Bill as Introduced

SB 56-FN – AS INTRODUCED

2003 SESSION

03-0765
03/01

SENATE BILL ***56-FN***

AN ACT relative to parking for persons with disabilities.

SPONSORS: Sen. Boyce, Dist 4; Sen. Martel, Dist 18; Rep. Boyce, Belk 31; Rep. Pilliod, Belk 31; Rep. D. Cote, Hills 62

COMMITTEE: Transportation

ANALYSIS

This bill prohibits parking in access aisles serving parking spaces for persons with disabilities. This bill also increases the minimum fine for illegally parking in a parking place specially designated for a person with a walking disability.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 56-FN – AS INTRODUCED

03-0765
03/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to parking for persons with disabilities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Motor Vehicles; Words and Phrases Defined; Access Aisle. Amend RSA 259 by inserting after section 1-a the following new section:

259:1-b Access Aisle. "Access aisle" shall mean the space between vehicles necessary to maneuver a wheelchair or other mobility device when entering or exiting a vehicle. Access aisles serving car parking spaces shall be at least 60 inches wide. Access aisles serving van parking spaces shall be at least 96 inches wide. Access aisles shall extend the full length of the parking spaces they serve and shall be marked so as to discourage parking in them.

2 Stopping, Standing, or Parking Prohibited in Specified Places; Parking Place Designated for Person With a Walking Disability, Penalty; Access Aisle. Amend RSA 265:69, I(i)-(l) to read as follows:

(i) At any place where official signs prohibit stopping[~~.~~]*;*

(j) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has special number plates, decals, or a card issued pursuant to RSA 261:86, 87 or 88, or a similar license plate, decal, or card issued by another state or country displaying the international accessibility symbol and the person who qualifies for the plate, decal, or card is being transported to or from the parking place. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of [~~$50.~~] ***$100;***

(k) On any controlled access highway;

(l) In the area between roadways of a divided highway, including crossovers*;*

(m) In any access aisle.

3 Effective Date. This act shall take effect January 1, 2004.

LBAO
03-0765
1/23/03

SB 56-FN - FISCAL NOTE

AN ACT relative to parking for persons with disabilities.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Safety. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

Chairman

- TRANS

LBAO
03-0765
Revised 1/30/03

SB 56 FISCAL NOTE

AN ACT relative to parking for persons with disabilities.

FISCAL IMPACT:

The Department of Safety has determined this bill will increase local revenue by an indeterminable amount FY 2004 and each year thereafter. There will be no fiscal impact on state and county revenue or on state county and local expenditures.

METHODOLOGY:

The Department stated this bill intends to prohibit stopping, standing, and parking in "access aisles" and increases the fine for parking in a handicapped parking space from $50 to $100. Any fines for violations of these parking laws are collected and kept by the local governments where the parking spaces are located. Additionally, the Department has no data on how many violations of this type occur or the amount of fine revenue collected by the local governments. Therefor, the Department cannot estimate the fiscal impact on the local governments. There is no fiscal impact on the state or counties.

02/20/03 0297s

2003 SESSION

03-0765
03/01

SENATE BILL **56-FN**

AN ACT relative to parking for persons with disabilities.

SPONSORS: Sen. Boyce, Dist 4; Sen. Martel, Dist 18; Rep. Boyce, Belk 31; Rep. Pilliod, Belk 31; Rep. D. Cote, Hills 62

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill prohibits parking in access aisles serving parking spaces for persons with disabilities. This bill also increases the minimum fine for illegally parking in a parking place specially designated for a person with a walking disability, and inserts a provision regarding evidence in disability parking enforcement proceedings.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 56-FN – AS AMENDED BY THE SENATE

02/20/03 0297s

03-0765
03/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to parking for persons with disabilities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Motor Vehicles; Words and Phrases Defined; Access Aisle. Amend RSA 259 by inserting after section 1-a the following new section:

259:1-b Access Aisle. "Access aisle" shall mean a designated space for maneuvering a wheelchair or other mobility device when entering or exiting a vehicle, and that is immediately adjacent to a properly designated parking space for persons with a walking disability, whether on public or private property. Access aisles shall be marked so as to discourage parking in them.

2 Stopping, Standing, or Parking Prohibited in Specified Places; Parking Place Designated for Person With a Walking Disability, Penalty; Access Aisle. Amend RSA 265:69, I(i)-(l) to read as follows:

(i) At any place where official signs prohibit stopping[~~.~~]***;***

(j) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has ***a*** special [~~number plates, decals, or a card~~] ***plate or placard*** issued ***or recognized*** pursuant to RSA 261:86[~~, 87 or 88~~] ***or RSA 261:88***, [~~or a similar license plate, decal, or car issued by another state or country displaying the international accessibility symbol~~] and the person who qualifies for the plate[~~, decal, or card~~] ***or placard*** is being transported to or from the parking place. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of [~~$50.~~] ***$250;***

(k) On any controlled access highway;

(l) In the area between roadways of a divided highway, including crossovers***;***

(m) In or overlapping into any access aisle. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of $50 for a first offense and a minimum of $100 for each subsequent offense.

3 New Section; Enforcement of Parking Prohibition in Parking Spaces and Access Aisles Designated for Persons with a Walking Disability. Amend RSA 265 by inserting after section 69 the following new section:

265:69-a Enforcement of Parking Prohibition in Parking Spaces and Access Aisles Designated for Persons with a Walking Disability. Testimony under oath with clear photographic evidence from

a person with a walking disability pursuant to RSA 261:86 or RSA 261:88 or the driver of a vehicle transporting such a person that a vehicle that does not display a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88 was parked in a designated parking space for persons with a walking disability or any vehicle parked in or overlapping into an access aisle shall be sufficient evidence to prove that the owner of the vehicle has violated RSA 265:69, I(j) or (m), unless such evidence is rebutted or contradicted.

4 Effective Date. This act shall take effect January 1, 2004.

LBAO

03-0765
Amended 2/21/03

SB 56 FISCAL NOTE

AN ACT relative to parking for persons with disabilities.

FISCAL IMPACT:

The Department of Safety has determined this bill, as amended by the Seante (**Senate Amendment #2003-0297s**), will increase local revenue by an indeterminable amount FY 2004 and each year thereafter. There will be no fiscal impact on state and county revenue or on state county and local expenditures.

METHODOLOGY:

The Department stated this bill intends to prohibit stopping, standing, and parking in "access aisles" and increases the fine for parking in a handicapped parking space from $50 to $250. In addition, new penalties are established for overlapping into any access aisle. A person who violates this provision will be fined a minimum of $50 for a first offense and a minimum of $100 for each subsequent offense. Any fines for violations of these parking laws are collected and kept by the local governments where the parking spaces are located. Additionally, the Department has no data on how many violations of this type occur or the amount of fine revenue collected by the local governments. Therefor, the Department cannot estimate the fiscal impact on the local governments. There is no fiscal impact on the state or counties.

Amendments

Senate Transportation
February 12, 2003
2003-0297s
03/04

Amendment to SB 56-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Motor Vehicles; Words and Phrases Defined; Access Aisle. Amend RSA 259 by inserting after section 1-a the following new section:

259:1-b Access Aisle. "Access aisle" shall mean a designated space for maneuvering a wheelchair or other mobility device when entering or exiting a vehicle, and that is immediately adjacent to a properly designated parking space for persons with a walking disability, whether on public or private property. Access aisles shall be marked so as to discourage parking in them.

2 Stopping, Standing, or Parking Prohibited in Specified Places; Parking Place Designated for Person With a Walking Disability, Penalty; Access Aisle. Amend RSA 265:69, I(i)-(l) to read as follows:

(i) At any place where official signs prohibit stopping[~~.~~];

(j) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has ***a*** special [~~number plates, decals, or a card~~] ***plate or placard*** issued ***or recognized*** pursuant to RSA 261:86[~~, 87 or 88~~] ***or RSA 261:88***, [~~or a similar license plate, decal, or car issued by another state or country displaying the international accessibility symbol~~] and the person who qualifies for the plate[~~, decal, or card~~] ***or placard*** is being transported to or from the parking place. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of [~~$50.~~] ***$250;***

(k) On any controlled access highway;

(l) In the area between roadways of a divided highway, including crossovers;

(m) In or overlapping into any access aisle. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of $50 for a first offense and a minimum of $100 for each subsequent offense.

3 New Section; Enforcement of Parking Prohibition in Parking Spaces and Access Aisles Designated for Persons with a Walking Disability. Amend RSA 265 by inserting after section 69 the following new section:

265:69-a Enforcement of Parking Prohibition in Parking Spaces and Access Aisles Designated

for Persons with a Walking Disability. Testimony under oath with clear photographic evidence from a person with a walking disability pursuant to RSA 261:86 or RSA 261:88 or the driver of a vehicle transporting such a person that a vehicle that does not display a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88 was parked in a designated parking space for persons with a walking disability or any vehicle parked in or overlapping into an access aisle shall be sufficient evidence to prove that the owner of the vehicle has violated RSA 265:69, I(j) or (m), unless such evidence is rebutted or contradicted.

4 Effective Date. This act shall take effect January 1, 2004.

2003-0297s

AMENDED ANALYSIS

This bill prohibits parking in access aisles serving parking spaces for persons with disabilities. This bill also increases the minimum fine for illegally parking in a parking place specially designated for a person with a walking disability, and inserts a provision regarding evidence in disability parking enforcement proceedings.

Committee Minutes

Transportation Committee

Hearing Report

To: Members of the Senate

From: Liz Ignacio
Legislative Aide

Re: **SB 56-FN** – *AN ACT relative to parking for persons with disabilities.*

Hearing date: February 5, 2003

Members present: Sen. Kenney, Sen. Morse, Sen. Below, Sen. Martel, Sen. Flanders

Members absent: None

Sponsor(s): Sen. Boyce, Dist 4; Sen. Martel, Dist 18; Rep. Boyce, Belk 31; Rep. Pilliod, Belk 31; Rep. D. Cote, Hills 62

What the bill does: This bill prohibits parking in access aisles serving parking spaces for persons with disabilities. This bill also increases the minimum fine for illegally parking in a parking place specially designated for a person with a walking disability.

Who supports the bill: Sen. Eaton, Nancy Ashton: MS Society, Michelle Dickson: National MS Society Representative, Cheryl Killam: Accessibility Specialist Governor's Commission on Disability, John Stephen: Assistant Commissioner Department of Safety, Judy Hallam, Rep. Pilliard, Rep. Laurie Boyce: NH Brain Injury Association, Ellen Edgerly: NH Brain Injury Association, and William Godfrey.

Who opposes the bill: None

Summary of testimony received: All of the testimony received on SB 56 suggested the need to close gaps in RSA 259 and create a penalty for individuals that disregard parking laws. When a vehicle is parked in an access aisle it either prevents the disabled individual from using the parking space designated for a person with a disability, or it prevents an individual from getting back into their vehicle. Cheryl Killam of the Governor's Commission on Disability said that the Commission receives 4-5 calls a week on this issue.

With the passage of SB 56 New Hampshire will be helping to provide people with disabilities equal access to public facilities, raise public awareness, and reduce the stress and frustration often experienced when an individual with a disability has been held up by another person's parking violation. Assistant Commissioner Stephen believes this would be a good policy move for the state. MA, FL, NJ, NY, PA, OR, and HI have all sponsored similar legislation.

Senator Below asked Senator Boyce and Ms. Killam if they would support adding a towing penalty for a vehicle illegally parked. They agreed that the addition would be a nice idea but are concerned that it could cause a delay in SB 56's passage or problems with enforcement.

Law enforcement officials are frequently not willing to ticket a car illegally parked until they see the driver of the vehicle return. In some cases, the driver of the vehicle has in fact been disabled and unaware that it was illegal to park in an access aisle. Senator Boyce is confident that law enforcement and the court system will use good judgement when giving out tickets.

Funding: Please see attached fiscal note.

Future action: Senator Below will be rewriting the bill with suggested changes.

ei
[file: SB 56-FN report]
Date: 2/7/03

gl

Date: February 5, 2003
Time: 4:10 p.m.
Room: 104 LOB

The Senate Committee on Transportation held a hearing on the following:

SB56-FN relative to parking for persons with disabilities.

Members of Committee present:
Senator Kenney
Senator Martel
Senator Below
Senator Flanders
Senator Morse

The Chair, Senator Joseph D. Kenney, opened the hearing.

Senator Joseph D. Kenney, D. 3: Senator Boyce

Senator Robert K. Boyce, D. 4: Thank you, Mr. Chairman, members of the Committee. For the record, I am Senator Boyce, District 4 and I was requested to put this in by the MS Society particularly. But the call to put this bill in actually came to me several days after my wife and I had experienced exactly what this bill was intended to look at. We were parked in one of two handicapped spaces and there was a cross-patch between and there was a van in the other space. When we came out from the movie there was a jeep parked between the two. I called the Gilford Police Dept. and they said they would send somebody out to try and at least find the person and get him to move.

This is bill was, I think, fairly straightforward. There is a gap in the statute at this point. The access aisles which the van accessible spaces that have an area for the ramp for wheelchair ramp there under the ADA all these spaces are suppose to be lined out and marked and cross-hatches in them so that you can designate that that's the place where the ramp would come down. But our statute doesn't say that it's illegal to park there so enforcement is tough at best. Even if there was an effort to crack down on this in the private parking lots, the penalty is only $50. Even if they're parking blocking the space and you could make the case that it was blocking the space by parking there. So this bill as it's written without that fine to $100 from $50 and (just now in speaking with John Stephen from the Dept. of Safety) he pointed out

that in RSA:265-74 there is a penalty of $250 for parking improperly on street or in city and municipal parking spaces that were designated for handicap. So if in the one case if it's a municipal parking lot or a street parking it's a $250 fine right now. If you park at Walmart and block their space it would only be a $50 fine. So he suggested that we make that on a parade level with the other fine and make it $250. He also pointed out that another enforcement effort to get rid of this abuse of these spaces which for people in this room it is a very real problem for them. One of the other enforcement methods would be to give the ability from the department to suspend licenses for 30-day suspension even on the first conviction.

This is a very serious situation particularly if somebody was in one of these wheel-chair van spaces went into a store. They are on their own, they can get the van ramp down themselves and can get up the ramp themselves but if there's somebody parked in front of their door of their van they can't get in the van to move it. They can't do anything they are stranded. If nothing else, it's just horrendous thing to make somebody have to deal with. So, as I say, as it's written we are asking for $100 fine but I would ask that before it goes out of here we make a $250 fine and consider doing the license suspension part as well.

Senator Joseph D. Kenney, D. 3: Thank you. Question, Senator Below.

Senator Clifton Below, D. 5: Yes, thank you Mr. Mayor (Mr. Chairman). Senator Boyce thank you for bringing this forward. You've said that it's drafted to provide the minimum $100 fine. I see that on line 20 that seems to apply to just the subparagraph if someone parks in a space marked for parking for a person with disability. Where as line 23 adds the parking prohibition for any in any access aisle which would apply to anybody parking in the access aisle as it should whether they have a handicap plate or not.

Senator Robert K. Boyce, D. 4: Right

Senator Clifton Below, D. 5: But is your intent that there should be a minimum fine perhaps for parking in an access aisle as well.

Senator Robert K. Boyce, D. 4: Yes and that probably we need to make sure that that corresponds because the penalty is only under J and we've added M. Yes, I think that there probably needs to be that same language inserted under M as well.

Senator Clifton Below, D. 5: O.K. further question. I think we are going to hear some testimony about how serious this problem when this does occur.

Somebody not being able to get back in their vehicle on a timely basis could throw all sorts of things off or subject them to really bad weather conditions or whatever. Do you think maybe we should consider some provision that would allow a prompt towing of a vehicle that's blocking access?

Senator Robert K. Boyce, D. 4: That probably would be appropriate as well. I didn't put it in the bill but..

Senator Clifton Below, D. 5: I guess I have one more question. One of the people that's going to testify provided me with a bunch of pictures and I was kind of amazed at how many times she documented this occurring. Also, how obvious it was when it does occur of how it's been a problem. I was wondering if it made any sense to consider where you have clear photographic evidence and something like an affidavit from the person who was affected by this, if we should consider it a possibility that there could be sort of a ticket based on that? Or does a policeman have to be gotten to the scene to do this?

Senator Robert K. Boyce, D. 4: Representative Kennedy has a bill in the House right now that would allow people with a Handicap placard to write tickets based on somebody being parked in the wrong place. I'm not sure whether that will come out of the House but it's certainl we need to look at several other means of enforcement as well. At this point this is fairly straightforward what we want to do here but it's ah; if you wanted to ad that I certainly wouldn't fight it.

