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SENATE BILL 187

Senate Bill 187 (Committee of Transportation on Behalf of the Council of Veterans' Organizations)): heard 3-13; work session 3-27

AN ACT relating to local governments; requiring the enactment of an ordinance by the governing body of a city or county to enforce the duty of owners of certain private property within the city or county to erect and maintain signs to designate parking spaces for use by handicapped persons; authorizing the recovery by the governing body of any costs incurred to erect or maintain such signs on such private property; providing that any such unrecovered costs are a special assessment against such property; providing the manner in which a portion of certain fines imposed for certain violations related to parking spaces designated for the use of handicapped persons must be used on such parking spaces on public property; and providing other matters properly relating thereto.

Proponents for the measure indicated that many private businesses do not comply with current state law, which requires the placement of certain signage designating parking spaces for use by handicapped persons. It was emphasized that the current mandate does not specify the government entity required to enforce these provisions. Thus, the requirements are not properly enforced and adequate parking spaces are not available to handicapped persons that require their use.

Local government representatives opposed the measure sighting the complex requirements of the Americans with Disabilities Act, the federal law that governs handicapped parking requirements, and other matters. Local government representatives also indicated they were not in the position to enforce federal requirements related to this issue. In addition, opponents emphasized the fiscal impact to local governments for the enforcement of noncompliance.