

2013 DRAFTING REQUEST

Bill

Received: **4/26/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB: **-4349**
For: **Keith Ripp (608) 266-3404** By/Representing: **Elisabeth Portz**
May Contact: Drafter: **agary**
Subject: **Transportation - motor vehicles** Addl. Drafters:
Transportation - other
Transportation - traffic laws Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Rep.Ripp@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Access aisles for parking spaces reserved for persons with disabilities

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 5/2/2013			_____			
/P1	agary 5/24/2013	jdyer 5/6/2013	rschluet 5/6/2013	_____	mbarman 5/6/2013		State S&L
/P2	agary 8/27/2013	jdyer 5/28/2013	jmurphy 5/28/2013	_____	lparisi 5/28/2013		State S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P3	agary 2/26/2014	jdyer 2/27/2014	rschluet 8/29/2013	_____	srose 8/29/2013		State S&L
/1			jfrantze 2/27/2014	_____	lparisi 2/27/2014	lparisi 2/27/2014	State S&L

FE Sent For:

→ At
Intro.

<END>

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For: **Keith Ripp (608) 266-3404** By/Representing: **Elisabeth Portz**

May Contact: Drafter: **agary**

Subject: **Transportation - motor vehicles** Addl. Drafters:

Transportation - other Extra Copies: **EVM**

Transportation - traffic laws

Submit via email: **YES**

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/?	agary 5/2/2013	1/27 jld	jd	2/27			
/P1	agary 5/24/2013	jdyer 5/6/2013	rschluet 5/6/2013		mbarman 5/6/2013		State S&L
/P2	agary 8/27/2013	jdyer 5/28/2013	jmurphy 5/28/2013		lparisi 5/28/2013		State S&L

PA's:
Please
jacket 1/1.
Inv. AEG

Gary, Aaron

From: Portz, Elisabeth
Sent: Wednesday, February 26, 2014 3:34 PM
To: Smasal, Elizabeth; Fiocchi, Tim; Gary, Aaron
Cc: Probst, Nick
Subject: RE: Disabled Parking Bills

That's our understanding too.

From: Smasal, Elizabeth
Sent: Wednesday, February 26, 2014 3:32 PM
To: Fiocchi, Tim; Gary, Aaron
Cc: Probst, Nick; Portz, Elisabeth
Subject: RE: Disabled Parking Bills

Yes. That's my understanding.

From: Fiocchi, Tim
Sent: Wednesday, February 26, 2014 3:28 PM
To: Gary, Aaron
Cc: Smasal, Elizabeth; Probst, Nick; Portz, Elisabeth
Subject: RE: Disabled Parking Bills

Yes, a /1 and the jackets. I believe Ripp will be the lead author right guys?

From: Gary, Aaron
Sent: Wednesday, February 26, 2014 3:26 PM
To: Fiocchi, Tim
Cc: Smasal, Elizabeth; Probst, Nick; Portz, Elisabeth
Subject: RE: Disabled Parking Bills

LRB-2259 is still a preliminary draft (/P3). Do you want it as a "/1"? Also, should the "requester" remain the Speaker or should I change it to Rep. Ripp?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Fiocchi, Tim
Sent: Wednesday, February 26, 2014 1:55 PM
To: Gary, Aaron
Cc: Smasal, Elizabeth; Probst, Nick; Portz, Elisabeth
Subject: Disabled Parking Bills

Hi Aaron,

I'm sorry to add anything more to your plate at this late date, but we would still like to take a shot at moving the disabled parking package we'd started working on at the beginning of session. To that end, I'd like to get /1 drafts and jackets for LRBs 0452, 0454, and 0455 as drafted.

In addition, I need to order an Assembly companions and Jackets for Rep. Ripp for those three bills and to LRB 0451, and a Senate companion to LRB 2259 which was drafted by the Speaker, but will also become a Ripp bill (all pertinent staff copied above.)

Thank you,

Tim

Tim Fiocchi
Chief of Staff, Senator Jerry Petrowski
29th Senate District
(608) 266-2502



in
2/26



LRB-2259/28

ARG:jld:rs

RMNR

needed

2/27

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 BILL

No changes

4

Regen

1 AN ACT *to renumber* 349.13 (1m); *to renumber and amend* 346.503 (2m); *to*
2 *amend* 346.503 (3) and 346.503 (4); and *to create* 346.503 (1m) (am), 346.503
3 (2m) (b) and 349.13 (1m) (b) of the statutes; **relating to:** parking spaces
4 reserved for persons with physical disabilities.

Analysis by the Legislative Reference Bureau

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) special motor vehicle registration plates (disabled plates) or a special identification card (disabled parking card) that affords certain parking privileges, including parking in spaces reserved for use by persons with physical disabilities (disabled parking spaces). It is a violation for a person to park a motor vehicle that does not display disabled plates or a disabled parking card in a disabled parking space.

Current law also requires the owner or lessee of a public building or place of employment, and the owner or lessee of a parking facility that offers parking to the public, to reserve a minimum number of disabled parking spaces if the parking area has at least 26 spaces. If the parking area is not open to the public or has fewer than 26 spaces, the owner or lessee may voluntarily reserve disabled parking spaces. Various requirements apply to reserved disabled parking spaces, including that they must be at least 12 feet wide, maintained in inclement weather, and posted with an official traffic sign (disabled parking sign). Each sign must include the "international symbol for barrier-free environments" (wheelchair symbol) and a statement to inform the public that the parking space is reserved for vehicles used

by persons with physical disabilities. DOT must promulgate rules governing the design, size, and installation of disabled parking signs.

Under this bill, if four or more disabled parking spaces are reserved under current law, at least 25 percent of these parking spaces must have an access aisle immediately adjacent to the parking space to provide entry to and exit from vehicles by persons with physical disabilities. The access aisle must be at least 96 inches wide and clearly marked. The disabled parking sign for a disabled parking space for which an access aisle is required must identify the space as "lift van accessible only." However, these requirements apply only to parking areas initially constructed, reconstructed, resurfaced, or repainted after the effective date of the bill.

Current law also allows DOT and local authorities to post on highways or in parking facilities under their respective jurisdictions disabled parking signs prohibiting parking in disabled parking spaces.

Under this bill, the same access aisle requirements discussed above also apply with respect to disabled parking spaces reserved in parking facilities by DOT or local authorities.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 346.503 (1m) (am) of the statutes is created to read:

2 346.503 **(1m)** (am) If the number of the parking spaces reserved under par. (a)
3 or (e) is 4 or more, at least 25 percent of these reserved parking spaces shall have an
4 access aisle immediately adjacent to the parking space to provide entry to and exit
5 from vehicles by persons with physical disabilities. The access aisle shall be at least
6 96 inches wide and clearly marked. This paragraph applies only to parking areas
7 initially constructed, reconstructed, resurfaced, or repainted after the effective date
8 of this paragraph [LRB inserts date].

9 **SECTION 2.** 346.503 (2m) of the statutes is renumbered 346.503 (2m) (a) and
10 amended to read:

11 346.503 **(2m)** (a) In addition to the requirements of sub. (1m), the owner or
12 lessee of a parking facility not open to the public and the owner or lessee of a parking

1 facility which offers parking for 25 or fewer motor vehicles to the public may reserve
2 one or more spaces as provided under sub. (1m) (b) and (c) for use by a motor vehicle
3 used by a physically disabled person. An owner or lessee reserving spaces under this
4 ~~subsection~~ paragraph shall post official traffic signs indicating that the spaces are
5 reserved.

6 **SECTION 3.** 346.503 (2m) (b) of the statutes is created to read:

7 346.503 (2m) (b) If the number of parking spaces reserved under par. (a) is four
8 or more, at least 25 percent of these reserved parking spaces shall have an access
9 aisle immediately adjacent to the parking space to provide entry to and exit from
10 vehicles by persons with physical disabilities. The access aisle shall be at least 96
11 inches wide and clearly marked. This paragraph applies only to parking areas
12 initially constructed, reconstructed, resurfaced, or repainted after the effective date
13 of this paragraph [LRB inserts date].

14 **SECTION 4.** 346.503 (3) of the statutes is amended to read:

15 346.503 (3) The official traffic sign shall include the international symbol for
16 barrier-free environments and a statement to inform the public that the parking
17 space is reserved for vehicles designated under sub. (1m) or (2m). If the reserved
18 parking space has an adjacent access aisle required under sub. (1m) (am) or (2m) (b),
19 the official traffic sign shall also identify the reserved parking space as "lift van
20 accessible only" and shall comply with the manual of uniform traffic control devices
21 adopted by the department under s. 84.02 (4) (e).

22 **SECTION 5.** 346.503 (4) of the statutes is amended to read:

23 346.503 (4) The department, after consulting with the department of safety
24 and professional services, shall promulgate rules governing the design, size, and
25 installation of the official traffic signs required under sub. (2) or (2m) (a).

2013 DRAFTING REQUEST

Bill

Received: 4/26/2013 Received By: agary
Wanted: As time permits Same as LRB:
For: Robin Vos (608) 266-9171 By/Representing: Elizabeth Smasal
May Contact: Drafter: agary
Subject: Transportation - motor vehicles Addl. Drafters:
Transportation - other
Transportation - traffic laws Extra Copies: EVM

Submit via email: YES
Requester's email: Rep.Vos@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

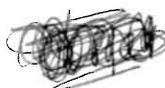
Access aisles for parking spaces reserved for persons with disabilities

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 5/2/2013			_____			
/P1	agary 5/24/2013	jdyer 5/6/2013	rschluet 5/6/2013	_____	mbarman 5/6/2013		State S&L
/P2	agary 8/27/2013	jdyer 5/28/2013	jmurphy 5/28/2013	_____	lparisi 5/28/2013		State S&L



<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P3		csicilia 8/29/2013	rschluet 8/29/2013	_____	srose 8/29/2013		State S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

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Received: 4/26/2013 Received By: agary
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 May Contact: Drafter: agary
 Subject: Transportation - motor vehicles Addl. Drafters:
 Transportation - other Extra Copies: EVM
 Transportation - traffic laws

Submit via email: YES
 Requester's email: Rep.Vos@legis.wisconsin.gov
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Pre Topic:

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Instructions:

See attached

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	agary 5/2/2013			_____			
/P1	agary 5/24/2013	jdyer 5/6/2013	rschluet 5/6/2013	_____	mbarman 5/6/2013		State S&L
/P2		jdyer 5/28/2013	jmurphy 5/28/2013	_____	lparisi 5/28/2013		State S&L

Handwritten notes:
 /P3 cjs 8/28/13
 [Signature]

FE Sent For:

<END>

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/?	agary 5/2/2013	P2 5/28 jld	Jm 5/28	m+rs 5/28			
/P1		jdyer 5/6/2013	rschluet 5/6/2013		mbarman 5/6/2013		State S&L

FE Sent For:

<END>

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Wanted: As time permits Same as LRB:
For: Robin Vos (608) 266-9171 By/Representing: Elizabeth Smasal
May Contact: Drafter: agary
Subject: Transportation - motor vehicles Addl. Drafters:
Transportation - other
Transportation - traffic laws Extra Copies: EVM

Submit via email: YES
Requester's email: Rep.Vos@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

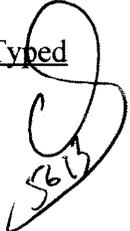
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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary	PI 5/6 jld		==			

FE Sent For:

<END>

Gary, Aaron

From: Smasal, Elizabeth
Sent: Friday, April 26, 2013 11:34 AM
To: Gary, Aaron
Subject: Preliminary Draft Request

Aaron,

Speaker Vos would like a preliminary draft related to lift van accessible parking spots. Are you the correct person to contact with this inquiry? If not, please direct me to the right person.

Speaker Vos would like the draft to include:

When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four handicap accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.

Thank you!

Elizabeth A. Smasal

Office of Assembly Speaker Robin Vos
217 West, State Capitol
P.O. Box 8953
Madison, WI 53708
elizabeth.smasal@legis.wi.gov
608-266-3387
1-888-534-0063



in
5/2



JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

X
1
2

Gen
AN ACT ...; relating to: parking spaces reserved for persons with physical disabilities. ✓

Analysis by the Legislative Reference Bureau

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) special motor vehicle registration plates (disabled plates) or a special identification card (disabled parking card) that affords certain parking privileges, including parking in spaces reserved for use by persons with physical disabilities (disabled parking spaces). It is a violation for a person to park a motor vehicle that does not display disabled plates or a disabled parking card in a disabled parking space. ✓

Current law also requires the owner or lessee of a public building or place of employment, and the owner or lessee of a parking facility that offers parking to the public, to reserve a minimum number of disabled parking spaces if the parking area has at least 26 spaces. If the parking area is not open to the public or has fewer than 26 spaces, the owner or lessee may voluntarily reserve disabled parking spaces. Various requirements apply to reserved disabled parking spaces, including that they must be at least 12 feet wide, maintained in inclement weather, and posted with an official traffic sign (disabled parking sign). Each sign must include the "international symbol for barrier-free environments" (wheelchair symbol) and a statement to inform the public that the parking space is reserved for vehicles used by persons with physical disabilities. DOT must promulgate rules governing the design, size, and installation of disabled parking signs. ✓

Under this bill, of the disabled parking spaces required to be reserved or voluntarily reserved under current law, at least 25 percent of these parking spaces,

or one parking space, whichever is greater, must have an access aisle immediately adjacent to the parking space to provide entry to and exit from vehicles by persons with physical disabilities. The access aisle must be at least [✓]96 inches wide and clearly marked. The disabled parking sign for a disabled parking space for which an access aisle is required must identify the space as "lift van accessible only."[✓] However, these requirements apply only to parking areas initially constructed, reconstructed, resurfaced, or repainted after the effective date of the bill.[✓]

Current law also allows[✓] DOT and local authorities to post on highways or in parking facilities under their respective jurisdictions disabled parking signs prohibiting parking in disabled parking spaces.

Under this bill, the same access aisle requirements discussed above also apply with respect to disabled parking spaces reserved in parking facilities by DOT or local authorities.[✓]

For further information see the[✓] *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 346.503 (1m) (am)[✓] of the statutes is created to read:

2 346.503 (1m) (am) Of the parking spaces reserved under par. (a), at least[✓] 25
3 percent of these parking spaces, or one[✓] parking space, whichever is greater, shall
4 have an access aisle immediately adjacent to the parking space to provide entry to
5 and exit from vehicles by persons with physical disabilities. The access aisle shall
6 be at least 96[✓] inches wide and clearly marked. This paragraph[✓] applies only to
7 parking areas initially constructed, reconstructed, resurfaced, or repainted after the
8 effective date of this paragraph[✓] [LRB inserts date].

9 SECTION 2. 346.503 (2m)[✓] of the statutes is renumbered 346.503 (2m) (a) and
10 amended to read:

11 346.503 (2m) (a) In addition to the requirements of sub.[✓](1m), the owner or
12 lessee of a parking facility not open to the public and the owner or lessee of a parking
13 facility ~~which~~^(S.F.T.) offers parking for 25 or fewer motor vehicles to the public may reserve
14 one or more spaces as provided under sub. (1m) (b)[✓] and (c)[✓] for use by a motor vehicle

1 used by a physically disabled person. An owner or lessee reserving spaces under this
2 ~~subsection~~ paragraph shall post official traffic signs indicating that the spaces are
3 reserved.

History: 1981 c. 255 ss. 7, 13; 1983 a. 77, 227, 246; 1985 a. 87 s. 5; 1985 a. 135 s. 85; 1987 a. 260; 1989 a. 304; 1993 a. 256; 1995 a. 27 ss. 6415, 6416, 9116 (5); 2009 a. 246; 2011 a. 32.

4 **SECTION 3.** 346.503 (2m) (b) of the statutes is created to read:

5 346.503 (2m) (b) Of the parking spaces reserved under par. (a), at least 25
6 percent of these parking spaces, or one parking space, whichever is greater, shall
7 have an access aisle immediately adjacent to the parking space to provide entry to
8 and exit from vehicles by persons with physical disabilities. The access aisle shall
9 be at least 96 inches wide and clearly marked. This paragraph applies only to
10 parking areas initially constructed, reconstructed, resurfaced, or repainted after the
11 effective date of this paragraph [LRB inserts date].

12 **SECTION 4.** 346.503 (3) of the statutes is amended to read:

13 346.503 (3) The official traffic sign shall include the international symbol for
14 barrier-free environments and a statement to inform the public that the parking
15 space is reserved for vehicles designated under sub. (1m) or (2m). If the reserved
16 parking space has an adjacent access aisle required under sub. (1m) (am) or (2m) (b),
17 the official traffic sign shall also identify the reserved parking space as "lift van
18 accessible only" and the sign shall comply with any requirement for such signs under
19 the federal Americans with Disabilities Act and regulations promulgated under that
20 Act.

History: 1981 c. 255 ss. 7, 13; 1983 a. 77, 227, 246; 1985 a. 87 s. 5; 1985 a. 135 s. 85; 1987 a. 260; 1989 a. 304; 1993 a. 256; 1995 a. 27 ss. 6415, 6416, 9116 (5); 2009 a. 246; 2011 a. 32.

21 **SECTION 5.** 346.503 (4) of the statutes is amended to read:

1 346.503 (4) The department, after consulting with the department of safety
2 and professional services, shall promulgate rules governing the design, size, and
3 installation of the official traffic signs required under sub. (2) or (2m) (a).

History: 1981 c. 255 ss. 7, 13; 1983 a. 77, 227, 246; 1985 a. 87 s. 7; 1985 a. 135 s. 85; 1987 a. 260; 1989 a. 304; 1993 a. 256; 1995 a. 27 ss. 6415, 6416, 9116 (5); 2009 a. 246; 2011 a. 32.

4 **SECTION 6.** 349.13 (1m) of the statutes is renumbered 349.13 (1m) (a).

5 **SECTION 7.** 349.13 (1m) (b) of the statutes is created to read:

6 349.13 (1m) (b) For each parking facility in which the department or a local
7 authority reserves parking spaces under par. (a) by prohibiting parking, stopping,
8 or standing of vehicles other than those vehicles identified in par. (a), at least 25
9 percent of these reserved parking spaces, or one parking space, whichever is greater,
10 shall have an access aisle immediately adjacent to the parking space to provide entry
11 to and exit from vehicles by persons with physical disabilities. The access aisle shall
12 be at least 96 inches wide and clearly marked. If a reserved parking space has an
13 adjacent access aisle required under this paragraph, the official traffic sign specified
14 in par. (a) shall also identify the reserved parking space as "lift van accessible only"
15 and the sign shall comply with any requirement for such signs under the federal
16 Americans with Disabilities Act and regulations promulgated under that Act. This
17 paragraph applies only to parking facilities initially constructed, reconstructed,
18 resurfaced, or repainted after the effective date of this paragraph [LRB inserts
19 date].

20 **SECTION 8. Effective date.**

21 (1) This act takes effect on the first day of the 4th month beginning after
22 publication.

23

(END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2259/P1dn

ARG: ^:...

date

Jld

ATTN: Elizabeth Smasal ✓

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓

* The instructions specified that signage should comply with the federal Americans with Disabilities Act (ADA). ✓ I have therefore drafted the provision this way. However, under federal law, disabled parking space signage must comply with the manual of uniform traffic control devices. See 23 CFR 1235.7 (a) (3). I suggest changing the reference to the ADA ✓ to a reference to the manual of uniform traffic control devices adopted by DOT under s. 84.02 (4) (e). ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2259/P1dn
ARG:jld:rs

May 6, 2013

ATTN: Elizabeth Smasal

Please review the attached draft carefully to ensure that it is consistent with your intent.

The instructions specified that signage should comply with the federal Americans with Disabilities Act (ADA). I have therefore drafted the provision this way. However, under federal law, disabled parking space signage must comply with the manual of uniform traffic control devices. See 23 CFR 1235.7 (a) (3). I suggest changing the reference to the ADA to a reference to the manual of uniform traffic control devices adopted by DOT under s. 84.02 (4) (e).

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: Rep.Vos
Sent: Thursday, May 23, 2013 1:33 PM
To: Gary, Aaron
Subject: RE: Draft review: LRB -2259/P1 Topic: Access aisles for parking spaces reserved for persons with disabilities

Let's do P2.

Thanks!

From: Gary, Aaron
Sent: Thursday, May 23, 2013 1:10 PM
To: Rep.Vos
Subject: RE: Draft review: LRB -2259/P1 Topic: Access aisles for parking spaces reserved for persons with disabilities

Hi Elizabeth,

Do you want another preliminary "/P2" draft or an introducible "/1"?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Rep.Vos
Sent: Thursday, May 23, 2013 11:48 AM
To: Gary, Aaron
Subject: RE: Draft review: LRB -2259/P1 Topic: Access aisles for parking spaces reserved for persons with disabilities

Aaron,

Thanks for this draft. We would like to make the change you suggested: changing the reference to the ADA to a reference to the manual of uniform traffic control devices adopted by DOT under s. 84.02 (4) (e).

Elizabeth A. Smasal

Office of Assembly Speaker Robin Vos
217 West, State Capitol
P.O. Box 8953
Madison, WI 53708
elizabeth.smasal@legis.wi.gov
608-266-3387
1-888-534-0063

From: LRB.Legal
Sent: Monday, May 06, 2013 3:47 PM
To: Rep.Vos
Subject: Draft review: LRB -2259/P1 Topic: Access aisles for parking spaces reserved for persons with disabilities

Following is the PDF version of draft LRB -2259/P1 and drafter's note.



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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 AN ACT *to renumber* 349.13 (1m); *to renumber and amend* 346.503 (2m); *to*
2 *amend* 346.503 (3) and 346.503 (4); and *to create* 346.503 (1m) (am), 346.503
3 (2m) (b) and 349.13 (1m) (b) of the statutes; **relating to:** parking spaces
4 reserved for persons with physical disabilities.

Analysis by the Legislative Reference Bureau

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) special motor vehicle registration plates (disabled plates) or a special identification card (disabled parking card) that affords certain parking privileges, including parking in spaces reserved for use by persons with physical disabilities (disabled parking spaces). It is a violation for a person to park a motor vehicle that does not display disabled plates or a disabled parking card in a disabled parking space.

Current law also requires the owner or lessee of a public building or place of employment, and the owner or lessee of a parking facility that offers parking to the public, to reserve a minimum number of disabled parking spaces if the parking area has at least 26 spaces. If the parking area is not open to the public or has fewer than 26 spaces, the owner or lessee may voluntarily reserve disabled parking spaces. Various requirements apply to reserved disabled parking spaces, including that they must be at least 12 feet wide, maintained in inclement weather, and posted with an official traffic sign (disabled parking sign). Each sign must include the "international symbol for barrier-free environments" (wheelchair symbol) and a statement to inform the public that the parking space is reserved for vehicles used

by persons with physical disabilities. DOT must promulgate rules governing the design, size, and installation of disabled parking signs.

Under this bill, of the disabled parking spaces required to be reserved or voluntarily reserved under current law, at least 25 percent of these parking spaces, or one parking space, whichever is greater, must have an access aisle immediately adjacent to the parking space to provide entry to and exit from vehicles by persons with physical disabilities. The access aisle must be at least 96 inches wide and clearly marked. The disabled parking sign for a disabled parking space for which an access aisle is required must identify the space as "lift van accessible only." However, these requirements apply only to parking areas initially constructed, reconstructed, resurfaced, or repainted after the effective date of the bill.

Current law also allows DOT and local authorities to post on highways or in parking facilities under their respective jurisdictions disabled parking signs prohibiting parking in disabled parking spaces.

Under this bill, the same access aisle requirements discussed above also apply with respect to disabled parking spaces reserved in parking facilities by DOT or local authorities.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 346.503 (1m) (am) of the statutes is created to read:

2 346.503 (**1m**) (am) Of the parking spaces reserved under par. (a), at least 25
3 percent of these parking spaces, or one parking space, whichever is greater, shall
4 have an access aisle immediately adjacent to the parking space to provide entry to
5 and exit from vehicles by persons with physical disabilities. The access aisle shall
6 be at least 96 inches wide and clearly marked. This paragraph applies only to
7 parking areas initially constructed, reconstructed, resurfaced, or repainted after the
8 effective date of this paragraph [LRB inserts date].

9 **SECTION 2.** 346.503 (2m) of the statutes is renumbered 346.503 (2m) (a) and
10 amended to read:

11 346.503 (**2m**) (a) In addition to the requirements of sub. (1m), the owner or
12 lessee of a parking facility not open to the public and the owner or lessee of a parking

1 facility which offers parking for 25 or fewer motor vehicles to the public may reserve
2 one or more spaces as provided under sub. (1m) (b) and (c) for use by a motor vehicle
3 used by a physically disabled person. An owner or lessee reserving spaces under this
4 subsection paragraph shall post official traffic signs indicating that the spaces are
5 reserved.