Senator Clifton Below, D. 5: O.K. Thanks

Senator Joseph D. Kenney, D. 3: Any other question from Senator Boyce? Thank you Senator Boyce.

Senator Robert K. Boyce, D. 4: I do have written testimony from Nancy Ashton from the Government Relations Committee, MS Society and she waited outside for quite a while but couldn't wait any longer. She knew the reason she could not get in a timely matter because the other bill was being heavily debated. She understood but she was in situation where she just need to go.

Please see 'Testimony from Nancy J. Ashton" attached hereto and referred to as Attachment 1

Senator Joseph D. Kenney, D. 3: Thank you! Just for the record, Senator Eaton has checked off that he's in favor of this bill. Also, John Stephen of the

Department of Safety. The next speaker is Michelle Dickson from the National MS Society. Welcome!

Michelle Dickson: Thank you Chairman Kenney, Senators and members of the Committee. My name is Michelle Dickson and I'm here representing the Central NE Chapter of the National Multiple Sclerosis Society. We represent over 2500 people in NH with Multiple Sclerosis. I'm handing in detailed written testimony to you today and also VSA Arts of NH has sent this letter to you directly but they were concerned it may not have arrived in time so I'm also including a copy of the letter to you. Our organization initiated the process of the LSR because it was brought to our attention by a Chapter member who is here today that this is an enormous issue facing people with walking disabilities.

Please see:
"Testimony to the NH Senate Transportation Committee regarding SB56-FN" referred hereto as Attachment 2.

Letter from VSA arts of New Hampshire referred hereto as Attachment 3.

I would like to make some brief comments in addition to the written testimony. First to stress that the intended purpose of our organization intended purpose of this bill is really to clarify the existing parking lot. And by doing so add appropriate lane to which all the chapters and sections that number 1 will define the access aisle because currently it is not defined in the law. I include information in our written testimony the ADA definition of access aisle, what the dimensions are what the purpose is and we want to include that in the existing laws. Also, to make it illegal for any driver whether they are authorized to park in a disabled spot or not to make that illegal to park or overlap in any way into the access aisle. Since NH is required to adhere to the Americans with Disabilities Act codes and guidelines for disabled parking spaces, we feel this is sufficient and this bill does not impose any kind of extra source of income for the communities. In other words, additional markings and signs are not needed but certainly communities if the law does pass may want to designate that access aisle in a more, you know, clear way. We didn't feel that we wanted to impose that on communities and we feel the bill they way it's written does not do that. In very simple terms I think Senator Boyce highlighted it. For people that don't know the access aisle is the space next to a disabled parking space and is often designated by stripes; often times 2 spaces will share a space and again it is for the purpose of a person entering and exiting a vehicle. This is especially important with Adaptive Vans which are on the increase because

as Senator Boyce pointed out a ramp needs to be lowered from either side and if anybody is parked there or blocking it this poses a hardship.

We feel this bill is important because not only does it affect people with MS it affects people throughout NH that have a walking disability that confront this issue on a daily basis. This issue is also not unique to NH. In recent years many states have specifically filed film to clarify their existing laws. Some of these states that I've been aware of is MA, FL, NJ, NY, PA, ORE, HA. And they also imposed very high fines for parking in access aisles. This happens for several reasons. Often times it's a matter of just a lack of education and often times the offenders are people that have a disabled plate or plaque and they just simply don't know that they're not suppose to park there. Other times it's just a matter of just careless parking and yet other times it can be a matter of a lack of available parking spaces and they just feel I'm entitled I will park there. Whatever the reason, the end result is the same it potentially blocks in somebody that's already parked and can also prohibit somebody from parking in the designated space because that access aisle is blocked.

We feel if the bill does pass several things would happen. First of all, it will give law enforcement the power to authorize tickets or perhaps towing as Senator Boyce has recommended. Right now the police can be called and they are sympathetic but there's nothing that can be done. Second of all the Governor's Commission on Disability has instituted a Consumer Parking Violation Program, if you are familiar with this. This is a form that consumers can put on the windshield of somebody that has that is violation of a parking violation. This goes back to the Governor's Commission and is also shared with the Registry. It does not fine but it is for the purpose of education. Should this law pass this can be included in this form and it's also a way on top of the law to promote public awareness of the access aisle.

Please see card "Notice of Violation (RSA 261:88)" attached hereto and referred to as Attachment 4.

Thirdly, our organization along with the Governor's Commission on Disability would like to partner together to engage in a public awareness campaign. Not only of the importance of the access aisle but also parking regulations that affect people with disabilities. So we feel that this bill will do all of that. We support an increase in the fine. We actually handed that suggestion to Senator Boyce because $50 is very low. We think an increase will help deter the problem. I'd like to say in closing that we feel that this bill is important for equal access for people with walking disabilities and we just appreciate your support. Thank you!

Senator Joseph D. Kenney, D. 3: Thank you. Any questions from the Committee. On that particular ticket, is there actually postage on the back?

Michelle Dickson: First class stamp required.

Senator Joseph D. Kenney, D. 3: First class stamp.

Michelle Dickson: This is the part that gets mailed back.

Senator Joseph D. Kenney, D. 3: O.K. Thank you very much for your testimony.

Michelle Dickson: Thank you very much.

Senator Joseph D. Kenney, D. 3: Next we have Cheryl Killan, Governor's Commission on Disability.

Cheryl Killam: Thank you, Senator.

Senator Joseph D. Kenney, D. 3: Welcome!

