



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1250

H.P. 873

House of Representatives, March 30, 2017

An Act To Ensure That Handicapped Parking Is Properly Enforced

Reference to the Committee on Transportation suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative RILEY of Jay.

Cosponsored by Senator GRATWICK of Penobscot and

Representatives: AUSTIN of Skowhegan, SHEATS of Auburn, Senator: COLLINS of York.

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

2 **Sec. 1. 29-A MRSA §521, sub-§9-A**, as amended by PL 2015, c. 52, §1, is
3 further amended to read:

4 **9-A. Enforcement of disability parking restrictions.** A law enforcement officer
5 ~~may~~ shall enforce disability parking restrictions on public property and on private
6 property open to public use. The State Police shall enforce disability parking restrictions
7 at service facilities established on the Maine Turnpike and on the interstate highway
8 system in the State. A person commits a traffic infraction if that person parks in a
9 parking space designated and clearly marked for persons with physical disabilities and
10 has not been issued or is not transporting a person who has been issued a disability
11 registration plate or a removable windshield placard pursuant to this section or section
12 523 or a disability registration plate or placard issued by another state. A person commits
13 a traffic infraction if that person parks in an access aisle, regardless of whether the person
14 has been issued a disability registration plate or removable placard. A person who
15 violates this subsection is subject to a fine of not less than \$200 and not more than \$500,
16 except that a court may suspend up to 1/2 of the fine and impose a nonmonetary sanction
17 meant to educate the offender about accommodating persons with disabilities. Testimony
18 under oath with clear photographic evidence from a person with a disability or the driver
19 of a vehicle transporting a person with a disability that a vehicle was parked in violation
20 of this subsection is prima facie evidence of a violation of this subsection. For purposes
21 of this subsection, "person with a disability" has the same meaning as in subsection 1.

22 **Sec. 2. 29-A MRSA §521, sub-§9-B, ¶E**, as amended by PL 2013, c. 381, Pt. C,
23 §2, is further amended to read:

24 E. A person who violates this subsection is subject to a fine of not less than \$200 and
25 not more than \$500, except that a court may suspend up to 1/2 of the fine and impose
26 a nonmonetary sanction meant to educate the offender about accommodating persons
27 with disabilities.

28 **Sec. 3. 29-A MRSA §2602, sub-§4, ¶B**, as amended by PL 2003, c. 498, §6 and
29 affected by §12, is further amended to read:

30 B. Of the fines and forfeitures collected for traffic infractions under sections 511,
31 2354, 2356, 2360, 2380, 2387 and 2388, 7% accrues to the General Fund, 6% accrues
32 to the Law Enforcement Agency Reimbursement Fund and the balance accrues to the
33 General Highway Fund; ~~and~~

34 **Sec. 4. 29-A MRSA §2602, sub-§4, ¶C**, as amended by PL 2003, c. 498, §6 and
35 affected by §12, is further amended to read:

36 C. Of the fines and forfeitures collected for violations other than traffic infractions
37 under sections 511, 2354, 2356, 2360, 2380, 2387 and 2388, only \$5 or 13%,
38 whichever is greater, accrues to the General Fund and the balance accrues to the
39 Highway Fund; ~~and~~

40 **Sec. 5. 29-A MRSA §2602, sub-§4, ¶D** is enacted to read:

