

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 518

(Senator Simonaire)

Judicial Proceedings

Vehicle Laws - Special Registration Plates and Parking Placards for Dependents
with Disabilities - Authorized

This bill authorizes the Motor Vehicle Administration (MVA) to issue a special disability registration, special disability registration plate, and disability parking placard to a person with a dependent with a disability under the criteria set forth in the Maryland Vehicle Law. On the death of, or divorce from, the dependent with a disability, a person must return the special disability registration card and special disability registration plates to MVA for cancellation within 30 days.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by about \$97,200 in FY 2011 for computer reprogramming contractual costs incurred by MVA. Printing and postage costs increase by between \$25,000 and \$60,000 between FY 2011 and 2012 to send additional disability plates and placards to those newly eligible under the bill. Out-year expenditures are assumed to be minimal. Revenues are unaffected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: MVA may provide a special disability registration number and plate to the owner of a vehicle who submits satisfactory proof of specified physical disabilities. A licensed physician, certified nurse practitioner, chiropractor, optometrist, or podiatrist must certify that the vehicle owner has a cardiovascular, lung, ambulatory, visual, or

other specified disability in accordance with the Maryland Vehicle Law. In addition, a parent or legal guardian may apply for a special disability parking placard on behalf of a qualified minor.

MVA may not accept an application for special disability registration from an applicant who possesses one valid special registration, or two parking placards. MVA may issue one registration plate and one placard to the same applicant. An applicant who does not possess a registration plate may be issued two placards.

Individuals applying for a renewal of a special disability registration plate or a parking placard are not required to provide proof of continued disability. However, if MVA finds it necessary to review the severity or permanency of a disability, it may request further review from the Medical Advisory Board. If it determines that the eligibility requirements for the special registration or parking placard are not being met, MVA may revoke the registration or parking placard.

Background: Chapter 268 of 2004 established the Task Force on Parking for Individuals with Disabilities to study the then current laws on parking privileges for persons with disabilities as they related to parking spaces reserved for multipurpose vehicles and to make specific recommendations for needed legislation and regulations on issues related to the use of disability parking placards and license plates. Task force membership included representatives of the persons with disabilities community, law enforcement officials, the Maryland General Assembly, retail industry, medical community, and various governmental agencies regulating or enforcing issues related to disabilities or disability parking issues. The task force met six times from September through early December and developed a variety of recommendations to enhance and improve parking for persons with disabilities in Maryland.

One of the nine recommendations of the task force was that special disability registration plates for individual applicants be limited to applicants with disabilities who are either owners or co-owners of the vehicle. It was found that Maryland was more generous than the federal regulatory scheme in terms of the scope of individuals eligible to apply for special disability parking plates. Federal regulations anticipate that disability parking plates be issued only to a qualified vehicle owner or co-owner, or an organization that transports people with disabilities. The federal regulations anticipated that family or friends transporting individuals with disabilities could utilize the parking placard when doing so. At the time, Maryland law, however, allowed disability parking plates to be issued not only to vehicle owners with disabilities but also to vehicle owners who submit a certificate of dependency that a person deemed eligible by MVA for disability parking privileges relies on the vehicle owner for transportation. Data supplied to the task force indicated that, of the approximately 89,000 disability parking plates issued, an estimated 30,000 of these plates were issued to transporters without a disability.

Thus, Chapter 326 of 2005 specified that an individual may only apply for a special disability registration plate for that individual and not for a dependent of the applicant, or any individual who depends on the applicant for transportation.

State Expenditures: MVA advises that the Disabilities Permitting System will require programming work by the program vendor, at a cost of \$97,165. In addition, MVA advises that implementation of the bill will require significant in-house programming of another related computer system; to the extent that this cannot be accomplished by the bill's effective date with existing resources, MVA may be required to retain outside contractual services.

In addition, expenditures may increase by between \$25,000 and \$60,000 between fiscal 2011 and 2012 due to postage costs associated with sending the additional special disability registration plates and placards authorized under the bill, as well as the cost of printing new application forms. Printing costs are incurred in fiscal 2011 only, but the costs of mailing a significant number of additional disability plates and placards, perhaps between 30,000 and 70,000, are incurred in both fiscal 2011 and 2012. After fiscal 2012, costs are assumed to be minimal, due to a minimal number of new applications as well as for renewal of the additional placards and plates.

The estimate does not reflect the cost of any additional personnel to process these applications, and it is assumed this additional operational burden can be handled with existing resources. In addition, the estimate does not reflect the cost to procure additional registration plates or placards, which are assumed to be available in existing MVA inventories. Finally, the estimate does include any costs associated with strict enforcement of additional special disability registration plate and placard issuance. A lack of enforcement in conjunction with a greater number of disability registration plates and placards was a principal concern of the Task Force on Parking for Individuals with Disabilities due to the potential for fraudulent use of such plates and placards.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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