Cheryl Killam: Thank you. My name is Cheryl Killam. I'm the Accessibility Specialist for the Governor's Commission on Disability. I provide technical assistance to the general public on various access issues including how to comply with accessibility guidelines. On behalf of GC on D, we full support SB56-FN. The Legislative Sub-Committee of the Commission and Motor Vehicle Advisory Committee were involved in the writing of this legislation. Chairman Matt Sochalski, DMD could not make it this afternoon and I believe that parking was the problem. (laughter form all) Sorry, had to say it. By way of explanation before I get to the more technical piece because I do want to explain some of the parts of the access aisle.

Please see letter "AN ACT relative to parking for persons with disabilities" attached hereto and referred to as Attachment 5.

Let me just tell you about an incident that happened to me personally, which will help illustrate why the Commission strongly supports the passage of this bill. Not only this incident it happens almost everyday. This past October I had parked my van in a wheelchair accessible space in a lot in Portsmouth. When I returned to my vehicle, there was a car parked in the access aisle. My ramp extends approximately 4' out of my van and I still need room to get on to the van which takes about 8'. This is basically the measurement of an access aisle for a van. Because the car was parked in the space it made it impossible for me to get back into my van. It was a very cold day and my cell

phone was in the car – no longer (laughter). I was lucky enough to be able to use the phone of a local business and the police did respond to my call. However, they would not ticket the vehicle. The vehicle owner was located in the restaurant nearby and did move the car without apologies. I missed my next appt. because of this delay. I am now forced to park my van across 2 spaces at the back of the parking lot to prevent this from happening again.

Briefly, what I'd like to explain the definition of an access aisle. I do have pictures which actually shows you what an access aisle looks like. Basically, it's a space between vehicles or to the side of a parking space. It is considered to be part of a parking space by the guidelines. It should be at least 60" wide for a car and 96" wide for a van. They need to extend to the full length of the parking space. They should be marked as to discourage parking in them. A van has either a lift or a ramp that requires 4' to deploy with another 4' beyond the ramp or lift required to move a wheelchair off or on to the lift. A person using a wheelchair exiting from a car needs 5' to maneuver their wheelchair next to the car door. When a vehicle is parked in an access aisle it either prevents the disabled individual from using the parking space designated for a person with a disability or it prevents an individual from getting back into the vehicle.

Currently, RSA:265-69 stopping, standing or parking prohibited in specified places does not identify the access aisle in specified places. Because of this enforcement officials are reluctant to ticket or tow vehicles parked in access aisles. By adding (m) in the access aisles to 265 it would become officially illegal and hopefully enforceable. In the diagrams I've shown you, I've provided um these are taken from the American National Standard Inst. which is fondly called ANS code A 117.1 1998 section 502. This is the accessibility code that is now referenced in the new state building code which is 155A and is now the state guideline for parking. But there is also the architectural very free design code for the state which currently refers to the American with Disabilities ACT the ADA guidelines. The dimensions are identical but this was a better picture and since the state is referring (audio) I thought it would be better if we had those guidelines. Other than that, I'd be happy to answer any questions you may have.

Please see "Chapter 5. General Site and Building Elements" attached hereto and referred to as Attachment 6.

Senator Joseph D. Kenney, D. 3: Any questions of the Committee? Senator Below.

Senator Clifton Below, D. 5: Do you agree that it might make sense to have clear-cut towing authority to...

Ms. Killam: It would be wonderful but I just don't want anything to hold this up to get the language in the law. Because the issue that you have even with the parking spaces which are clearly marked and fairly illegal for someone to park illegally. Most often the police officer will not ticket until they see the person come back to the vehicle because they want to know that that person does not have a disability. So if you are asking them to tow on top of that it might (I don't know) it might just make it more detrimental. Right now just for your information the state is for anybody with a wheelchair plate or tag when they get their license or non-drivers ID renewed and getting a wheelchair symbol put on it so the person can be identified as the person that belongs to a plate. Often we have the son taking the car and using the space, running in and out so he wouldn't have a wheelchair on this ID so that would be a good way to find out if someone is parked illegally.

Senator Joseph D. Kenney, D. 3: Do you find that the access aisle is ever identified with signage.

Ms. Killam: Very very rarely.

Senator Joseph D. Kenney, D. 3: Have to be honest. I just learned something today. I didn't realize that the whole maneuvering aspect of the handicap van and how that ties into that. I always attributed it to a kind of a vehicle that's shipping something along and it comes out and they come off it. They deliver their stuff or whatnot but I've learned something personally on that so it's educating me. The other question is when it comes to supermarkets and they leave their shopping carts there. Should they be ticketed?

Ms. Killam: As Accessibility's Specialist, I get phone calls on that and I call and speak with the Manager and educate them politely that this should not be done. They've got to pay attention to it and the law the ADA's states that you must maintain an accessible path of travel from the parking lot to the facility. Whatever it is which means no carriages, no snow, no ice, no cigarette, ashtrays, no barrels, no benches nothing is suppose to be in that path of travel. So it's a matter of waking people up. There are some people that think that's the space we put the carriages.

(Unanimous YA)

Ms. Killam: This is, I can't tell you I probably get 4 or 5 calls a week about parking and about whether the access aisle is not marked or full of snow or full of carriages.

Senator Joseph D. Kenney, D. 3: It's kind of ironic in a lot of these stores they have televisions up there for people to watch. It might be nice if they put a public service announcement on these televisions to talk about these particular access aisles and how they tie into a parking lot. Are there any other questions? If not, I thank you for your testimony.

Ms. Killam: Thank you!

Senator Joseph D. Kenney, D. 3: Deputy Commissioner Stephen.

Asst. Deputy Stephen: Thank you.

Senator Joseph D. Kenney, D. 3: Welcome back.

