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The Honorable Thomas M. McGee, Chair
Joint Committee on Transportation
State House, Room 109-C
Boston, MA 02133

The Honorable William M. Straus, Chair
Joint Committee on Transportation
State House, Room 134
Boston, MA 02133

Re: House 14, An Act Relative to Disability Placards

Dear Chairman McGee and Chairman Straus:

I write in support of House 14, *An Act Relative to Disability Placards*, which amends Chapter 90 by (strengthening the civil and criminal penalties relating to the abuse of disabled persons' parking placards ("placards"); and (2) augmenting the ability of the registrar of motor vehicles ("registrar") to ensure that ineligible individuals do not receive a placard. As discussed below, a variety of stakeholders support the legislation.

The legislation is necessary to combat placard abuse. As my Office's investigations have found, many drivers use placards that do not belong to them to park at meters all day, for free. This free (but illegal) parking creates an incentive for drivers to misuse placards, especially in urban areas like Boston, where garage parking can cost over \$6,000 a year and purchasing a deeded parking space can reach over \$100,000. The two-prong approach to this legislation – *i.e.*, preventing ineligible individuals from obtaining placards in the first place and increasing the penalties for misusing placards – would significantly reduce placard abuse.

Placard abuse is not a victimless offense. The people most harmed by this misuse are disabled individuals who cannot find accessible parking because it is being used by those who do not need it. Placard abuse also costs cities and towns parking revenue. In my Office's 2016 placard investigation, we found that the improper use of placards may cost the city of Boston millions of dollars per year in lost parking meter fees. Consequently, reducing placard abuse will make accessible parking available to those who need it and will bring revenue into cities and towns across the Commonwealth.

My Office has conducted four investigations into placard abuse since 2007. The investigations consistently uncovered the same types of placard abuse. Specifically, the Office has found that drivers regularly used:

- Placards belonging to deceased persons
- Expired placards
- Placards that had been reported lost or stolen
- Placards belonging to relatives and associates when the placard holder was not present
- Placards belonging to individuals who reside out of state
- Multiple placards
- Altered or counterfeit placards

In addition, drivers regularly concealed the placard number and expiration date, which enables abusers to use placards that are cancelled, have expired or that belong to someone else.

The Office also found that the state's placard laws need stronger enforcement measures. For example, some placard holders have jobs – such as construction work and window washing – which require physical activities that contradict the state's mobility requirements for obtaining a placard. Also, some temporary placards are extended multiple times, sometimes years beyond the original expiration date, based on the same general diagnosis. The Registry of Motor Vehicles ("RMV") has limited authority, however, to deny or investigate suspicious placard applications. Likewise, the current placard laws do not contain sufficient mechanisms to investigate potential fraud or to take action against wrongfully obtained placards.

In sum, the Office's investigations make it clear that the law must be updated in two important ways in order to combat placard abuse more effectively. First, we need to make it more difficult for ineligible individuals to obtain a placard. Thus, House 14 would amend section 2 of Chapter 90 by:

- Allowing the registrar to require additional documentation from an applicant to verify information contained in a placard application.
- Prohibiting the issuance of a placard without sufficient documentation.
- Requiring applicants to sign applications and renewals under the pains and penalties of perjury.

Second, we need to remove the incentives to use another person's placard. To achieve this, the fines and penalties must be sufficient to deter individuals who can save thousands of dollars a year by using placards inappropriately. Therefore, House 14 would amend section 2 of Chapter 90 by:

- Making it a \$50 fine to obstruct the placard number or date of expiration (currently, there is no such penalty).
- Increasing the license suspension for misusing a placard from 30 days for a first offense and 90 days for a second offense to 60 and 120 days, respectively.

- Establishing a fine for intentionally making a false or misleading statement in an application for a placard (a \$500 fine for a first offense and a \$1,000 fine for a second offense).
- Requiring the return of any placard that has been cancelled and creating a fine of \$100 for failing to do so (currently, there is no such requirement).

Further, the bill would amend section 24B of Chapter 90 by:

- Making it a crime to display a placard belonging to a deceased person, consistent with the crime of stealing a placard. Currently, there is no criminal penalty for using a deceased person's placard.
- Making it a crime to steal, forge, counterfeit or make a placard with the intent to distribute. The statute already makes such conduct a crime for several other RMV documents, such as driver's licenses and learner's permits.

In our 2013 placard report, this Office recommended a Placard Abuse Task Force. The Registrar has chaired this group, which meets quarterly, and regularly consists of the Massachusetts State Police, Boston Police, the Boston Parking Clerk, the Boston Disability Commission, the Massachusetts Office on Disability, the Office of Elder Affairs, local police departments and this Office. The task force as a group supports this legislation.

I strongly urge the committee to report House 14 out favorably. Thank you for taking the time to review and consider this legislation. As always, if you have questions, please feel free to contact me.

Sincerely,



Glenn A. Cunha
Inspector General