



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4333 (as reported with amendment)
Sponsor: Representative Frank Accavitti, Jr.
House Committee: Transportation
Senate Committee: Transportation

Date Completed: 6-11-03

RATIONALE

Under the Michigan Vehicle Code, parking is prohibited "in a parking space clearly identified by an official sign as being reserved for use by disabled persons that is on public property or private property available for public use, unless a person is disabled, or parking the vehicle for the benefit of a disabled person". In order to park in a designated space, a driver must display a placard or registration plate, which can be issued only after a physician, chiropractor, or vision specialist certifies a disability that restricts the person's ability to walk. According to the Secretary of State, qualifying disabilities are defined as: blindness; inability to walk more than 200 feet without stopping to rest; use of a wheelchair, walker, crutch, brace, or other ambulatory aid; lung disease with deterioration in expiratory volume; cardiovascular condition; arthritic, neurological, or orthopedic condition that severely limits the ability to walk; or persistent reliance on oxygen sources other than ordinary air.

Frequently, however, people without disabilities park in these reserved spaces, restricting the mobility of those with disabilities. It was suggested that the fine for illegally parking in a space reserved for the disabled be raised to deter improper use of the spaces.

CONTENT

The bill would amend the Michigan Vehicle Code to increase the penalty for illegally parking in a space for the disabled. The bill would take effect on October 1, 2003.

Under the Code, a person who parks illegally in a space reserved for persons with disabilities is responsible for a civil infraction and must pay a fine of between \$50 and \$100, in addition to the plaintiff's costs in connection

with the action. The bill would increase the fine to a minimum of \$100 and a maximum of \$250.

MCL 257.907

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

People who obtain a disability placard or license plate must meet strict criteria relating to a severe walking disability. People without disabilities sometimes abuse parking spaces reserved for the disabled, often planning to be parked there only a few minutes. They do not realize how much this interferes with the ability of the disabled to go to work or carry out daily activities. Raising the fine would make people more aware of the consequences of their actions and deter them from parking in a space reserved for the disabled.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would increase local revenue by an indeterminate amount as a result of increasing the minimum and maximum amounts of the penalty for parking in spaces reserved for persons with disabilities. Revenue from civil infractions for violating local ordinances is earmarked for local courts.

Fiscal Analyst: Craig Thiel

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.