Asst. Deputy Commissioner Stephen: Thank you, Mr. Chairman and members of the Committee. Honored to be here on this bill without having an organization like we did before. (laughter)

Senator Joseph D. Kenney, D. 3: No shrinkage

Asst Deputy Com. Stephen: I just want the Committee to know that the Commissioner supports this bill and we tried to do as much as we can at the Department to enforce the (audio) and disability plate bill, laws, rules, and have done a lot. I know Representative Pilliod is here and we've worked with him. A couple comments. I raised a couple of issues today in this area. I've been here now over 5 years and we keep hearing this issue about enforcement and problems and we all get the new problems you hear them and I hear them. They are really abusive at some point and I think we need to look at some issues involving penalties, minimum fines and if you look there are two separate statutes that seem to conflict. One is $50 minimum this seems to indicate $250 minimum not sure which one the law enforcement uses out there but in any event there is no provision for any losses of license for subsequent offenses or things of that nature. I think that's got to be looked at. I don't want to really cause this bill to be delayed but I think you got to look at it. We've got to be serious on these violations if we are going to stop the abuses.

In any event, I think that looking at this bill again, I just spoke to Senator Boyce, in my opinion, on line 12 if you were to just if you say "in any parking place, including access aisle". And that would mean that the access aisle would come under the enhanced penalty provision absolutely because that would be the clear intent. I don't think by doing that, I don't think there's any need to have section M because by that you've already defined access aisle in 259 which is general definition section and you are saying that an

access aisle is basically a parking place. I think that's important to show law enforcement that that parking place is included in access aisle. So my advice would be to change that or make that one change and I would ask that the Committee look at making that penalty provision similar to RSA:265:74.

I'd be happy to answer any questions. I did research today for a Committee in the House on a number of placards and plates that we have today. Interesting figures, I was able to find that we have approximately 75,000 plates and placards issued in NH over 963,000 license drivers, 963,000 license drivers (he repeated). How does that happen? There are many temporary licenses, there are many folks that come in and out of the state. There are many other issues involved young operators. That's what we found we have 963,000 licensed operators. The 75,000 plates and placards puts us at about 8% - 8.5 I'm not sure of the exact amount but that's higher than most states. Most states are between 3 and 5% of their plates are handicapped plates and placards. So we have a high population using these plates so we want to make sure we do whatever we can to provide the spaces that we need for them in access wise as well so I think it's a good bill. It's something the Commissioner supports so I'd be happy to answer any questions.

Senator Joseph D. Kenney, D. 3: Yes, Senator Martel.

Senator Andre Martel, D. 18: Thank you Mr. Chairman. Let's have a scenario very briefly here O.K. You have a parking lot, your handicap access parking and the vehicles that park or refuse to park in identified spaces which force you to move over and over the lines which may cause you, let's say in some case, to have the (audio) Let's say half or a third of a striped area. How could that be enforced? It's not your fault.

Asst. Deputy Com. Stephen: I don't know. To answer your question, Senator. It would happen in a situation were the vehicles are parking improperly anyways. I know that at some point that's going to happen in that case I think that the officer would use discretion and would look at it and decide not to go forward or issue the ticket. If anything,

(tape change)

it's common sense. They're going to court anyways and the judge is going to look at this and the judge is probably going to throw that case out. If the person has that type of defense available or says look a vehicle was parked or another vehicle next to me was parked beyond the line I had to park here. There are going to be issues raised but you know law enforcement I think is going to use wise discretion and if anything this is going to be a good public

policy statement to folks when they are parking vehicles to make sure that they park properly. I didn't know about this access aisle problem until I saw the bill and I didn't realize. And you realize it when you think about this and I just think it's just good public policy. That's my (audio).

Note: Comment from the audience could not be heard.

Senator Joseph D. Kenney, D. 3: That's a future occupation. (laughter) Senator Below.

Senator Clifton Below, D. 5: Thank you, Mr. Chairman. You suggested adding in line 12 including access aisles but it seems one problem with that is that it would allow someone with a placard or plate to park in the access aisle. Part of the problem (I see some folks nodding here so). We need to work that out.

Asst. Deputy Com. Stephen: Correct, we need to work that out. You are absolutely correct I didn't catch that. The other thing I'll tell you just to make sure that the access aisle penalties are the same as the penalties under section J, paragraph J. That is my point.

Senator Clifton Below, D. 5: Question. Do you know what the penalty is under this section of the RSA where there isn't the minimum? Like for K, L.

Asst. Deputy Com. Stephen? It's a violation offense. The penalty can range anywhere from 0 to $1000. There's no minimum.

Senator Clifton Below, D. 5: There's no minimum. Further question. What do you think of the idea? Would it be appropriate to either in this bill or elsewhere to do something to make it clear that these vehicles could be towed if they are blocking someone's access back into their vehicle? The case that's really problematic is when someone parks in the access aisle and keeps somebody from getting back in their vehicle. Could they be towed now under some provision of the law? Or would it be good to make it express that the police could call and have it towed and recoup (sic) the cost from the person who is parked in the aisle?

Asst. Deputy Com. Stephen: I'd need time to look at that. There is a tow statute under No.265 RSA that allows law enforcement officers to tow vehicles and I think that we may need to add some language in that statute. There is a reimbursement section as well.

Senator Clifton Below, D. 5: So it's sort of all there but could you take a look at that and see if there's we might easily cover this situation?

Asst. Deputy Com. Stephen: Yes, I will Senator.

