

SECOND REGULAR SESSION

SENATE BILL NO. 1180

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CALLAHAN.

Read 1st time March 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5401S.011

AN ACT

To repeal section 301.143, RSMo, and to enact in lieu thereof one new section relating to disabled parking signs, 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Section A. Section 301.143, RSMo, is repealed and one new section
2 enacted in lieu 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
2 meaning given it in section 301.010, and the term "physically disabled" shall have
3 the same meaning given it in section 301.142.

4 2. Political subdivisions of the state may by ordinance or resolution
5 designate parking spaces for the exclusive use of vehicles which display a
6 distinguishing license plate or card issued pursuant to section 301.071 or
7 301.142. Owners of private property used for public parking shall also designate
8 parking spaces for the exclusive use of vehicles which display a distinguishing
9 license plate or card issued pursuant to section 301.071 or 301.142. Whenever a
10 political subdivision or owner of private property so designates a parking space,
11 the space shall be indicated by a sign upon which shall be inscribed the
12 international symbol of accessibility and shall also include any appropriate
13 wording to indicate that the space is reserved for the exclusive use of vehicles
14 which display a distinguishing license plate or card. The sign described in this
15 subsection shall also state, or an additional sign shall be posted below or adjacent
16 to the sign stating, the following: "\$50 to \$300 fine."

17 3. Any political subdivision, by ordinance or resolution, and any person
18 or corporation in lawful possession of a public off-street parking facility or any
19 other owner of private property may designate reserved parking spaces for the
20 exclusive use of vehicles which display a distinguishing license plate or card

21 issued pursuant to section 301.071 or 301.142 as close as possible to the nearest
22 accessible entrance. Such designation shall be made by posting immediately
23 adjacent to, and visible from, each space, a sign upon which is inscribed the
24 international symbol of accessibility, and may also include any appropriate
25 wording to indicate that the space is reserved for the exclusive use of vehicles
26 which display a distinguishing license plate or card.

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

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

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

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

62 8. Nonconforming signs or spaces otherwise required pursuant to this
63 section which are in use prior to August 28, 1997, shall not be in violation of this
64 section during the useful life of such signs or spaces. Under no circumstances
65 shall the useful life of the nonconforming signs or spaces be extended by means
66 other than those means used to maintain any sign or space on the owner's
67 property which is not used for vehicles displaying a disabled license plate.

68 **9. Beginning August 28, 2006, all new signs erected under this**
69 **section shall contain the words "Accessible Parking" in lieu of the**
70 **words "Handicap Parking".**

✓

Bill

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