department of Legislative Services**  
 Maryland General Assembly  
 2002 Session

**FISCAL NOTE**

House Bill 138 (Delegate Kelly)  
 Commerce and Government Matters

**Vehicle Laws - Personal Residential Reserved Parking for Persons with  
 Permanent Physical Disability - Review of Eligibility**

This bill requires the Motor Vehicle Administration (MVA) to conduct a review of all personal residential parking permits for persons with permanent physical disabilities every two years from the date the permits are issued to determine if the eligibility requirements continue to be met. If the MVA determines that the requirements of a permit are no longer being met, it must revoke the permit and require an appropriate agency to remove the sign designating the reserved space.

**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures would increase by approximately \$29,200 in FY 2003, which includes start-up costs. Future years reflect operating expenses and inflation. Revenues would not be affected.

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	29,200	24,700	25,800	27,000	28,300
Net Effect	(\$29,200)	(\$24,700)	(\$25,800)	(\$27,000)	(\$28,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None. Local authorities could handle any increased sign removal costs with existing resources.

**Small Business Effect:** None.

## **Analysis**

**Current Law:** A person who has a permanent physical disability may apply to the administration for a permit for one personal residential reserved parking space located at the curb, side, or edge of the roadway of the highway in front of or near the applicant's home. The MVA must issue the permit if: (1) the applicant is required to use a wheelchair to move about; or (2) the MVA determines that the disability is so severe that the applicant would endure a hardship or be subject to a risk of injury if the applicant should enter or leave the vehicle at a less convenient location; and (3) the MVA determines that the physical disability is permanent. The MVA is authorized to conduct audits but is not required to do so under any specific schedule.

Fraud and misrepresentation in applying for a disabled person's reserved parking space permit and fraudulent use of such a permit carries a maximum \$120 fine assessed by the District Court.

**Background:** An identical bill was introduced in the 2000 legislative session and vetoed by the Governor. At the time, the MVA was constructing an automated system to manage and audit the disability placards program according to the veto letter issued by the Governor. The system would allow the MVA to link its system with the Social Security Administration and local vital records offices to receive automatic notices if an eligible permit holder died or relocated.

While links to the vital records office have now been established to alert the MVA if a permit holder dies as part of the new disability permit system, those links only apply to the placards issued to vehicles owned by persons with disabilities. Eligibility verification for reserved parking space permits (as well as disability license plates) is not yet automated; the MVA advises that they have not been added to the system due to a lack of funding. However, the design is in place. The MVA currently responds to complaints regarding potential abuse of a parking space permit but does not conduct a regular audit.

**State Expenditures:** TTF expenditures would increase by \$29,228 in fiscal 2003 to hire a part-time investigator to conduct an audit of residential parking space permits. There are approximately 9,200 personal residential parking spaces reserved for persons with disabilities, and 320 applications are filed annually for additional spaces. The MVA advises that even with the automated system, applications still need to be reviewed by an MVA investigator to determine their validity. The Department of Legislative Services concurs with this assessment but advises that the workload will be less when the system is in place, and that a part-time investigator could likely handle the requirements of a biennial audit.

This estimate reflects the cost of hiring one part-time person and includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salary and Fringe Benefits	\$16,077
Operating Expenses	<u>13,151</u>
<b>Total FY 2003 State Expenditures</b>	<b>\$29,228</b>

Future year expenditures reflect: (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

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### **Additional Information**

**Prior Introductions:** An identical bill was introduced as HB 120 in the 2000 session. It passed the House and Senate with amendments but was vetoed by the Governor.

**Cross File:** None.

**Information Source(s):** Department of Transportation (Motor Vehicle Administration),  
Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2002  
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Analysis by: Ann Marie Maloney

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510