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

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

Dear Chairmen McGee and Straus,

I write in support of House 11, *An Act Relative to Disabled Persons' Parking Placards*, which amends Chapter 90 by updating fines, penalties and crimes relating to the abuse of disabled persons' parking placards ("placards"). This 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. By contrast, the current fine for misusing a placard is relatively small – just \$500 for a first offense. Increasing the fines and penalties, as set forth in House 11, would reduce the incentive to misuse a placard.

Further, placard abuse is not a victimless offense. The people most harmed by this misuse are the disabled who cannot find parking because accessible parking is being used by those who do not need it. Placard abuse also costs cities and towns parking revenue. In our most-recent report, 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 truly need it and will help cities and towns across the Commonwealth.

My Office's most-recent investigation into placards uncovered a wide range of abuses. After monitoring placard use in four Boston neighborhoods, the Office found:

- 77 vehicles regularly displayed a placard belonging to someone other than the vehicle owner. This included:
 - Placards belonging to deceased persons
 - Expired placards
 - Placards that had been reported lost or stolen

- One placard that had been purchased for \$300
- 23 of these drivers were cited by the State Police for placard misuse. The drivers were fined and the State Police confiscated the placards they were using.
- 57 other drivers concealed the placard number and expiration date, which enables abusers to use placards that are cancelled, have expired or that belong to someone else. None of the vehicle owners had their own placards.

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 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 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.

Before conducting the investigation described above, between 2007 and 2013, my Office conducted three other investigations into the inappropriate use of placards and found similar problems:

- The use of placards registered to deceased individuals.
- The use of expired placards.
- The use of altered or counterfeit placards.
- The use of placards belonging to relatives and associates when the placard holder was not present.
- The use of placards of individuals who reside out of state.
- The use of multiple placards by one individual.

The Office's investigations make it clear that the law must be updated to combat placard abuse more effectively. Specifically, the fines and penalties must be sufficient to deter individuals who can save thousands of dollars a year on parking by using placards inappropriately. Thus, House 11 would amend section 2 of Chapter 90 by:

- Increasing the fines for the wrongful use of a placard from \$500 for a first offense and \$1,000 for a second offense to \$1,000 and \$2,000, respectively.
- Increasing the license suspension for the wrongful use of placards from 30 days for a first offense and 90 days for a second offense to 60 and 120 days, respectively.
- Making it a \$50 fine to obstruct the placard number or date of expiration (currently, there is no such penalty).
- 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 or forging a placard or other RMV document (currently, there is no such crime).

Chairmen McGee and Straus

March 4, 2016

Page 3 of 3

- Increasing the fine from \$500 to \$1,000 for stealing, forging, altering or counterfeiting various RMV documents, including placards, and also by adding the use of a deceased person's placard to the list.
- Adding placards to the list of RMV documents that it is a crime to make, steal, forge or counterfeit with the intent to distribute.

In light of the findings in our most-recent report, the Office has developed additional legislative recommendations. These recommendations include:

- Adopting a two-tier placard system. A two-tier system would grant the meter-fee exemption only to placard holders who are physically unable to reach a parking kiosk or insert coins into a meter. All other placard holders would still be able to park in handicapped parking spaces, but would pay to park at a meter. This change would significantly reduce the financial incentive for individuals to misuse a placard.
- Alternatively, adding a time limit on parking for free at a meter would also act as a deterrent. A time limit, such as two or four hours, would help curtail placard abuse because it would limit the ability to use a placard to park at a meter all day for free.
- Requiring placard holders to display their placards in a forward-facing and unobstructed manner.
- Imposing a penalty for making a false statement when reporting a placard lost or stolen.

I strongly urge the committee to report House 11 out favorably. Thank you for taking the time to review and consider this legislation. I would be happy to meet with you to discuss House 11 or my Office's most-recent investigations in more depth. As always, if you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Glenn A. Cunha". The signature is fluid and cursive, with the first name being the most prominent.

Glenn A. Cunha
Inspector General