

Fact Sheet AB 2602

Author: Gatto, Mike

Bill: AB 2602, Disability Parking Placards

Summary: This measure amends the Vehicle Code in several places to address illegitimate use of disabled person parking placards. The measure will force the Department of Motor Vehicles to more actively recoup expired parking placards, will require individuals to reapply for parking placards upon expiration, and will allow local jurisdictions to charge motorists displaying placards upon publication of their compliance with ADA laws.

Background: Under current law, the Department of Motor Vehicles (DMV) issues disabled person (DP) parking placards, license plates, or both to individuals with permanent and temporary disabilities. Permanent placards are issued to individuals who have impaired mobility due to the loss of limbs, who have diagnosed diseases that interfere with mobility, or who rely on the aid of an assistive device to be mobile. Permanent placards are valid for two years. Temporary parking placards, on the other hand, are valid for up to 6 months, and are issued to individuals with temporary disabilities, such as a broken leg. To obtain a permanent or temporary placard, an individual must obtain the signature of a licensed physician, surgeon, chiropractor, optometrist, physician assistant, nurse practitioner, or certified nurse midwife that has knowledge of the disability or disease. A vehicle displaying any DP placard or license plate may park in spaces marked with a wheelchair symbol or in on-street parking spots for no charge and with no time restrictions.

Today, there are approximately three million disabled placards in use in California. While placards are most often used responsibly and for legitimate reasons, irresponsible and fraudulent placard use is a significant concern, and it poses major hurdles in local jurisdictions' attempts to provide accessible parking to those truly in need. One NBC4 I-Team investigation, for example, caught abusers using placards belonging to friends and relatives, including a child, a deceased relative and a disabled sibling, in two different parts of the Los Angeles area. That report eventually led to a similar DMV sting, which resulted in dozens of confiscated placards. Additionally, a 2013 DMV sting caught 241 people in different metropolitan area throughout the state violating placard laws. These problems are not unique to California, and in response to the same concerns, several jurisdictions have implemented innovative policies for managing accessible parking.

California has been a leader among the states in providing equal opportunities to individuals with disabilities. However, equal access under the Americans with Disabilities Act means that local jurisdictions should be able to provide convenient parking for every person with a fundamental disability.

What the Bill Does: AB 2602 will do three things:

1. It will require the DMV, when it receives information that the owner of a placard is deceased, to notify the informant listed on the certificate of death of his or her legal

responsibility to remit the placard, and include directions on how he or she is to remit the placard. Under existing law, no notification is served.

2. It will require individuals to re-apply for new placards upon the placard's expiration. Under existing law, placards are auto-renewed.

3. It will allow a local government, upon a vote of its governing body in an open meeting, to charge motorists displaying handicapped placards for the price of parking only if it has completed and made publicly available a self-assessment of its compliance with ADA law with regards to its provision of handicapped accessible parking spots, and provided an opportunity for public comment on the report prior to the vote. Under existing law, local governments may not charge motorists displaying placards for the cost of parking.

Contact:

Taylor Giroux
Office of Assemblyman Gatto
(916) 319-2043