



1997 ASSEMBLY BILL 928

March 17, 1998 - Introduced by Representatives R. POTTER, MUSSER and KELSO, cosponsored by Senator MOEN. Referred to Committee on Government Operations.

1 **AN ACT to amend** 346.50 (3) and 346.505 (3) (b) (intro.); and **to create** 346.505
2 (2) (c) of the statutes; **relating to:** prohibiting the parking of vehicles in access
3 aisles adjacent to parking spaces reserved for vehicles used by persons with
4 disabilities and reports of violations of parking spaces reserved for vehicles
5 used by persons with disabilities.

Analysis by the Legislative Reference Bureau

Under current law, no person may park a vehicle so as to obstruct, block or otherwise limit the use of any parking space reserved for motor vehicles used by physically disabled persons. Failure to comply with this prohibition results in a mandatory forfeiture of not less than \$50 nor more than \$300.

This bill provides that no person may park a vehicle in an access aisle adjacent to a parking space reserved for motor vehicles used by persons with physical disabilities. An access aisle provides entry to and exit from vehicles by persons with physical disabilities parked in such reserved spaces. Failure to comply with this provision is treated the same (mandatory forfeiture) as a violation of the prohibition against obstructing, blocking or otherwise limiting the use of any parking space reserved for motor vehicles used by persons with physical disabilities.

Also under current law, a member of a disabled parking enforcement council who observes a violation of a parking space reserved for use by persons with disabilities may report the violation to a traffic officer who, after investigating the

report, may issue a parking citation to the vehicle owner. This bill allows any person who observes such a violation to prepare and submit such a report to a traffic officer.

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

1 **SECTION 1.** 346.50 (3) of the statutes is amended to read:

2 346.50 (3) Except as provided in sub. (3m), a vehicle bearing special
3 registration plates issued under s. 341.14 (1), (1a), (1e), (1m), (1q) or (1r) (a) or a
4 motor vehicle, other than a motorcycle, upon which a special identification card
5 issued under s. 343.51 is displayed or a motor vehicle registered in another
6 jurisdiction upon which is displayed a registration plate, a card or an emblem issued
7 by the other jurisdiction designating the vehicle as a vehicle used by a physically
8 ~~disabled~~ person with a physical disability is exempt from s. 346.505 (2) (a) or any
9 ordinance in conformity therewith prohibiting parking, stopping or standing upon
10 any portion of a street, highway or parking facility reserved for ~~physically disabled~~
11 persons with physical disabilities by official traffic signs indicating the restriction.
12 Stopping, standing and parking privileges granted by this subsection are limited to
13 the persons listed under subs. (2) and (2a) (a) to (m).

14 **SECTION 2.** 346.505 (2) (c) of the statutes is created to read:

15 346.505 (2) (c) Notwithstanding par. (b), no person may park, stop or leave
16 standing any vehicle, whether attended or unattended and whether temporarily or
17 otherwise, upon any portion of a street, highway or parking facility that is clearly
18 marked as and intended to be an access aisle to provide entry to and exit from
19 vehicles by persons with physical disabilities and which is immediately adjacent to
20 any portion of a street, highway or parking facility reserved, by official traffic signs
21 indicating the restriction, for vehicles displaying special registration plates issued

1 under s. 341.14 (1), (1a), (1e), (1m), (1q) or (1r) (a) or a special identification card
2 issued under s. 343.51 or vehicles registered in another jurisdiction and displaying
3 a registration plate, card or emblem issued by the other jurisdiction which
4 designates the vehicle as a vehicle used by a person with a physical disability.

5 **SECTION 3.** 346.505 (3) (b) (intro.) of the statutes is amended to read:

6 346.505 (3) (b) (intro.) ~~A member of a disabled parking enforcement assistance~~
7 ~~council under s. 349.145~~ Any person who observes a violation of sub. (2) may prepare
8 a written report indicating that a violation has occurred. The report shall contain
9 the following information:

10 **SECTION 4. Initial applicability.**

11 (1) The treatment of section 346.505 (3) (b) (intro.) of the statutes first applies
12 to violations of section 346.505 of the statutes committed on the effective date of this
13 subsection.

14 (END)