

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1018 (Delegate George, *et al.*)
Environmental Matters

Vehicle Laws - Parking for Individuals with Disabilities - Van Accessible Spaces

This bill prohibits a person from stopping, standing, or parking a motor vehicle in a space designated as “disabled van accessible” unless the motor vehicle is a van with a special disability registration plate or placard that is driven by a person with the applicable authorization. The bill also prohibits stopping, standing, or parking a motor vehicle in the 96-inch access aisle accompanying a disabled van accessible parking space. Each disabled van accessible parking space must be posted with a specified supplemental “Van Accessible ONLY” sign, and each disabled van accessible parking space access aisle must be posted with a supplemental “No Parking” sign. A violation of the bill is a misdemeanor that carries a fine of \$200.

Fiscal Summary

State Effect: State expenditures (all funds) may increase minimally in FY 2013 to provide signage required by the bill. Revenues are not likely to be materially affected by application of the bill’s penalties.

Local Effect: Local government expenditures may increase minimally in FY 2013 to provide signage required by the bill.

Small Business Effect: Minimal.

Analysis

Current Law/Background: A person may not park a motor vehicle in a space designated for the use of individuals with disabilities unless the vehicle bears a special registration plate, a removable windshield placard, or a temporary removable windshield

placard issued by the Motor Vehicle Administration or by another state, the District of Columbia, or another country, and unless the person is authorized to use the special registration plate, removable windshield placard, or temporary placard. A violation of these provisions carries the generally applicable Maryland Vehicle Law misdemeanor penalty of up to \$500, or a prepayment fine of \$140.

Each parking lot that is constructed or altered after October 1, 1996, must conform to the requirements of the Maryland Accessibility Code. Any restriping or repaving of a parking lot is considered an alteration. By October 1, 2010, all parking lots in the State were required to conform to these requirements. Chapter 364 of 2010 allows for compliance with the Accessibility Code parking space requirements by restriping a parking lot to provide the required number of parking spaces; if the restriping reduces the total number of parking spaces below that required by local law, the relevant jurisdiction is required to grant the property owner an exception to the zoning ordinance.

The Maryland Accessibility Code references the Americans with Disabilities Act guidelines and requires a certain number of compliant parking spaces depending on the property's characteristics, including ownership. The Accessibility Code requires that the new construction, alteration, addition to, or change of use of private buildings and facilities include a minimum of one van accessible parking space for every four total spaces.

According to the federal Centers for Disease Control and Prevention (CDC), 47.5 million adults (21.8%) in the United States reported a disability in 2005. According to CDC, about 1 in 10 adults have trouble walking a distance equal to the typical distance from the parking lot to the back of a large store.

Local Expenditures: Local expenditures may increase minimally for some jurisdictions to provide and install the signage required by the bill. Most jurisdictions that were contacted for fiscal information indicated that the bill will have minimal or no impact. However, Baltimore County advises that the bill may require up to \$20,000 in signage costs. Given that this represents the high-end estimate for one of the largest jurisdictions in Maryland, it is assumed that any increase in expenditures for local governments will generally be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Cecil, Harford, Montgomery, and St. Mary's counties; Department of Disabilities; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; U.S. Centers for Disease Control and Prevention; Department of Legislative Services

Fiscal Note History: First Reader - March 7, 2012
mlm/ljm

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