



# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2018

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H.P. 1439

House of Representatives, January 14, 2020

**An Act To Require That Parking Lots for State Agencies Meet the Standards Set Forth in the Federal Americans with Disabilities Act of 1990**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on State and Local Government suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative RILEY of Jay.

Cosponsored by Senator LIBBY of Androscoggin and

Representatives: CROCKETT of Portland, FAY of Raymond, TERRY of Gorham, TUELL of East Machias, Senators: CLAXTON of Androscoggin, VITELLI of Sagadahoc.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** this Act requires that each state department, state agency and quasi-  
4 independent state entity conduct an examination of parking areas serving buildings  
5 housing the state department, state agency or quasi-independent state entity to ensure that  
6 each parking area meets the federal standards related to the marking of parking space  
7 access aisles under the 2010 standards for accessible design under the federal Americans  
8 with Disabilities Act of 1990; and

9           **Whereas,** such examinations must be conducted by June 1, 2020 to ensure that the  
10 state department, state agency or quasi-independent state entity can make necessary  
11 changes to the marking of parking space access aisles during the upcoming construction  
12 season; and

13           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
14 the meaning of the Constitution of Maine and require the following legislation as  
15 immediately necessary for the preservation of the public peace, health and safety; now,  
16 therefore,

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

18           **Sec. 1. 5 MRSA §4594-H** is enacted to read:

19           **§4594-H. Marking of parking space access aisles**

20           Notwithstanding any provision of this subchapter to the contrary, a state department,  
21 state agency or quasi-independent state entity shall ensure that parking areas serving  
22 state-owned or state-leased buildings housing that state department, state agency or quasi-  
23 independent state entity meet the federal standards related to the marking of parking  
24 space access aisles under the 2010 ADA Standards for Accessible Design, 28 Code of  
25 Federal Regulations, Sections 35.104 and 35.151. For the purposes of this section,  
26 "quasi-independent state entity" has the same meaning as in section 12021, subsection 5.

27           **Sec. 2. Parking space access aisles; examination and changes.** By June 1,  
28 2020, each state department, state agency and quasi-independent state entity shall conduct  
29 an examination of the parking areas serving state-owned or state-leased buildings housing  
30 that state department, state agency or quasi-independent state entity to ensure that each  
31 parking area meets the federal standards related to the marking of parking space access  
32 aisles under the 2010 ADA Standards for Accessible Design, 28 Code of Federal  
33 Regulations, Sections 35.104 and 35.151 as required by the Maine Revised Statutes, Title  
34 5, section 4594-H. By November 1, 2020, each state department, state agency and quasi-  
35 independent state entity shall implement any necessary changes identified in the  
36 examination to ensure that each parking area subject to this section meets the federal  
37 standards related to the marking of parking space access aisles under the 2010 ADA  
38 Standards for Accessible Design, 28 Code of Federal Regulations, Sections 35.104 and  
39 35.151. For the purposes of this section, "quasi-independent state entity" has the same  
40 meaning as in Title 5, section 12021, subsection 5.

