



Local Officials Guide

Presented by the Massachusetts Office On Disability



Process for Establishing a Municipal Commission On Disability and Accepting Handicapped Parking Fines

Establishing Your Commission On Disability...Easy As 1, 2, 3

Local acceptance of a General Law is subject to municipal charter provisions of your community. Generally speaking a member of the legislative body proposes a paper/warrant item. The Legislative Body would then vote on the measure.

Step 1 - Adopt MGL 40, 8J ***This Creates the COD***

- ✓ Identify a sponsor to propose the acceptance of MGL 40, 8J

Legislative body votes on...

- ✓ ***Ordered: That the City/Town of _____ accept the provisions of Massachusetts General laws Chapter 40, Section 8J relative to the establishment of the municipal Commission On Disability***

In Cities;

If the VOTE is approved, your measure goes to your Mayor for approval.

- ✓ **In Towns;**
If the VOTE is approved then your COD is created. Now, you can propose another measure to accept HP Parking fines

Step 2 - Setup Account ***Per MGL 40, 22G***

- ✓ City or town treasurer establishes a separate account for COD.

- ✓ ***Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities...for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen.***

- ✓ ***The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.***

Step 3 - Appoint Members

- ✓ Commissions On Disability may have from Five (5) to Thirteen(13) members. Members are usually appointed by the Mayor or Town Manager, but MGL 40, 8J outline the particulars for each City/Town charter. A majority of members should be persons with disabilities.

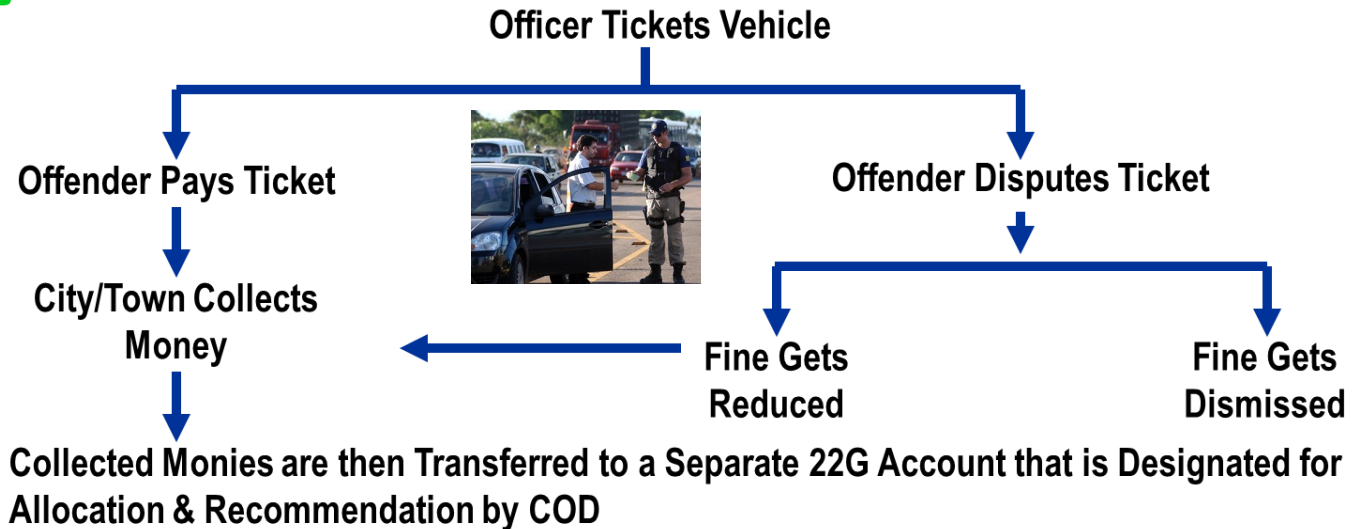
Best Practices for Commissions On Disabilities

Below outlines a “Best Practice” process for Accepting, Allocating, Approving and Expending the Proceeds from Disability Parking Fines

✓ Accept Disability Parking Fines

Treasurer\Controller sets up standalone account and/or “COD Fund.”

✓ Issue Citations for Disability Parking



✓ Develop Budget for COD Use

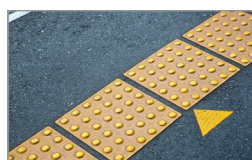
COD works to develop a list of items to fund and then makes recommendations to be included as part of its annual budget about how best to spend the funds.

✓ Appropriate Disability Parking Fine Proceeds

Legislative body appropriates funds. Funds “*shall be used solely for the benefit of persons with disabilities.*” Per MGL Chapter 40, Section 22G

✓ Expend Disability Parking Fines

If approved, funds get expended. Treasurer and/or Controller provides the COD with periodic Reports of the “COD Fund.”



Questions...? Contact the Massachusetts Office On Disability

Mass. Office On Disability
1 Ashburton Place, Room 1305
Boston, MA 02108

Email: info-mod@state.MA.US
Call: 617 727-7440
URL: www.Mass.Gov/MOD

