

2011 -- S 0207

LC00811

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - PARKING FACILITIES AND  
PRIVILEGES

Introduced By: Senators Algieri, Shibley, and Tassoni

Date Introduced: February 09, 2011

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-28-7.3 of the General Laws in Chapter 31-28 entitled "Parking  
2 Facilities and Privileges" is hereby amended to read as follows:

3 **31-28-7.3. Disability parking enforcement program.** -- (a) The state police, department  
4 of environmental management, airport corporation, capitol police, department of mental health,  
5 retardation and hospitals, and the state operated colleges shall establish a disability parking  
6 enforcement enhancement programs no later than January 1, 2000. The program will be designed  
7 to improve enforcement of disability parking laws on state-owned property and in parking  
8 facilities serving space leased or owned by the state, including state departments, agencies,  
9 boards, commissions, and quasi-governmental corporations. Citations issued in conjunction with  
10 this program shall be submitted to the traffic tribunal or its successor entity for collection  
11 pursuant to sections 31-28-7 and 31-28-7.1 and the fines collected through shall be paid over to  
12 the state agency or college that issued the citation.

13 (b) The several cities and towns shall establish disability parking enforcement  
14 enhancement programs. Citations issued in conjunction with local enforcement programs shall be  
15 submitted to the municipal court, where established, or to the traffic tribunal or its successor  
16 entity. Fines collected through citations issued in accordance with local enforcement program  
17 specifications shall be paid over to the city or town or pursuant to sections 31-28-7 and 31-28-7.1.

18 (c) Disability parking enforcement enhancement plans.

1 (1) The state police, department of environmental management, airport corporation,  
2 capitol police, department of mental health, retardation and hospitals, and the state operated  
3 colleges shall submit a disability parking enforcement enhancement plan to the governor's  
4 commission on disabilities.

5 (2) Cities and towns shall submit a disability parking enforcement enhancement plan to  
6 the governor's commission on the disability.

7 (3) The disability parking enforcement enhancement plans shall describe the  
8 enforcement program which the state police, department of environmental management, airport  
9 corporation, capitol police, department of mental health, retardation and hospitals, the state  
10 operated colleges or the municipality intends to establish.

11 (4) The disability parking enforcement enhancement plan shall be reviewed by  
12 governor's commission on disabilities within sixty (60) days of receipt and suggest improvements  
13 to the disability parking enforcement enhancement plans, that shall not be construed as required  
14 amendments.

15 (d) ~~Beginning January 1, 2001 and on each January 1 thereafter, cities and towns and the~~  
16 ~~state police, department of environmental management, airport corporations, capitol police,~~  
17 ~~department of mental health, retardation and hospitals, and the state operated colleges shall be~~  
18 ~~required to submit to the governor's commission on disabilities an annual progress report~~  
19 ~~chronicling the collections of fines, procedures used, convictions, and any problems or successes~~  
20 ~~which result from the disability parking enforcement enhancement program. Following receipt of~~  
21 ~~an annual program report, the governor's commission on disabilities may suggest improvements~~  
22 ~~to a disability parking enforcement enhancement program.~~

23 (e) The types of disability parking enforcement enhancement programs which may be  
24 put in place in each municipality, and by the state police, department of environmental  
25 management, airport corporation, capitol police, department of mental health, retardation and  
26 hospitals, and the state operated colleges, may include, but shall not be limited to:

27 (1) Enforcement programs which utilize persons deputized for the purpose of the  
28 disability parking enforcement enhancement program. The disability parking enforcement  
29 deputies shall be required to complete a minimum of four (4) hours training in parking  
30 enforcement before being assigned to the program. Each municipality and the state police,  
31 department of environmental management, airport corporation, capitol police, department of  
32 mental health, retardation and hospitals, and the state operated colleges shall provide adequate  
33 training and shall assume all liability associated with disability parking enforcement.

34 (2) Enforcement programs which specifically designate paid and trained personnel as

1 staff for the disability parking enforcement enhancement program. These personnel are not  
2 limited to on-duty police officers, but may also include officers to be paid overtime, auxiliary  
3 personnel, special forces, retired personnel, and other paid employee deemed by the responsible  
4 authority to be competent and qualified.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1           This act would repeal the requirement that police departments and other state departments
- 2 report about disability parking to the governor's commission on disabilities.
- 3           This act would take effect upon passage.

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