Senator Clifton Below, D. 5: One more quick one if I might? Thank you! While you're at it we might throw out the idea; it's was just sort of something that came to me after looking at this set of pictures which is how easy it is to document the abuse. I guess that maybe the police are fairly responsive and sympathetic when available. But I was just wondering does it make any sense or have you ever heard of it in other states of allowing somebody who has a disability take a photo and document the incident provide an affidavit. Could that be the basis for providing/issuing a ticket? Police issuing a ticket after the fact?

Asst. Deputy Com Stephen: Yes, in fact I see it happen now in the school bus cases when you don't stop within 25 feet of the school bus.

Senator Clifton Below, D. 5: Right.

Asst. Deputy Com. Stephen: I've seen that with photographs we can use an affidavit. In fact, our statute indicates that affidavits can be used. So you may want to include that in here to give direction to the police. I'm not suggestion that you say the affidavit is the end all.

Senator Clifton Below, D. 5: But could be the base?

Asst. Deputy Com. Stephen: Absolutely and I will bring in that school bus statute.
Senator Clifton Below, D. 5: Then you could have sort of a prosecutorial discretion if they want to do it or not but that was useful.

Asst. Deputy Com. Stephen: Anything that's going to help in this area I think is a plus.

Senator Joseph D. Kenney, D. 3: Any other quick questions? Thank you for coming back.

Asst. Deputy Com. Stephen: Be happy to help the Committee if I can.

Senator Joseph D. Kenney, D. 3: The next speaker will be Judy Hallam.

Judy Hallam: Thank you for having me today. I'm Judy Pollock Hallam and I'm from Meriden, NH which is in Sullivan County. I'm here today basically to encourage you pass this Bill SB56 and I'm a camera bug. I started documenting this situation out of frustration originally and it was just a way

to kind of vent my frustration. Three and a half years ago, I sat down in a wheelchair for the first time. I was pretty much walking around like you. I have the disease MS although the reason I'm talking to you today is not an MS issue but anyway has made me aware time and time again this has become a dilemma. The very first time when I sat down in the wheelchair I just thought my world had ended and pretty much closed up. I was able to purchase an electric wheel chair and also the ramp van that everybody is talking about where with the push of a button I was able to have a ramp come down and able to go up the ramp and then essentially drive from the driver's seat. First time, I was ecstatic that my world had opened up again. My maiden voyage out to do some errands I lowered the ramp, I came down put the ramp back up; I maneuvered so that my ramp came down in those access aisles. I don't know where I learned this but I thought that was a safe zone. I went off to do my errands, came back and somebody was parked in that access aisle. I was 45 min. trying to trace the person down. I had several stores call over the loud speakers and this was in the heat of summer. Now I'm late for other appointments and in my particular illness, MS, there's a lot of fatigue involved. So now I'm tired and I just want to go home.

Please see letter of testimony attached hereto and referred to as Attachment 7.

That was 3 ½ yrs. ago and as you can see by my photographs many, many times since then I've run into the same situation. Most of the people that are parking in the zones have handicap placards so again maybe it's to backup and start some kind of education program which isn't your ball of wax. But somebody is missing the boat on this. When I have had to call the police because I can't track the people down because this is a no mans land it's a limbo zone. They are unwilling to write a ticket. They're unwilling to even give a warning. I started at the bottom. I first put a placard out with that says I need this for my ramp and I placed that in my access aisle. People move it. Another woman who is in a wheelchair like myself gave me a highway cone. What a very cleaver idea! I put a handicap logo with the words ramp on it. When I get out I put it in this access aisle hoping that it will get somebody's attention that I need this. I've had 3 stolen, they're usually moved. As you can see in some of those pictures, the cone is to the side and they'll park there anyway. Again when I have had to call the police they're hands are tied because the access aisle, I guess, as it is defined or again perhaps it's ignorance but nobody seems to know what to do with it. Many of the people that I've tried to educate I put a smile on my face and say you're not suppose to be parking here. They'll be very combative and say I have a handicap placard I have a right to park here.

As you can see from some of the photographs, many times and I watch this it's just people. When they're in a turn wherever their car stops is where they park. So I won't repeat too much but I think everybody else has been over what I had written but again no one seems to have an answer. I guess I'm asking you to help me by re-wording the bill to specify parking in the access aisle is illegal for anyone. Parking or overlapping in this area blocks the movement and independence of disabled people throughout NH. However, many disabled people themselves do not seem to know the parking protocol in these spaces. The offenders therefore continue to remain ignorant and I and others continue to pay the consequences of both their ignorance and police in-action. So this Bill SB56 hopefully would clarify the use of the access aisles and the necessity of the access aisle with the goal of decreasing the hardship currently experienced by many. It's just a very stressful and frustrating situation for myself and others who depend on these access aisles as you all are finding out to maneuver a chair to get back into a car. That's all I have to say. Again, I'm an artist and I realize that perhaps a picture was worth a thousand words. I hope by you all seeing these you might have a little more of an idea of what people like me have to go through.

Photographs (Attachment 8) are not attached due to size.

Senator Joseph D. Kenney, D. 3: Really appreciate your testimony. Any questions from the Committee?
Do you sense that people with wheelchairs, electric wheelchairs such as yourself have to go out and purchase a cell phone as well?

Ms. Hallam: Yes, yes that's exactly what has happened. I did get a cell phone because many times I am locked out of my car or I'm late for an appointment or, you know, whatever and I have to one call the police to help me many times. Feel like they have more important things to do and two is to call ahead because it's the domino effect because you can't get back in the car. So, yes, I did!

Senator Joseph D. Kenney, D. 3: Thank you for your testimony.

Ms. Hallam: Now, I had sent Senator Below (and I see it went around ahead of me) but do you, I made up one for you all for the record. Do you care for it?

Senator Joseph D. Kenney, D. 3: Absolutely, absolutely.

