

**Department of Legislative Services**  
 Maryland General Assembly  
 2004 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 368

(Senator DeGrange, *et al.*)

Judicial Proceedings

Environmental Matters

**Task Force on Parking for Individuals with Disabilities**

This bill establishes a Task Force on Parking for Individuals with Disabilities. The task force is charged with studying current laws regarding parking privileges for individuals with disabilities, with a focus on laws governing parking spaces designated for Class M (multipurpose) vehicles and for the use of individuals with disabilities. The task force must make recommendations, including draft legislation and regulations, on issues relating to parking placards, special registration plates, and parking spaces designated for individuals with disabilities. The task force is required to report its findings and recommendations to the General Assembly by December 31, 2004. The Maryland Department of Transportation is required to staff the task force.

The bill is effective June 1, 2004 and terminates December 31, 2004.

**Fiscal Summary**

**State Effect:** Any expense reimbursements for task force members are assumed to be minimal and absorbable with existing resources. Transportation Trust Fund (TTF) expenditures could increase by \$70,000 in FY 2005 only to comply with reporting requirements.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	70,000	0	0	0	0
Net Effect	(\$70,000)	\$0	\$0	\$0	\$0

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

**Local Effect:** None.

**Small Business Effect:** Minimal.

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## **Analysis**

**Current Law:** A person for whom special registration plates are issued under the Maryland Vehicle Law or under a similar provision of any other state or country may park for unlimited periods in restricted parking zones, as specified, and is not required to pay any parking meter fees assessed by the State or any political subdivision where parking meters do not meet the requirements of the Americans with Disabilities Act (ADA). The person may park for twice the maximum time permitted on a parking meter that does meet ADA standards, not to exceed four hours or, if the parking meter permits four hours of parking, for the period permitted on the parking meter. Subject to the posted time restriction, this person may park in a designated zone for the handicapped at any State-owned airport. When displayed, a person with an authorized removable windshield placard issued under the Maryland Vehicle Law or a similar provision of any state or country has the same aforementioned parking privileges.

A person may apply to the Motor Vehicle Administration (MVA) for a temporary parking placard if the applicant, a dependent of the applicant, or any individual who depends on the applicant for transportation has a disability, as specified by statute, and a licensed physician, chiropractor, optometrist, or podiatrist certifies that the disability is not permanent, but would substantially impair the applicant's mobility or limit the applicant's ability to walk for at least three weeks and is so severe as to impose a hardship or risk of injury to the applicant if the temporary parking placard were denied.

An application for a temporary parking placard must meet the requirements specified in statute, and be displayed as specified. A person must meet the eligibility requirements set forth in statute and may not commit any fraud or make any misrepresentation in certifying, applying for, or using a temporary parking placard. The MVA is authorized to review temporary parking placards that are issued and may request review and recommendations from the Medical Advisory Board. The MVA may revoke the temporary parking placard if it determines that eligibility requirements are not being met. The MVA must establish an automated system for recording the issuance, renewal, and expiration of temporary placards, as specified in statute.

A person is prohibited from parking a motor vehicle in a space designated for the use of individuals with disabilities unless: (1) the vehicle bears a special registration plate, a removable or temporary removable placard issued by the MVA or a similar insignia issued by another state, the District of Columbia, or another country; and (2) the person is authorized to use the privileges conferred by the plate or placard issued by the MVA, the District of Columbia, or another country. A person who parks a motor vehicle in

violation of this provision is guilty of a misdemeanor, with a maximum fine of \$500. The penalty currently imposed by the District Court is \$125.

**State Expenditures:** TTF expenditures could increase by \$70,000 in fiscal 2005 only to hire consultants to assist with completion of task force requirements within the six-month time frame authorized in this bill. The MVA estimates that MVA representatives would spend 80 hours on the task force.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2004  
mh/jr Revised - Senate Third Reader - March 23, 2004

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