

# HB213-Disabled Parking Permit Amendments

## What are the difficulties for Utahns in wheelchairs when it comes to parking?

Those in wheelchairs or walkers need additional width to get in and out of a vehicle. Disabled spaces aren't just located close to entrances, more importantly, they're wider to allow getting in and out of the vehicle.

Increasingly disabled parking spaces are not available due to more individuals qualifying for permits over time. This forces wheelchair users to park in narrower spaces at the back of a lot.

Parking in regular stalls can trap wheelchair users out of their vehicles when they return after shopping.

## What can we do?

The proposed solution in HB213 stipulates that in parking lots with two or more disabled spaces that one out of every six of those existing disabled spaces be designated for wheelchair/walker access only. **It does not require businesses to add any additional disabled parking stalls.** In Utah, wheelchair placards are currently available to those using both wheelchairs and walkers. HB213 leaves 5 out of 6 disabled spaces to be available for other permit holders without a wheelchair placard.

## How does state law work with the ADA?

Implementation of ADA parking is the sole responsibility of states and is based on recommendations set forth in the ADA. The Federal Government provides a template (the "Uniform System") for disabled parking and Utah has adopted that template as a baseline and has added amendments and modifications. ADA regulations are the purview of each state to decide how best to meet the needs of its residents.

From "Federal Law on Parking Privileges for Persons with Disabilities" (<https://tinyurl.com/bdvxrem6>)

*"The Uniform System provides model definitions and rules regarding eligibility, application procedures, and issuance of special license plates and placards. Congress has never required states to comply with the Uniform system, nor has it authorized penalties for non complying states. The federal government encourages states to adopt this uniform system, and most states have incorporated at least some aspects of the uniform regulations into their handicapped parking laws. States have the ultimate responsibility for the development of parking privileges, and should do what is best for their own state."*

