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MEMORANDUM

August 30, 2002

TO: Senate Committee on Insurance, Tourism and Transportation
FR: Senator Roger Breske, Chair
RE: Proposed Clearinghouse Rule 02-085; *relating to disabled parking placards.*

Clearinghouse Rule 02-085 was recently referred to the Senate Committee on Insurance, Tourism and Transportation. For your reference, I have attached the analysis by the Department of Transportation. If you would like to request a hearing on this proposed rule, please contact Beth in my office before ***Friday, September 20th, 2002.***

Analysis by the Department of Transportation

The Division of Motor Vehicles accommodates persons who have a disability that limits or impairs the ability to walk. Disabled persons may receive a portable disabled parking identification placard, which allows parking in a specially reserved parking space. Disabled persons pay a fee of \$6 per placard, which is good for 4 years. A number of class action lawsuits have been filed against states (including Wisconsin) that charge a fee for disabled parking identification placards. These lawsuits allege that the practice of charging a fee for disabled parking identification placards violates the Americans with Disabilities Act (ADA). A settlement ended the Wisconsin lawsuit. Judge Nichol signed an order accepting the settlement, ordering DOT to cease collecting any fee for permanent placards after June 30, 2003, and dismissing the case. *Jason, et al. v. Wisconsin DOT*, Case No. 97-CV-3137, Dane County Circuit Court, April 15, 2002. The Department proposes to discontinue charging any fee for a permanent placard in compliance with the court order. The Department will continue to charge \$6 for temporary placards.