



2013 ASSEMBLY BILL 828

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*
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

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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

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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 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).