6 **SECTION 3.** 346.503 (2m) (b) of the statutes is created to read:

7 346.503 (2m) (b) Of the parking spaces reserved under par. (a), at least 25
8 percent of these parking spaces, or one parking space, whichever is greater, shall
9 have an access aisle immediately adjacent to the parking space to provide entry to
10 and exit from vehicles by persons with physical disabilities. The access aisle shall
11 be at least 96 inches wide and clearly marked. This paragraph applies only to
12 parking areas initially constructed, reconstructed, resurfaced, or repainted after the
13 effective date of this paragraph [LRB inserts date].

14 **SECTION 4.** 346.503 (3) of the statutes is amended to read:

15 346.503 (3) The official traffic sign shall include the international symbol for
16 barrier-free environments and a statement to inform the public that the parking
17 space is reserved for vehicles designated under sub. (1m) or (2m). If the reserved
18 parking space has an adjacent access aisle required under sub. (1m) (am) or (2m) (b),
19 the official traffic sign shall also identify the reserved parking space as "lift van
20 accessible only" and the sign shall comply with any requirement for such signs under
21 the federal Americans with Disabilities Act and regulations promulgated under that
22 act.

23 **SECTION 5.** 346.503 (4) of the statutes is amended to read:

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FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2259/P2ins
ARG:.....

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INSERT 3-20:

(no ~~¶~~) the manual of uniform traffic control devices adopted by the department under
s. 84.02 (4) (e) ✓ ~~NO~~ ~~¶~~

INSERT 4-15:

(no ~~¶~~) the manual of uniform traffic control devices adopted by the department under
s. 84.02 (4) (e) ✓ ~~NO~~ ~~¶~~

Gary, Aaron

From: Smasal, Elizabeth
Sent: Wednesday, August 21, 2013 3:53 PM
To: Gary, Aaron
Subject: RE: Draft review: LRB -2259/P2 Topic: Access aisles for parking spaces reserved for persons with disabilities

Aaron,

Let's update this draft to require 25% of accessible spots to be "van accessible only" only when four or more spots are designated "accessible" by current law. I believe that would be for parking lots that have 200 or more spaces.

Please let me know if you have any questions!

Elizabeth Smasal

From: LRB.Legal
Sent: Tuesday, May 28, 2013 11:33 AM
To: Rep.Vos
Subject: Draft review: LRB -2259/P2 Topic: Access aisles for parking spaces reserved for persons with disabilities

Following is the PDF version of draft LRB -2259/P2.



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LRB-2259/P3

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 AN ACT ~~to renumber~~ 349.13 (1m); *to renumber and amend* 346.503 (2m); *to*
2 *amend* 346.503 (3) and 346.503 (4); and *to create* 346.503 (1m) (am), 346.503
3 (2m) (b) and 349.13 (1m) (b) of the statutes; **relating to:** parking spaces
4 reserved for persons with physical disabilities.

Analysis by the Legislative Reference Bureau

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) special motor vehicle registration plates (disabled plates) or a special identification card (disabled parking card) that affords certain parking privileges, including parking in spaces reserved for use by persons with physical disabilities (disabled parking spaces). It is a violation for a person to park a motor vehicle that does not display disabled plates or a disabled parking card in a disabled parking space.

Current law also requires the owner or lessee of a public building or place of employment, and the owner or lessee of a parking facility that offers parking to the public, to reserve a minimum number of disabled parking spaces if the parking area has at least 26 spaces. If the parking area is not open to the public or has fewer than 26 spaces, the owner or lessee may voluntarily reserve disabled parking spaces. Various requirements apply to reserved disabled parking spaces, including that they must be at least 12 feet wide, maintained in inclement weather, and posted with an official traffic sign (disabled parking sign). Each sign must include the "international symbol for barrier-free environments" (wheelchair symbol) and a statement to inform the public that the parking space is reserved for vehicles used

if four or more

by persons with physical disabilities. DOT must promulgate rules governing the design, size, and installation of disabled parking signs.

X Under this bill, ~~of the~~ disabled parking spaces ~~required to be reserved or~~ *are* voluntarily reserved under current law, at least 25 percent of these parking spaces *are* or one parking space, whichever is greater must have an access aisle immediately adjacent to the parking space to provide entry to and exit from vehicles by persons with physical disabilities. The access aisle must be at least 96 inches wide and clearly marked. The disabled parking sign for a disabled parking space for which an access aisle is required must identify the space as "lift van accessible only." However, these requirements apply only to parking areas initially constructed, reconstructed, resurfaced, or repainted after the effective date of the bill.

