

HOUSE _____ AMENDMENT NO. _____

Offered By

AMEND House Committee Substitute for Senate Committee Substitute for for Senate Bill No. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 5, Section 227.513, Line 4, by inserting after all of said section and line the following:

“301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] placard issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or [card] placard issued pursuant to section 301.071 or 301.142.

Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or [card] placard. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine." [Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.] When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any

1 accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle
2 shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-
3 two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.

4 3. Any political subdivision, by ordinance or resolution, and any person or corporation in
5 lawful possession of a public off-street parking facility or any other owner of private property may
6 designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing
7 license plate or [card] placard issued pursuant to section 301.071 or 301.142 as close as possible
8 to the nearest accessible entrance. Such designation shall be made by posting immediately
9 adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol
10 of accessibility, and may also include any appropriate wording to indicate that the space is
11 reserved for the exclusive use of vehicles which display a distinguishing license plate or [card]
12 placard.

13 4. The local police or sheriff's department may cause the removal of any vehicle not
14 displaying a distinguishing license plate or [card] placard on which is inscribed the international
15 symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled
16 veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or [card]
17 placard issued by any other state from a space designated for physically disabled persons if there
18 is posted immediately adjacent to, and readily visible from, such space a sign on which is
19 inscribed the international symbol of accessibility and may include any appropriate wording to
20 indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing
21 license plate or [card] placard. Any person who parks in a space reserved for physically disabled
22 persons and is not displaying distinguishing license plates or a [card] placard is guilty of an
23 infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor
24 more than three hundred dollars. Any vehicle which has been removed and which is not properly
25 claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

26 5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license
27 plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal
28 Americans with Disabilities Act, as amended, and any rules or regulations established pursuant
29 thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated
30 by political subdivisions in residential areas for the exclusive use of vehicles displaying a
31 distinguishing license plate or [card] placard issued pursuant to section 301.071 or 301.142 shall
32 meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection
33 and any such space shall have clearly and visibly painted upon it the international symbol of
34 accessibility [and any curb adjacent to the space shall be clearly and visibly painted blue].

35 6. Any person who, without authorization, uses a distinguishing license plate or [card]

1 placard issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under
2 authority of this section shall be guilty of a class B misdemeanor.

3 7. Law enforcement officials may enter upon private property open to public use to
4 enforce the provisions of this section and section 301.142, including private property designated
5 by the owner of such property for the exclusive use of vehicles which display a distinguishing
6 license plate or [card] placard issued pursuant to section 301.071 or 301.142.

7 8. Nonconforming signs or spaces otherwise required pursuant to this section which are in
8 use prior to August 28, 2011, shall not be in violation of this section during the useful life of such
9 signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or
10 spaces be extended by means other than those means used to maintain any sign or space on the
11 owner's property which is not used for vehicles displaying a disabled license plate.

12 9. Beginning August 28, 2011, all new signs erected under this section shall not contain
13 the words "Handicap Parking" or "Handicapped Parking"."; and
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16 Further amend said bill, Page 19, Section 1, Line 5, by inserting after said line the following:

17 "Section B. Because immediate action is necessary to ensure compliance with the federal
18 Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is
19 deemed necessary for the immediate preservation of the public health, welfare, peace, and safety,
20 and is hereby declared to be an emergency act within the meaning of the constitution, and the
21 repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its
22 passage and approval."; and
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24 Further amend said bill by amending the title, enacting clause, and intersectional references
25 accordingly.