



STATE OF CONNECTICUT
OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
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Testimony of the Office of Protection and Advocacy for Persons with Disabilities
Before the Transportation Committee

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Good Morning, Senator Maynard, Representative Guerrero and members of the Committee. Thank you for the opportunity to comment on proposed bills related to the handicapped parking statutes: **Proposed S.B. No. 710 An Act Repealing The Renewal Requirement For Parking Placards For Persons Who Are Blind Or Persons With Disabilities Which Limit Or Impair The Ability To Walk; Proposed S.B. No. 813 An Act Establishing A Pilot Program Using Civilian Volunteers To Assist In The Enforcement Of State And Municipal Laws Concerning Parking For Persons With Blindness And Persons With Disabilities That Limit Or Impair The Ability To Walk; Proposed H.B. No. 5952 An Act Reducing Fraud And Abuse Of The Motor Vehicle Handicap Permit System; and Proposed H.B. No. 6190 An Act Concerning The Penalty For Unauthorized Parking In A Parking Space Reserved For Persons With Blindness And Persons With A Disability That Impairs The Ability To Walk.**

The Office of Protection and Advocacy for Persons with Disabilities (P&A) has been addressing handicapped parking issues since it was established 33 years ago. Every year, people with disabilities, family members, contractors and concerned citizens contact P&A for clarification about the requirements for handicapped parking in Connecticut, to lodge complaints about handicapped parking violations and to seek assistance with individual handicapped parking problems.

These issues and others reported to P&A merit careful input, review, and consideration by people with disabilities and other stakeholders. We urge the legislature to step back and appoint a Task Force, the majority of whom are people with disabilities who use parking permits, to gather information about handicapped parking issues, review the statutes, and develop meaningful recommendations to revise C.G.S. 14-253(a), Connecticut's handicapped parking law.

The bills on today's agenda focus on a few of the issues commonly addressed by P&A advocates including misuse of handicapped parking permits, enforcement, and tougher penalties for illegal use of a handicapped parking space. **Proposed Senate Bill 710** would repeal the requirement for periodic renewal of handicapped parking permits. P&A receives calls each year from frustrated individuals looking to report the misuse of a handicapped parking permit. The callers report that they saw someone get off a car parked in a handicapped parking space and run

into a building. Many of these permits are misused when a grandparent, spouse or other relative passes away. The family members will use the handicapped parking permit rather than destroy it, taking spaces away from people with disabilities who need them. The current renewal requirement limits this potential misuse by automatically expiring when the individual's license or identification card expires.

Proposed House Bill 5952 would require handicapped parking permits to include the photograph of the permit holder. While there seems to be growing acceptance of this idea amongst drivers with disabilities, not everyone favors it. Some people with permits feel that having pictures would reduce use by unauthorized parties while other permit holders feel the pictures would increase their vulnerability. P&A has also received complaints that some of the picture stations at the DMV and AAA offices are not accessible. In addition, there are a number of practical questions about how often permit holders would have to have their pictures taken and would parents of children with disabilities have to have the child's picture on the permit? Should there be different classes of hang tags, some where the picture is required and others with special class codes instead? This is a complex issue requiring careful consideration.

Proposed Senate Bill 813 establishes a pilot program of civilian volunteers to assist in enforcement of handicapped parking laws. The limited resources of local law enforcement entities create difficulty in catching individuals illegally parked in handicapped parking spaces. When triaging responses to 911 calls, most other calls take priority over a handicapped parking violation. Also, violators often park in handicapped parking spaces located at places such as the bank, cleaners, post office or convenience store. They run a quick errand and leave the space before law enforcement can respond. A civilian volunteer program would focus solely on handicapped parking violations, improving enforcement and making future violators think twice. The concept of civilian volunteers has been unsuccessfully proposed many times in Connecticut. Other states, however, have passed laws allowing for civilian enforcement. The programs differ in structure, training and qualifications. The concept merits further study and consideration to improve enforcement of handicapped parking laws in Connecticut.

Proposed House Bill 6190 would increase the penalty for unauthorized parking in a handicapped parking space from a fine to a two-week license suspension. While P&A favors penalties for handicapped parking violations, law enforcement may not be as willing to levy a fine for handicapped parking because of the severity of the fine. In addition, many law enforcement agencies follow the penalties found in the municipal ordinances rather than requirements of the state statute. Many of these ordinances continue to levy low fines for handicapped parking violations. Any proposed legislation increasing penalties for violations of the statute should also clarify that all local law enforcement are required to follow penalties levied in the state statute if the penalty is more severe than the penalty in the local ordinance.

Statistical data and the experience of people with disabilities contacting P&A also reveal several other pervasive handicapped parking problems that the agency would encourage the Committee, through a Task Force, to address. These include:

Spaces and Signage – The requirements for handicapped parking signs have changed several times, creating confusion about proper wording and making compliance more difficult. The current statutory requirements contain so many elements that very few handicapped parking signs actually meet these requirements. (Attached is a small sample of various signs found at handicapped parking spaces in Connecticut). Signs that do not meet current requirements may still be valid because the sign was proper at the time the parking space was created. The signage confusion can cause enforcement difficulties when determining a handicapped parking violation. A simplification of the statutory language for signage or a clarification about required signage elements is necessary to improve enforcement of violations.

Overtime Parking – P&A continues to receive questions about parking meters and overtime parking at handicapped parking spaces. What is overtime at a handicapped parking space? What does the handicapped parking statute mean where it says “unlimited period of time without penalty?” If the parking meter expires, is that overtime parking? If the meter expires, can the person parked in the handicapped parking space receive a ticket? Does the person parking in the space actually need to put money in the meter? If so, how much? The handicapped parking statute needs to be clarified to answer these questions for permit holders, law enforcement and municipalities.

Parking in the Cross Hatch – P&A staff members receive reports of cars parked in the crosshatch of handicapped parking spaces. In Connecticut, handicapped parking spaces are required to be 16 feet wide (8' space with 8' of crosshatch) or 15 feet wide (10' space with 5' of crosshatch). The crosshatch provides individuals with disabilities extra space to open a door or a place to lower a lift from an accessible van. Cars parked in the cross hatch prevent the use of the handicapped parking space by an individual with a permit. If an individual parks in the crosshatch after a vehicle is already parked in the handicapped parking space, the person parked in the handicapped parking space may not be able to access his/her vehicle and may be forced to wait until the violator returns.

Thank you again for this opportunity to comment on the proposed bills related to handicapped parking in Connecticut. P&A urges the Transportation Committee not only address the proposals issues before it, but to take a thorough look at the entire handicapped parking statute (C.G.S. 14-253(a)) and make lasting changes that make sense for people with disabilities, municipalities, law enforcement and other stakeholders.

Examples of Handicapped Parking Signs in Connecticut

