

2023 -- H 5769

LC001942

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND PRIVILEGES

Introduced By: Representatives Corvese, Azzinaro, O'Brien, Kennedy, Noret, Biah, Costantino, and Lima

Date Introduced: February 21, 2023

Referred To: House State Government & Elections

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.**

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

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

1 (c) Disability parking enforcement enhancement plans.

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

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

8 (3) The disability parking enforcement enhancement plans shall describe the enforcement
9 program which the state police, department of environmental management, airport corporation,
10 capitol police, department of behavioral healthcare, developmental disabilities and hospitals,
11 [governor's commission on disabilities](#), the state operated colleges or the municipality intends to
12 establish.

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

17 (d) The types of disability parking enforcement enhancement programs which may be put
18 in place in each municipality, and by the state police, department of environmental management,
19 airport corporation, capitol police, department of behavioral healthcare, developmental disabilities
20 and hospitals, [governor's commission on disabilities](#), and the state operated colleges, may include,
21 but shall not be limited to:

22 (1) Enforcement programs which utilize persons deputized for the purpose of the disability
23 parking enforcement enhancement program. The disability parking enforcement deputies shall be
24 required to complete a minimum of four (4) hours training in parking enforcement before being
25 assigned to the program. Each municipality and the state police, department of environmental
26 management, airport corporation, capitol police, department of behavioral healthcare,
27 developmental disabilities and hospitals, [governor's commission on disabilities](#), and the state
28 operated colleges shall provide adequate training and shall assume all liability associated with
29 disability parking enforcement.

30 (2) Enforcement programs which specifically designate paid and trained personnel as staff
31 for the disability parking enforcement enhancement program. These personnel are not limited to
32 on-duty police officers, but may also include officers to be paid overtime, auxiliary personnel,
33 special forces, retired personnel, and other paid employee deemed by the responsible authority to
34 be competent and qualified.

1 (e) Beginning January 1, 2024 and on each January 1 thereafter, cities and towns and the
2 state police, department of environmental management, airport corporation, capitol police,
3 department of behavioral healthcare, developmental disabilities and hospitals, and the state
4 operated colleges shall be required to submit to the governor's commission on disabilities an annual
5 progress report chronicling the collections of fines, procedures used, convictions, and any problems
6 or successes which result from the disability parking enforcement enhancement program.
7 Following receipt of an annual program report, the governor's commission on disabilities may
8 suggest improvements to a disability parking enforcement enhancement program.

9 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 include the governor's commission on disabilities in the decision making
2 process for the disability parking enforcement enhancement program and require an annual report
3 be submitted to the governor's commission.
4 This act would take effect upon passage.

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