

By Mr. Peterson of Grafton, petition of George N. Peterson, Jr., relative to handicapped parking. Transportation.

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The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO HANDICAPPED PARKING SPACES.

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

1 Chapter 90 of the General Laws, as appearing in the 2002 Offi-  
2 cial Edition, is hereby amended by inserting after section 20A½  
3 the following section:—

4 Section 20A¾. (a) Any person, body or entity that has lawful con-  
5 trol of a public or private way or of improved or enclosed property  
6 used as off-street parking areas for businesses, shopping malls, the-  
7 aters, auditoriums, sporting or recreational facilities, cultural centers,  
8 residential dwellings, or of any other place where the public has a  
9 right of access as invitees or licensees, shall reserve parking spaces  
10 in said off-street parking areas for any vehicle owned and operated  
11 by a disabled veteran or handicapped person whose vehicle bears the  
12 distinguishing license plate authorized by said section 2 of this  
13 chapter or for any vehicle transporting a handicapped person and  
14 displaying the special identification plate authorized by said section  
15 2 or for any vehicle bearing the official identification of a handi-  
16 capped person issued by any other state, or any Canadian Province,  
17 According to the following formula:—

18 If the number of parking spaces in any such area is more than  
19 15 but not more than 25, 1 parking space; more than 25 but not  
20 more than 40, 5% of such spaces but not less than 2; more than 40  
21 but not more than 100, 4 percent of such spaces but not less than 3;  
22 more than 100 but not more than 200, 3 percent of such spaces but  
23 not less than 4; more than 200 but not more than 1,000, 1.5 per-  
24 cent of such spaces but not less than 10; more than 1,000 but not  
25 more than 2,000, 1 percent of such spaces but not less than 15;

26 more than 2,000 but less than 5,000, .075 percent of such spaces  
27 but not less than 20; and more than 5,000, .5 percent of such  
28 spaces but not less than 30.

29 (b) parking spaces designated as reserved under the provisions  
30 of paragraph (a) shall be identified by the use of above grade  
31 signs with white lettering against a blue background and shall bear  
32 the words "handicapped Parking; Special Plate Required. Unau-  
33 thorized Vehicles May Be Removed At Owner's Expense"; shall  
34 be as near as possible to a building entrance or walkway; shall be  
35 adjacent to curb ramps or other unobstructed methods permitting  
36 sidewalk access to a handicapped person; and shall be 12 feet  
37 wide or shall consist of 2 areas, each of which is 8 feet wide, with  
38 4 feet of cross hatch between them. The cross hatch area abutting  
39 a handicapped parking space shall, for the purposes of this  
40 section, be considered a handicapped parking space.

41 (c) No person shall leave an unauthorized vehicle within  
42 parking spaces, including the cross hatch areas, designated for use  
43 by disabled veterans or handicapped persons as authorized by  
44 paragraphs (a) and (b) of this section, or in such a manner as to  
45 obstruct a curb ramp designed for use by a handicapped person as  
46 a means of egress to a street or public way.

47 (d) The penalty for a violation of this section shall be not less  
48 than \$100 nor more than \$300 and shall provide for the removal  
49 of the vehicle in accordance with section 22D of Chapter 40. This  
50 penalty shall not be a surchargeable offense under section 113B of  
51 Chapter 175.