February 27, 2014 – Introduced by Representative Ripp, cosponsored by Senator Petrowski. Referred to Committee on Transportation.

1 AN ACT to renumber 349.13 (1m); to renumber and amend 346.503 (2m); to amend 346.503 (3) and 346.503 (4); and to create 346.503 (1m) (am), 346.503 (2m) (b) and 349.13 (1m) (b) of the statutes; 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, 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:

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

346.503 (1m) (am) If the number of the parking spaces reserved under par. (a)
or (e) is 4 or more, at least 25 percent of these reserved parking spaces shall 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 shall be at least
96 inches wide and clearly marked. This paragraph applies only to parking areas
initially constructed, reconstructed, resurfaced, or repainted after the effective date
of this paragraph .... [LRB inserts date].

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

346.503 (2m) (a) In addition to the requirements of sub. (1m), the owner or
lessee of a parking facility not open to the public and the owner or lessee of a parking
facility which offers parking for 25 or fewer motor vehicles to the public may reserve
one or more spaces as provided under sub. (1m) (b) and (c) for use by a motor vehicle
used by a physically disabled person. An owner or lessee reserving spaces under this
subsection paragraph shall post official traffic signs indicating that the spaces are
reserved.

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

346.503 (2m) (b) If the number of parking spaces reserved under par. (a) is four
or more, at least 25 percent of these reserved parking spaces shall 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 shall be at least 96
inches wide and clearly marked. This paragraph applies only to parking areas
initially constructed, reconstructed, resurfaced, or repainted after the effective date
of this paragraph .... [LRB inserts date].

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

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

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

346.503 (4) The department, after consulting with the department of safety
and professional services, shall promulgate rules governing the design, size, and
installation of the official traffic signs required under sub. (2) or (2m) (a).
SECTION 6. 349.13 (1m) of the statutes is renumbered 349.13 (1m) (a).

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

349.13 (1m) (b) For each parking facility in which the department or a local authority reserves 4 or more parking spaces under par. (a) by prohibiting parking, stopping, or standing of vehicles other than those vehicles identified in par. (a), at least 25 percent of these reserved parking spaces shall 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 shall be at least 96 inches wide and clearly marked. If a reserved parking space has an adjacent access aisle required under this paragraph, the official traffic sign specified in par. (a) shall also identify the reserved parking space as “lift van accessible only” and shall comply with the manual of uniform traffic control devices adopted by the department under s. 84.02 (4) (e). This paragraph applies only to parking facilities initially constructed, reconstructed, resurfaced, or repainted after the effective date of this paragraph .... [LRB inserts date].

SECTION 8. Effective date.

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