

By Mrs. Kehoe of Dedham, petition of Marie-Louise Kehoe relative to the issuance of number plates and special parking identification cards to handicapped persons. Public Safety.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Six.

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AN ACT RELATIVE TO THE ISSUANCE OF NUMBER PLATES AND SPECIAL PARKING IDENTIFICATION CARDS TO HANDICAPPED PERSONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Clause (twenty-three) of section twenty-one of  
2 chapter forty of the General Laws, as appearing in section  
3 one of chapter six hundred forty-four of the acts of nineteen  
4 hundred and eighty-one, is hereby amended by striking out  
5 the first and second sentence and inserting in place thereof the  
6 following two sentences: —

7 (23) For requiring that designated parking spaces for vehi-  
8 cles either owned and operated by disabled veterans or by  
9 handicapped persons and bearing the distinctive number plates  
10 authorized by section two of chapter ninety, or for vehicles  
11 transporting disabled veterans or handicapped persons and  
12 displaying the special parking identification card authorized  
13 by section two of chapter ninety, or for vehicles bearing the  
14 official identification of a handicapped person issued by any  
15 other state, be provided in public and private off-street parking  
16 areas.

17 (a) Any ordinance or bylaw made hereunder shall require  
18 any person or body that has lawful control of a public or pri-  
19 vate way or if improved or enclosed property used as off-street  
20 parking areas for businesses, shopping malls, theaters, audito-  
21 riums, sporting or recreational facilities, cultural centers, resi-  
22 dential dwellings, or for any other place where the public has  
23 a right of access as invitees or licensees, to reserve parking

24 spaces in said off-street parking areas for any vehicle owned  
25 and operated by a disabled veteran or handicapped person  
26 whose vehicle bears the distinguishing license plate author-  
27 ized by section two of chapter ninety or for any vehicle trans-  
28 porting a disabled veteran or handicapped person and dis-  
29 playing the special identification card authorized by section  
30 two of chapter ninety or for any vehicle bearing the official  
31 identification of a handicapped person issued by any other  
32 state, according to the following formula: —

33 If the number of parking spaces in any such area is more  
34 than fifteen but not more than twenty-five, one parking space;  
35 more than twenty-five but not more than forty, five percent  
36 of such spaces but not less than two; more than forty but not  
37 more than one hundred, four percent of such spaces but not  
38 less than three; more than one hundred but not more than  
39 two hundred, three percent of such spaces but not less than  
40 four; more than two hundred but not more than five hundred,  
41 two percent of such spaces but not less than six; more than  
42 five hundred but not more than one thousand, one and one-  
43 half percent of such spaces but not less than ten; more than  
44 one thousand but not more than two thousand, one percent of  
45 such spaces but not less than fifteen; more than two thousand  
46 but less than five thousand, three-fourths of one percent of  
47 such spaces but not less than twenty; and more than five thou-  
48 sand, one-half of one percent of such spaces but not less than  
49 thirty.

1 SECTION 2. The second paragraph of section 22 of said chap-  
2 ter 40, as amended by chapter 417 of the acts of 1957, is here-  
3 by further amended by striking out said paragraph and in-  
4 serting in place thereof the following paragraph: —

5 No penalty shall be imposed upon any disabled veteran or  
6 handicapped person, whose vehicle bears the distinctive num-  
7 ber plates, or displays the special parking identification card  
8 authorized by section two of chapter ninety or bears the offi-  
9 cial identification of a handicapped person issued by any other  
10 state, for parking such vehicle on any way for a longer period  
11 of time than permitted by said ordinances, bylaws, rules or  
12 orders.

1 SECTION 3. The first paragraph of section 22A of said chap-  
2 ter 40, as amended by chapter 338 of the acts of 1962 is here-  
3 by further amended by striking out the fourth sentence and  
4 inserting in place thereof the following sentence: —

5 No fee shall be exacted and no penalty shall be imposed for  
6 the parking of any vehicle owned and driven by a disabled  
7 veteran or by a handicapped person and bearing the distinc-  
8 tive number plates authorized by section two of chapter ninety,  
9 or for any vehicle transporting a disabled veteran or handi-  
10 capped person and displaying the special parking identification  
11 card authorized by section two of chapter ninety or for any  
12 vehicle bearing the official identification of a handicapped per-  
13 son issued by any other state.

