

SECOND REGULAR SESSION

HOUSE BILL NO. 2441

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

6087H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 301.143, RSMo, and to enact in lieu thereof one new section relating to parking spaces for persons with disabilities, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 301.143, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 301.143, to read as follows:

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

4 2. Political subdivisions of the state may by ordinance or resolution designate parking
5 spaces for the exclusive use of vehicles which display a distinguishing license plate or card
6 issued pursuant to section 301.071 or 301.142. Owners of private property used for public
7 parking shall also designate parking spaces for the exclusive use of vehicles which display a
8 distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever
9 a political subdivision or owner of private property so designates a parking space, the space
10 shall be indicated by a sign upon which shall be inscribed the international symbol of
11 accessibility and may also include any appropriate wording such as "Accessible Parking" to
12 indicate that the space is reserved for the exclusive use of vehicles which display a
13 distinguishing license plate or card. The sign described in this subsection shall also state, or
14 an additional sign shall be posted below or adjacent to the sign stating, the following: "\$[50
15 to \$300] **100 to \$500** fine.". Beginning August 28, 2011, when any political subdivision or
16 owner of private property restripes a parking lot or constructs a new parking lot, one in every
17 four accessible spaces, but not less than one, shall be served by an access aisle a minimum of

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet
19 the requirements of the federal Americans with Disabilities Act, as amended, and any rules or
20 regulations established pursuant thereto.

21 3. Any political subdivision, by ordinance or resolution, and any person or
22 corporation in lawful possession of a public off-street parking facility or any other owner of
23 private property may designate reserved parking spaces for the exclusive use of vehicles
24 which display a distinguishing license plate or card issued pursuant to section 301.071 or
25 301.142 as close as possible to the nearest accessible entrance. Such designation shall be
26 made by posting immediately adjacent to, and visible from, each space, a sign upon which is
27 inscribed the international symbol of accessibility, and may also include any appropriate
28 wording to indicate that the space is reserved for the exclusive use of vehicles which display a
29 distinguishing license plate or card.

30 4. The local police or sheriff's department may cause the removal of any vehicle not
31 displaying a distinguishing license plate or card on which is inscribed the international
32 symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a
33 "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license
34 plate or card issued by any other state from a space designated for physically disabled persons
35 if there is posted immediately adjacent to, and readily visible from, such space a sign on
36 which is inscribed the international symbol of accessibility and may include any appropriate
37 wording to indicate that the space is reserved for the exclusive use of vehicles which display a
38 distinguishing license plate or card. Any person who parks in a space reserved for physically
39 disabled persons and is not displaying distinguishing license plates or a card is guilty of an
40 infraction and upon conviction thereof shall be punished by a fine of not less than ~~fifty~~ **one**
41 **hundred** dollars nor more than ~~three~~ **five** hundred dollars. Any vehicle which has been
42 removed and which is not properly claimed within thirty days thereafter shall be considered to
43 be an abandoned vehicle.

44 5. Spaces designated for use by vehicles displaying the distinguishing "disabled"
45 license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the
46 federal Americans with Disabilities Act, as amended, and any rules or regulations established
47 pursuant thereto. Notwithstanding the other provisions of this section, on-street parking
48 spaces designated by political subdivisions in residential areas for the exclusive use of
49 vehicles displaying a distinguishing license plate or card issued pursuant to section 301.071 or
50 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant
51 to this subsection and any such space shall have clearly and visibly painted upon it the
52 international symbol of accessibility and any curb adjacent to the space shall be clearly and
53 visibly painted blue.

54 6. Any person who, without authorization, uses a distinguishing license plate or card
55 issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under
56 authority of this section shall be guilty of a class B misdemeanor.

57 7. Law enforcement officials may enter upon private property open to public use to
58 enforce the provisions of this section and section 301.142, including private property
59 designated by the owner of such property for the exclusive use of vehicles which display a
60 distinguishing license plate or card issued pursuant to section 301.071 or 301.142.

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

67 9. Beginning August 28, 2011, all new signs erected under this section shall not
68 contain the words "Handicap Parking" or "Handicapped Parking".

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