

ACCESSIBLE PARKING SPACES

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Perry L. Buckner

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING DEFINITIONS; AMENDING PROVISIONS RELATED TO ACCESSIBLE PARKING SPACES; AND MAKING TECHNICAL CORRECTIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-1a-414, as last amended by Chapter 350, Laws of Utah 1997

41-6-19.5, as enacted by Chapter 350, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-1a-414** is amended to read:

41-1a-414. Parking privileges for persons with disabilities.

(1) As used in this section, "accessible parking space" means a parking space that is clearly identified as reserved for use by a person with a disability and includes:

(a) vertical signage, including the international symbol of accessibility, that is visible from a passing vehicle; and

(b) a clearly marked access aisle ~~h~~, **IF PROVIDED**, ~~h~~ that is adjacent to and considered part of the parking space.

~~[(1)]~~ (2) Except in parking areas designated for emergency use, a person with a disability, qualifying under rules made in accordance with Section 41-1a-408, may park an appropriately marked vehicle for reasonable periods without charge in metered parking zones and restricted parking areas, in a manner that allows proper access to the vehicle by the person with a disability.

~~[(2)]~~ (3) Only those vehicles carrying a person with a disability special group license plate, temporary removable windshield placard, or removable windshield placard and transporting a qualifying person with a disability may park in an accessible parking space ~~[that is clearly~~

28 identified as reserved for use by the person with a disability].

29 [~~(3)~~] (4) This section applies to and may be enforced on public property and on private
30 property that is used or intended for use by the public.

31 [~~(4)~~] (5) The parking privileges granted by this section also apply to vehicles displaying
32 a person with a disability special group license plate, temporary removable windshield placard, or
33 removable windshield placard issued by another jurisdiction if displayed on a vehicle being used
34 by a person with a disability.

35 Section 2. Section **41-6-19.5** is amended to read:

36 **41-6-19.5. Volunteers may be authorized to enforce certain parking provisions.**

37 (1) Any law enforcement agency authorized to enforce parking laws in this state may
38 appoint volunteers to issue citations for violations of:

39 (a) the provisions of Subsections 41-1a-414~~[(2) and]~~ (3) and (4) related to parking for a
40 person with a disability;

41 (b) any municipal or county accessible parking privileges ordinance for a person with a
42 disability; or

43 (c) the provisions of Subsection 41-6-103.5(4) related to parking in a school bus parking
44 zone.

45 (2) A volunteer appointed under this section must be at least 21 years of age.

46 (3) The law enforcement agency appointing a volunteer may establish any other
47 qualification for the volunteer that the agency finds desirable.

48 (4) A volunteer may not issue citations until the volunteer has received training from the
49 appointing law enforcement agency.

50 (5) A citation issued by a volunteer under this section has the same force and effect as a
51 citation issued by a peace officer for the same offense.

Legislative Review Note
as of 12-14-98 1:59 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel