



# House of Representatives

General Assembly

**File No. 599**

*January Session, 2007*

House Bill No. 6370

*House of Representatives, April 26, 2007*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE ILLEGAL USE OF HANDICAPPED PARKING SPACES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (l) of section 14-253a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2007*):

4 [(l) Violation of any provision of this section shall be an infraction,  
5 provided the fine for violation of the provisions of subsection (f) of this  
6 section shall be not less than eighty-five dollars]

7 (l) Violation of any provision of this section shall, for a first  
8 violation, be subject to a fine of one hundred fifty dollars, and for a  
9 subsequent violation, be subject to a fine of two hundred fifty dollars.

10 Sec. 2. Subsection (b) of section 51-164n of the general statutes is  
11 repealed and the following is substituted in lieu thereof (*Effective*  
12 *October 1, 2007*):

13 (b) Notwithstanding any provision of the general statutes, any  
14 person who is alleged to have committed (1) a violation under the  
15 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
16 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-  
17 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, or 12-326g,  
18 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
19 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
20 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
21 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
22 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
23 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
24 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
25 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
26 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
27 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
28 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
29 14-153 or 14-163b, a first violation as specified in subsection (f) of  
30 section 14-164i, section 14-219 as specified in subsection (e) of said  
31 section, subdivision (1) of section 14-223a, section 14-240, 14-249 or 14-  
32 250, 14-253a, as amended by this act, subsection (a), (b) or (c) of section  
33 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278  
34 or 14-279, subsection (e) of section 14-283, section 14-291, 14-293b, 14-  
35 296aa, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,  
36 subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection  
37 (a) of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22,  
38 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,  
39 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,  
40 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-  
41 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,  
42 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301,  
43 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502,  
44 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of  
45 section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-  
46 39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30,  
47 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-

48 77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 22-  
49 13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a,  
50 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98,  
51 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-  
52 326 or 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-  
53 366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of  
54 section 22a-250, subsection (e) of section 22a-256h, subsection (a) of  
55 section 22a-381d, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b,  
56 subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21,  
57 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97,  
58 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-  
59 224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-143o, 29-143z, 29-  
60 161y, 29-161z, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-  
61 381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16,  
62 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44,  
63 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c)  
64 of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-  
65 134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-230,  
66 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,  
67 section 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-38kk,  
68 47-34a, 47-47, 49-8a, 49-16 or 53-133, subsection (a) or (b) of section 53-  
69 211, or section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-  
70 311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation  
71 under the provisions of chapter 268, or (3) a violation of any regulation  
72 adopted in accordance with the provisions of section 12-484, 12-487 or  
73 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any  
74 town, city or borough, except violations of building codes and the  
75 health code, for which the penalty exceeds ninety dollars but does not  
76 exceed two hundred fifty dollars, unless such town, city or borough  
77 has established a payment and hearing procedure for such violation  
78 pursuant to section 7-152c, shall follow the procedures set forth in this  
79 section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2007</i>	14-253a(l)
Sec. 2	<i>October 1, 2007</i>	51-164n(b)

**TRA**      *Joint Favorable C/R*

JUD

**JUD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 08 \$</b>	<b>FY 09 \$</b>
Judicial Dept.	General Fund & Transportation Fund - Revenue Gain	Less than 50,000	Less than 50,000

**Municipal Impact:** None

**Explanation**

The bill increases the fine that may be imposed on any person who uses a handicapped parking space illegally. Any revenue gain under this provision is estimated to be less than \$50,000 annually.

**The Out Years**

The annualized ongoing fiscal impact identified above would remain relatively constant into the future since fines are set by statute.

**OLR Bill Analysis****HB 6370*****AN ACT CONCERNING THE ILLEGAL USE OF HANDICAPPED PARKING SPACES.*****SUMMARY:**

This bill increases the fine for violations of the laws relating to the provision and use of parking spaces designated for handicapped people. Currently, violations are infractions with a fine of not less than \$85. The bill eliminates the designation as an infraction and increases the fine to \$150 for a first violation and \$250 for a subsequent violation. However, it designates these fines as payable by mail to the Centralized Infractions Bureau so a court appearance is not required if the violator chooses to mail in the fine.

Currently, a violator who mails in the fine pays a total amount of \$131. This includes the base fine of \$85 and, because violations are designated as infractions, additional assessments required by law bringing the total amount due to \$131 (CGS §§ 51-56a and 54-143a). Under the bill, violators will no longer be subject to the additional charges since the violation is no longer classified as an infraction. Therefore, for a first violation, the person will pay \$150 instead of \$131.

The violations of the handicapped parking law subject to the bill's higher fine include:

1. parking in a space designated for a handicapped person,
2. unauthorized display of a special license plate or placard issued to a disabled person,
3. failure to return a plate or placard when required to do so by the motor vehicle commissioner, and

- 4. failure to provide the designated spaces for handicapped persons the law requires.

EFFECTIVE DATE: October 1, 2007

**BACKGROUND**

***Remittance of Fines to Municipalities***

The law requires the state to remit to the municipalities in which the violations occur all amounts received for certain parking related violations, including those related to the special parking places designated for use by those with disabilities (CGS § 51-56a(b)).

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Change of Reference  
Yea 34 Nay 0 (03/14/2007)

Judiciary Committee

Joint Favorable  
Yea 40 Nay 0 (04/13/2007)