Current law also allows DOT and local authorities to post on highways or in parking facilities under their respective jurisdictions disabled parking signs prohibiting parking in disabled parking spaces.

Under this bill, the same access aisle requirements discussed above also apply with respect to disabled parking spaces reserved in parking facilities by DOT or local authorities.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 346.503 (1m) (am) of the statutes is created to read:

2 346.503 (1m) (am) *reserved* of ~~the~~ *If the number* parking spaces reserved under par. (a), at least 25
3 percent of these parking spaces or one parking space, whichever is greater shall
4 have an access aisle immediately adjacent to the parking space to provide entry to
5 and exit from vehicles by persons with physical disabilities. The access aisle shall
6 be at least 96 inches wide and clearly marked. This paragraph applies only to
7 parking areas initially constructed, reconstructed, resurfaced, or repainted after the
8 effective date of this paragraph [LRB inserts date].

9 SECTION 2. 346.503 (2m) of the statutes is renumbered 346.503 (2m) (a) and
10 amended to read:

11 346.503 (2m) (a) In addition to the requirements of sub. (1m), the owner or
12 lessee of a parking facility not open to the public and the owner or lessee of a parking

or (e) is 4 or more

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1 facility which offers parking for 25 or fewer motor vehicles to the public may reserve
2 one or more spaces as provided under sub. (1m) (b) and (c) for use by a motor vehicle
3 used by a physically disabled person. An owner or lessee reserving spaces under this
4 subsection paragraph shall post official traffic signs indicating that the spaces are
5 reserved.

6 **SECTION 3.** 346.503 (2m) (b) of the statutes is created to read:

7 346.503 (2m) (b) ^{If the number} ~~of the~~ parking spaces reserved under par. (a), at least 25
8 percent of these ^{reserved} parking spaces, or one parking space, whichever is greater, shall
9 have an access aisle immediately adjacent to the parking space to provide entry to
10 and exit from vehicles by persons with physical disabilities. The access aisle shall
11 be at least 96 inches wide and clearly marked. This paragraph applies only to
12 parking areas initially constructed, reconstructed, resurfaced, or repainted after the
13 effective date of this paragraph [LRB inserts date].

14 **SECTION 4.** 346.503 (3) of the statutes is amended to read: ✓

15 346.503 (3) The official traffic sign shall include the international symbol for
16 barrier-free environments and a statement to inform the public that the parking
17 space is reserved for vehicles designated under sub. (1m) or (2m). If the reserved
18 parking space has an adjacent access aisle required under sub. (1m) (am) or (2m) (b),
19 the official traffic sign shall also identify the reserved parking space as "lift van
20 accessible only" and shall comply with the manual of uniform traffic control devices
21 adopted by the department under s. 84.02 (4) (e).

22 **SECTION 5.** 346.503 (4) of the statutes is amended to read: ✓

23 346.503 (4) The department, after consulting with the department of safety
24 and professional services, shall promulgate rules governing the design, size, and
25 installation of the official traffic signs required under sub. (2) or (2m) (a).

4 or more

1 SECTION 6. 349.13 (1m) of the statutes is renumbered 349.13 (1m) (a). ✓

2 SECTION 7. 349.13 (1m) (b) of the statutes is created to read: ✓

3 349.13 (1m) (b) For each parking facility in which the department or a local

4 authority reserves parking spaces under par. (a) by prohibiting parking, stopping,
5 or standing of vehicles other than those vehicles identified in par. (a), at least 25

6 percent of these reserved parking spaces or one parking space, whichever is greater,

7 shall have an access aisle immediately adjacent to the parking space to provide entry
8 to and exit from vehicles by persons with physical disabilities. The access aisle shall

9 be at least 96 inches wide and clearly marked. If a reserved parking space has an
10 adjacent access aisle required under this paragraph, the official traffic sign specified

11 in par. (a) shall also identify the reserved parking space as "lift van accessible only"
12 and shall comply with the manual of uniform traffic control devices adopted by the

13 department under s. 84.02 (4) (e). This paragraph applies only to parking facilities
14 initially constructed, reconstructed, resurfaced, or repainted after the effective date

15 of this paragraph [LRB inserts date]. ✓

16 SECTION 8. Effective date.

17 (1) This act takes effect on the first day of the 4th month beginning after
18 publication.

19 (END)