

HOUSE No. 6221

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 6, 1985.

The committee on Public Safety, to whom were referred the petition (accompanied by bill, Senate, No. 379) of John P. Burke, Robert J. Rohan and Linda J. Melconian for legislation relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, Senate, No. 394) of Howard C. Cutts, Edward P. Kirby and Charles N. Decas for legislation relative to the issuance of handicapped license plates, the petition (accompanied by bill, Senate, No. 1236) of Arthur Joseph Lewis, Jr., for legislation to further regulate the issuance by the Registry of Motor Vehicles of certain registration plates to handicapped persons, the petition (accompanied by bill, Senate, No. 1237) of Arthur Joseph Lewis, Jr., for legislation relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, Senate, No. 1243) of Martin T. Reilly for legislation relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, Senate, No. 1857) of William R. Keating for legislation relative to the identification of handicapped parking spaces, the petition (accompanied by bill, Senate, No. 1869) of Linda J. Melconian for legislation to provide for the issuance of a handicapped sticker for temporary use by operators who have suffered a disability of a non-permanent nature, the petition (accompanied by bill, Senate, No. 1875) of Martin T. Reilly for legislation relative to parking for motor vehicles transporting the handicapped, the petition (accompanied by bill, Senate, No. 1876) of Robert D. Wetmore for legislation to provide for the issuance without payment of a fee of distinctive license plates to totally disabled veterans,

the petition (accompanied by bill, House, No. 466) of Michael W. Morrissey that provision be made for the issuance of placards to identify vehicles transporting handicapped persons, the petition (accompanied by bill, House, No. 666) of John A. Businger relative to the parking of vehicles transporting or picking up handicapped persons, the petition (accompanied by bill, House, No. 845) of Henry R. Grenier for legislation to further define the category of persons eligible to receive and display handicapped license plates, the petition (accompanied by bill, House, No. 846) of Henry R. Grenier that the Registrar of Motor Vehicles be authorized to furnish identification cards to certain disabled persons for parking purposes, the petition (accompanied by bill, House, No. 848) of Henry R. Grenier relative to distinctive license plates for disabled veterans, the petition (accompanied by bill, House, No. 861) of Susan F. Rourke and Mary Jeanette Murray relative to the granting of "V" disabled veteran license plates, the petition (accompanied by bill, House, No. 1223) of Mary Jane McKenna relative to the issuance of license plates displaying the international sign for handicappers, the petition (accompanied by bill, House, No. 1224) of William E. Moriarty relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, House, No. 1230) of Mary Jeanette Murray that the Registrar of Motor Vehicles be authorized to furnish temporary handicapped decals for use on pleasure vehicles owned by persons who are temporarily handicapped, the petition (accompanied by bill, House, No. 1425) of Philip Travis that the Registrar of Motor Vehicles be directed to issue identification cards to disabled persons for purposes of parking in handicapped parking spaces, the petition (accompanied by bill, House, No. 1426) of Michael P. Walsh that the Registrar of Motor Vehicles be directed to furnish handicapped parking permits to certain disabled persons, the petition (accompanied by bill, House, No. 2048) of Michael J. McGlynn relative to clarifying the granting of special license plates to handicapped persons, the petition (accompanied by bill, House, No. 2049) of

Richard T. Moore and another that provision be made for the issuance of handicapped license plates to certain trucks used as pleasure vehicles, the petition (accompanied by bill, House, No. 2834) of Mary Jane McKenna relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, House, No. 3005) of William Constantino, Jr., that the Registrar of Motor Vehicles be required to issue special registration plates to handicapped persons, the petition (accompanied by bill, House, No. 3009) of Barbara E. Gray that the Registrar of Motor Vehicles be directed to issue a special parking permit or plate to handicapped persons, the petition (accompanied by bill, House, No. 3204) of Thomas P. White and Marie-Louise Kehoe relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, House, No. 3209) of Thomas P. White and others that the Registrar of Motor Vehicles be authorized to issue portable motor vehicle registration plates to handicapped and other disabled persons, the petition (accompanied by bill, House, No. 3740) of Christopher J. Hodgkins relative to further regulating the operation of motor vehicles for certain handicapped persons, the petition (accompanied by bill, House, No. 3927) of Michael W. Morrissey, Kevin P. Blanchette, William R. Keating and another that certain disabled American veterans be authorized to receive special veterans license plates, the petition (accompanied by bill, House, No. 3928) of Michael W. Morrissey relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, House, No. 4500) of Carmen D. Buell, Marjorie A. Clapprood, John E. McDonough, Robert A. Durand and Thomas M. Gallagher relative to further regulating the operation of motor vehicles for certain handicapped persons, the petition (accompanied by bill, House, No. 4501) of Charles N. Decas for legislation to further define the category of persons eligible for handicapped license plates, the petition (accompanied by bill, House, No. 4940) of Charles E. Silvia that the Registrar of Motor Vehicles be authorized to furnish