1 SECTION 4. The second paragraph of section 22A of said  
2 chapter 40, as most recently amended by section 2 of chapter  
3 644 of the acts of 1981, is hereby further amended by striking  
4 out the first sentence and inserting in place thereof the follow-  
5 ing sentence: —

6 Any city or town acting under this section may further  
7 regulate the parking of vehicles on ways within its said con-  
8 trol by restricting certain areas thereon for the parking of  
9 any vehicle owned and driven by a disabled veteran or handi-  
10 capped person whose vehicle bears the distinctive number  
11 plates authorized by section two of chapter ninety, or for any  
12 vehicle transporting a disabled veteran or handicapped person  
13 and displaying the special parking identification card author-  
14 ized by section two of chapter ninety, or for any vehicle bear-  
15 ing the official identification of a handicapped person issued by  
16 any other state, or by prohibiting the parking or standing of  
17 any vehicle in such a manner as to obstruct any curb ramp  
18 designated for use by handicapped persons.

1 SECTION 5. Section 22D of said chapter 40 is hereby amend-  
2 ed by striking out the first sentence, as most recently amended  
3 by section 4 of chapter 644 of the acts of 1981, and inserting  
4 in place thereof the following sentence: —

5 In a city or town which accepts this section, as hereinafter  
6 provided, the city council or board of selectmen, or if, in any  
7 city or town, some other board or commission is empowered

8 to establish traffic regulations, such other board or commis-  
9 sion, may adopt, amend, alter or repeal rules and regulations,  
10 with such limitations, if any, as may be deemed proper, au-  
11 thorizing the chief officer of the police department or such  
12 sergeants or other officers of higher rank in the police depart-  
13 ment as he may from time to time designate, to remove, to  
14 some convenient place through the agency of a person or per-  
15 sons in the employ of the police department or by an independ-  
16 ent contractor selected in accordance with law, bylaw, or ordi-  
17 nance, on the basis of competitive bids, any vehicle parked  
18 or standing on any part of any way under the control of the  
19 municipality in such a manner as to obstruct any curb ramp  
20 designed for use by handicapped persons as means of egress  
21 to a street or public way, or to occupy or obstruct any park-  
22 ing space reserved for a vehicle used by a disabled veteran or  
23 handicapped person whose vehicle bears the distinguishing li-  
24 cense plate, or displays the special parking identification card  
25 authorized by section two of chapter ninety, or bears the offi-  
26 cial identification of a handicapped person issued by any other  
27 state, or to impede in any way the removal or plowing of snow  
28 or ice or in violation of any rule or regulation which prohibits  
29 the parking or standing of all vehicles on such ways or portions  
30 thereof at such time and recites that whoever violates it shall  
31 be liable to charges for the removal and storage of the vehicles  
32 as well as subject to punishment by fine.

1 SECTION 6. The sixth paragraph of section 2 of chapter 90  
2 of the general laws as most recently amended by section 2 of  
3 chapter 597 of the acts of 1982 is hereby further amended by  
4 striking out the third sentence.

1 SECTION 7. Section 2 of chapter 90 of the general laws, as  
2 most recently amended by section 2 of chapter 597 of the acts  
3 of 1982 is hereby further amended by inserting after the sixth  
4 paragraph the following new paragraph: —

5 The registrar may furnish plates displaying the "Interna-  
6 tional Sign for Handicappers" for a pleasure passenger vehicle  
7 owned or leased by and used by a blind person or a person who  
8 has suffered the loss or permanent loss of use of one or both

9 feet, or of one or both hands, and he may determine such stan-  
10 dards of disability and handicap and of qualifications for the  
11 issuance of said plates as he deems proper. The registrar may  
12 also furnish a special parking identification card bearing the  
13 "International Sign for Handicappers" to any person who  
14 meets the eligibility requirements for handicapped plates pre-  
15 scribed herein. Said parking identification card shall be of  
16 such size and design as the registrar shall require and shall  
17 be numbered and contain the name and a photograph of the  
18 person to whom the card is issued, and shall verify that said  
19 person is handicapped and eligible to receive said card. When  
20 used by the bearer, said card shall be displayed so as to be  
21 visible through the left portion of the windshield of a private  
22 passenger motor vehicle, and shall be for the exclusive use of  
23 the bearer while being transported in said vehicle. Use of the  
24 card by any person other than the bearer shall be cause for  
25 revocation. Anyone who wrongfully displays a special park-  
26 ing identification card in a motor vehicle shall be subject to  
27 the fines provided for in section twenty. At no time shall the  
28 registrar issue to any person both plates displaying the "In-  
29 ternational Sign for Handicappers" and a special parking iden-  
30 tification card prescribed herein.



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