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SENATE JOINT RESOLUTION NO. 86

Offered January 22, 1996

Establishing a joint subcommittee to examine the abuse and misuse of handicapped parking placards.

Patrons—Whipple, Couric, Edwards, Maxwell and Ticer; Delegates: Almand and Connally

Referred to the Committee on Rules

WHEREAS, Virginia law provides for the reservation of certain motor vehicle parking for use by handicapped persons; and

WHEREAS, Virginia law further provides for issuance of special license plates, parking decals, and parking permits and placards to identify vehicles permitted to park in those spaces; and

WHEREAS, the current statutory scheme, designed to permit accessible parking for persons with disabilities, particularly in metered spaces, is being abused by drivers and has resulted in (i) reduced parking available for persons with disabilities, (ii) reduced parking and access to businesses, as short-term metered parking spaces, so placed to encourage turnover, are increasingly occupied by vehicles with a handicapped parking placard, and (iii) reduced revenues to local governments from parking meters and parking tickets due to exemptions created for persons possessing handicapped parking placards; and

WHEREAS, recent legislation and legislative studies have helped to initiate important reforms and to focus attention on the problem of handicapped parking abuse. However, drivers continue to abuse and thwart laws intended to provide parking spaces for the disabled; therefore, further legislative study and reform is needed to curb continued abuse, and to ensure adequate parking spaces for persons with disabilities; and

WHEREAS, representatives of local government, advocates for the disabled and other concerned parties are interested in examining potential statutory solutions to this increasing problem and to enhance the enforcement of current Virginia law as it relates to handicapped parking; now, therefore, be it

RESOLVED, by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the abuse and misuse of handicapped parking placards

The joint subcommittee shall consist of fifteen members to be appointed as follows: three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; four members of the House of Delegates, to be appointed by the Speaker of the House; two representatives of the Department for Rights of Virginians with Disabilities; one representative of the Department of Motor Vehicles; one representative of the Virginia Association of Chiefs of Police; one representative of the Virginia Municipal League; one representative of the Virginia Association of Counties; one representative of the Virginia Treasurer's Association; and one representative of the Virginia Chamber of Commerce.

In its deliberations, the joint subcommittee shall examine how local governments are enforcing the current four-hour law and explore possible operational modifications to this requirement. It shall also consider proposals to allow persons with physical disabilities convenient access to dedicated handicapped parking spaces. In addition, the joint subcommittee shall address the merits of eliminating free parking for persons with disabilities, possibly on a local-option basis, in favor of establishing practical pre-paid options that do not establish undue physical or fiscal burdens upon persons with physical disabilities, and it will consider the potential benefits of providing free parking to persons with permanent physical disabilities, but eliminating free parking privileges for the ambulatory and those who are temporarily disabled.

The direct costs of this study shall not exceed \$9,250.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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