identification cards to disabled persons for parking purposes, the petition (accompanied by bill, House, No. 5562) of Paul E. Caron relative to the issuance of number plates and special parking identification cards to handicapped persons, the petition (accompanied by bill, House, No. 5563) of Paul E. Caron for legislation to define the category of persons eligible for handicapped license plates, the petition (accompanied by bill, House, No. 5564) of Paul E. Caron For legislation to provide parking privileges for certain disabled persons, and the petition (accompanied by bill, House, No. 5813) of John P. Pozzi, Philip Travis and others relative to the parking of motor vehicles owned and driven by disabled veterans or handicapped persons, reports recommending that the accompanying bill (House, No. 6221) ought to pass.

For the committee,

THOMAS P. WHITE

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE ISSUANCE OF SPECIAL PARKING IDENTIFICATION PLATES 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 inserted by section one
3 of chapter six hundred forty-four of the acts of nineteen hundred
4 and eighty-one, is hereby amended by striking out the first and
5 second sentence and inserting in place thereof the following two
6 sentences: —

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

16 (a) Any ordinance or bylaw made hereunder shall require any
17 person or body that has lawful control of a public or private way or
18 if improved or enclosed property used as off-street parking areas
19 for businesses, shopping malls, theaters, auditoriums, sporting or
20 recreational facilities, cultural centers, residential dwellings,
21 or for any other place where the public has a right of access as
22 invitees or licensees, to reserve parking spaces in said off-street
23 parking areas for any vehicle owned and operated by a disabled
24 veteran or handicapped person whose vehicle bears the distin-
25 guishing license plate authorized by section two of chapter ninety
26 or for any vehicle transporting a handicapped person and dis-
27 playing the special identification plate authorized by section two

28 of chapter ninety or for any vehicle bearing the official identifi-
29 cation of a handicapped person issued by any other state, accord-
30 ing to the following formula: —

31 If the number of parking spaces in any such area is more than
32 fifteen but not more than twenty-five, one parking space; more
33 than twenty-five but not more than forty, five percent of such
34 spaces but not less than two; more than forty but not more than
35 one hundred, four percent of such spaces but not less than three;
36 more than one hundred but not more than two hundred, three
37 percent of such spaces but not less than four; more than two
38 hundred but not more than five hundred, two percent of such
39 spaces but not less than six; more than five hundred but not more
40 than one thousand, one and one-half percent of such spaces but
41 not less than ten; more than one thousand but not more than two
42 thousand, one percent of such spaces but not less than fifteen;
43 more than two thousand but less than five thousand, three-fourths
44 of one percent of such spaces but not less than twenty; and more
45 than five thousand, one-half of one percent of such spaces but not
46 less than 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 hereby
3 further amended by striking out said paragraph and inserting in
4 place thereof the following paragraph: —

5 No penalty shall be imposed upon any disabled veteran or
6 handicapped person, whose vehicle bears the distinctive number
7 plates, or displays the special parking identification plate author-
8 ized by section two of chapter ninety or bears the official identifi-
9 cation of a handicapped person issued by any other state, for
10 parking such vehicle on any way for a longer period of time than
11 permitted by said ordinances, bylaws, rules or 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 hereby
3 further amended by striking out the fourth sentence and inserting
4 in place thereof the following sentence: —

5 No fee shall be exacted and no penalty shall be imposed for the
6 parking of any vehicle owned and driven by a disabled veteran or

7 by a handicapped person and bearing the distinctive number plates
8 authorized by section two of chapter ninety, or for any vehicle
9 transporting a handicapped person and displaying the special
10 parking identification plate authorized by section two of chapter
11 ninety or for any vehicle bearing the official identification of a
12 handicapped person 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 644
3 of the acts of 1981, is hereby further amended by striking out the
4 first sentence and inserting in place thereof the following two
5 sentences: —

6 Any city or town acting under this section may further regulate
7 the parking of vehicles on ways within its said control by restrict-
8 ing certain areas thereon for the parking of any vehicle owned and
9 driven by a disabled veteran or handicapped person whose vehicle
10 bears the distinctive number plates authorized by section two of
11 chapter ninety or for any vehicle transporting a handicapped
12 person and displaying the special parking identification plate
13 authorized by section two of chapter ninety, or for any vehicle
14 bearing the official identification of a handicapped person issued
15 by any other state, or by prohibiting the parking or standing of any
16 vehicle in such a manner as to obstruct any curb ramp designated
17 for use by handicapped persons. Parking spaces designated as
18 reserved under the provisions of this paragraph shall be identified
19 by the use of above grade blue signs with white lettering against a
20 blue background and shall bear the words "Handicapped Parking:
21 Special Plate Required Unauthorized Vehicles May Be Removed
22 at Owner's Expense"; shall be as near as possible to a building
23 entrance or walkway; shall be adjacent to curb ramps or other
24 unobstructed methods permitting sidewalk access to a handi-
25 capped person; and shall be twelve feet wide or two eight-foot wide
26 areas with four feet cross hatch between them.

