

HOUSE No. 3596

By Mr. Peterson of Grafton, petition of George N. Peterson, Jr., for legislation to regulate parking spaces reserved for handicapped persons. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO HANDICAPED PARKING SPACES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90 of the General Laws, as appearing in the 2002 Official
2 Edition, is hereby amended by inserting after section 20A½ the
3 following section:—

4 Section 20A¾ . (a) Any person, body or entity that has lawful
5 control of a public or private way or of improved or enclosed prop-
6 erty used as off-street parking areas for businesses, shopping malls,
7 theaters, auditoriums, sporting or recreational facilities, cultural cen-
8 ters, residential dwellings, or of any other place where the public has
9 a right of access as invitees or licensees, shall reserve parking spaces
10 in said off-street parking areas for any vehicle owned and operated
11 by a disabled veteran or handicapped person whose vehicle bears the
12 distinguishing license plate authorized by said Section 2 of this
13 chapter or for any vehicle transporting a handicapped person and
14 displaying the special identification plate authorized by said section
15 2 or for any vehicle bearing the official identification of a handi-
16 capped person issued by any other state, or any Canadian Province,
17 According to the following formula:—

18 If the number of parking spaces in any such area is more than 15
19 but not more than 25, 1 parking space; more than 25 but not more
20 than 40, 5% of such spaces but not less than 2; more than 40 but not
21 more than 100, 4 percent of such spaces but not less than 3; more
22 than 100 but not more than 200, 3 percent of such spaces but not less
23 than 4; more than 200 but not more than 1,000, 1.5 percent of such
24 spaces but not less than 10; more than 1,000 but not more than

25 2,000, 1 percent of such spaces but not less than 15; more than 2,000
26 but less than 5,000, .075 percent of such spaces but not less than 20;
27 and more than 5,000, .5 percent of such spaces but not less than 30.

28 (b) parking spaces designated as reserved under the provisions of
29 paragraph (a) shall be identified by the use of above grade signs with
30 white lettering against a blue background and shall bear the words
31 “handicapped Parking; Special Plate Required. Unauthorized Vehi-
32 cles May Be Removed At Owner’s Expense”; shall be as near as
33 possible to a building entrance or walkway; shall be adjacent to curb
34 ramps or other unobstructed methods permitting sidewalk access to a
35 handicapped person; and shall be 12 feet wide or shall consist of 2
36 areas, each of which is 8 feet wide, with 4 feet of cross hatch
37 between them. The cross hatch area abutting a handicapped parking
38 space shall, for the purposes of this section, be considered a handi-
39 capped parking space.

40 (c) No person shall leave an unauthorized vehicle within parking
41 spaces, including the cross hatch areas, designated for use by dis-
42 abled veterans or handicapped persons as authorized by paragraphs
43 (a) and (b) of this section, or in such a manner as to obstruct a curb
44 ramp designed for use by a handicapped person as a means of egress
45 to a street or public way.

46 (d) The penalty for a violation of this section shall be not less than
47 \$100 nor more than \$300 and shall provide for the removal of the
48 vehicle in accordance with Section 22D of Chapter 40. This penalty
49 shall not be a surchargeable offense under Section 113B of Chapter
50 175.