1 SECTION 5. Section 22D of said chapter 40 is hereby amended
2 by striking out the first sentence, as most recently amended by
3 section 4 of chapter 644 of the acts of 1981, and inserting in place
4 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 city or
7 town, some other board or commission is empowered to establish
8 traffic regulations, such other board or commission, may adopt,
9 amend, alter or repeal rules and regulations, with such limitation,
10 if any, as may be deemed proper, authorizing the chief officer of
11 the police department or such sergeants or other officers of higher
12 rank in the police department as he may from time to time desig-
13 nate, to remove, to some convenient place through the agency of a
14 person or persons in the employ of the police department or by an
15 independent contractor selected in accordance with law, bylaw, or
16 ordinance, on the basis of competitive bids, any vehicle parked or
17 standing on any part of any way under the control of the municipi-
18 lity in such a manner as to obstruct any curb ramp designed for
19 use by handicapped persons as means of egress to a street or public
20 way, or to occupy or obstruct any parking space reserved for a
21 vehicle used by a disabled veteran or handicapped person whose
22 vehicle bears the distinguishing license plate, or displays the
23 special parking identification plate authorized by section two of
24 chapter ninety, or bears the official identification of a handicapped
25 person issued by any other state, or to impede in any way the
26 removal or plowing of snow or ice or in violation of any rule or
27 regulation which prohibits the parking or standing of all vehicles
28 on such ways or portions thereof at such time and recites that
29 whoever violates it shall be liable to charges for the removal and
30 storage of the vehicles as well as subject to punishment by fine.

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

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

5 The registrar may furnish plates displaying the "International
6 Symbol of Access" for a pleasure passenger vehicle owned or

7 leased by and used by a blind person or a person who has suffered
8 the loss or permanent loss of use of one or both feet, or of one or
9 both hands, and the medical advisory board as established by
10 section 8C of said chapter 90, may determine such standards of
11 disability and handicap and of qualification for the issuance of
12 said plates as said Board deems proper. The registrar may also
13 furnish a special parking identification plate bearing the "Inter-
14 national Symbol of Access" to any person who meets the eligibility
15 requirements for handicapped plates prescribed herein. Said
16 parking identification plate shall be of such size and design as the
17 registrar shall require and shall be numbered and contain the name
18 and a photograph of the person to whom the plate is issued, and
19 shall verify that said person is handicapped and eligible to receive
20 said plate. When used by the bearer, said plate shall be displayed so
21 as to be visible through the left portion of the windshield of a
22 private passenger motor vehicle, and shall be for the exclusive use
23 of the bearer while being transported in said vehicle. Use of the
24 card by any person other than the bearer shall be cause for revoca-
25 tion. Anyone who wrongfully displays a special parking identifi-
26 cation plate in a motor vehicle shall be subject to the fines provided
27 for in section twenty. At no time shall the registrar issue to any
28 person both plates displaying the "International Symbol of
29 Access" and a special parking identification plate prescribed
30 herein.



RECEIVED BY
OFFICE OF CITY CLERK
1985 DEC 3
The Commonwealth of Massachusetts
Office of Handicapped Affairs
One Ashburton Place — Room 1305
Boston 02108

MICHAEL S. DUKAKIS
Governor

JIM GLEICH
Director

727-7440
Voice & TDD
1-800-322-2020
Voice & TDD

November 27, 1985

Cambridge City Council
795 Mass Avenue
Cambridge, MA 02138

Dear Cambridge City Council:

As a follow-up to our meeting on Monday, November 18, concerning the development of a program for increasing handicapped parking in Cambridge, I have enclosed a copy of House Bill No. 6221 per your request. I hope this bill will provide you with more information on this issue. It is currently before the House for enactment. Please feel free to contact me if you need any other information.

Sincerely yours,

Rani Kronick

Rani Kronick
Director of Legislative Relations

RK/fmc
Enc.

8.

S 870

Comm. from Rani Kronick, Dir. of Legislative
Relations, Mass. Office of Handicapped Affairs
transmitting a copy of House Bill 6221 Re:
handicapped parking issues.

*Copy sent to the City Manager
12/18/85 mh*

In City Council,

December 16, 1985

12/16/85

*Referred to the
City Manager
for
Report*