Senator Clifton Below, D. 5: Thank you for making the trip down. You have some of these photos that show the shopping carts in the aisle. How much of a problem is that? Clearly it's a nuisance but to some extent you

(one or two) you can push out of the way but. How serious is it and what do you think we should do, what might be appropriate?

Ms. Hallam: Well, I started out by actually talking to the store managers and most of them are pretty good about trying to keep their people on top of things. But it is a problem. Some days it's only one or two shopping carts other days it can be a whole row of them. As I said, even my mother didn't know that those areas are not for shopping carts. (laughter) My own mother. But it can be difficult. It just fluctuates from day to day. I have to say in general it's the people who park or overlap that are most of the problems. But I included the shopping carts because again it falls under terms what is an access aisle? There is no clear definition or the use of. That's it!

Senator Clifton Below, D. 5: Thanks, thank you!

Ms. Hallam: O.K.

Senator Joseph D. Kenney, D. 3: Representative Boyce, I didn't realize that you were on this I would have had you right after your husband.

Representative Boyce: That's O.K.

Senator Joseph D. Kenney, D. 3: I apologize.

Representative Boyce: Senator Kenney, thank you and thank you members of the Committee. I don't have too much more to say that's all been covered. But I do know that a lot of times when I go to the store and they put the snow in a handicap lane. There's always (audio) left in the handicap lane. When you try to pull in you can't and they're usually the last ones to take the ice off, the last ones to move the snow. It's because it's right there in the front they push everything over and leave the snow there. I'm not in a wheelchair which unfortunately they are, but to open my door to get out of the car I have to open my door all the way. It takes 3′ instead of 4′ for the ramp but anyway it's hard a lot of time. Do you have any questions?
Senator Joseph D. Kenney, D. 3: Any questions? We appreciate that. Thank you!

Dr. James Pilliod welcome back to the Legislature.

Dr. Pilliod: Back, I'm still here.

Senator Joseph D. Kenney, D. 3: You're still here. It says M.D. so I didn't see Representative on here. (laughter)

Dr. Pilliod: Thank you, Mr. Chairman. I'm Jim Pilliod and I represent District 31, Belknap County and I'm also a member of the Governor's Commission on Disability and we've been tussling with this and, as usual, I hope to win the brevity contest today. (laughter) But I do have to say that I'm very much interested in the testimony this afternoon. I'm constantly amazed how we can turn a simple courtesy on humanity into a complex piece of warrior called a bill but I'm supporting it. As a matter a fact, I would have supported it in the sense of being a private sponsor but it was arranged to have a Senator do it which is better I suppose. (laughter)

Unidentified: You have to say that here. (unanimous laughter)

Dr. Pilliod: I support this. I also only became aware relatively recently in the Disability Conferences about the access aisles in the House. So I've been watching carefully the things that do exist and I've been impressed with several items. First of all, that in many of the ordinary disability plate parking spaces the international symbol has been obliterated or almost. I come in and my son says get out of here you're not suppose to be in this parking space so I always do what he tells me. Then I look and I find this vague kind of faint symbol on the ground with no other markings. Two things that happened recently. I've noticed that striped space which everybody's been quite clear on saying there is not law that says you cannot park in those spaces believe it or not. Believe it or not there is no law! That's why partly there's been no enforcement but now with this they would be illegal and, in fact, I've already started to see signs saying this is an access aisle for a disability a person with a disability in a van. This is a van space if you will for this very purpose and that's exactly what's needed.

In fact, the 5 feet for an access next to a disability car carrying someone who is disabled car or van are now beginning to show up. But the fact that these are not spaces you should park is not clear and hasn't been clear until now they are beginning to label these. I find it difficult to expect everyone especially some of the disabled to understand why the striped space is special and I think that requires some education and that's exactly what we are doing. I have a problem, I have to say when I first came in I was fully prepared to just keep quiet. However, there is a rush to punish in this state with monetary damages or whatever fines that bothers me.

That is this, if what has been said I stated and testified to isn't that many of the people parking in the striped space which are not illegal under current law that you want to fine them $100 or $150 or $250 and many of them legitimately got problems themselves. I would think that shall is a little rough to say in this kind of a thing. I think may under the circumstances is much better but that's my personal opinion. I don't say the same for

somebody who is not disabled only one who is. Parking in a space out of ignorance or inability to understand the process, I didn't know what these striped places were until this year. With this bill in Congress, of course, we talked about it. So I'm maybe a little advanced but that's what I don't like about them. I don't overlap them because as a physician I'm fully aware of the ramps that come out of vans etc. All I would suggest is yes we pass this. Perhaps re-word it a little bit but be careful about the punishments and give some latitude if you can to the idea that these people unless you want the money for the state? (laughter) I won't bring that up.

But in any case, if I see a disabled person in a parking space or a striped area etc. I have to say that person who has a disability probably just doesn't realize just what this is for. Now I'm beginning to see signs telling them what it's for which will help a great deal. That's all – 5'1" or 8' wide maybe change a little bit here and there but frankly the simple idea here is correct. We got to get on with it and let's do it. I love this ticket which you have seen especially since it doesn't require any fine it simply requires that a person realize that the world is watching them and finding them to be inappropriate in their behavior. That I think will mean more over time in terms of education than a $50 fine or the warriors are going to get into it. If it gets to be an extraordinary fine for a very extraordinary person who can't afford it, especially the disabled which are in places they think are geared where they should be. That's all. Thank you very much.

Senator Joseph D. Kenney, D. 3: Thank you for your testimony. Any questions? Is there anyone else who wishes to speak on this bill?

William Godfrey: I'm William Godfrey and I'm a resident of Merrimack, NH. Have had MS for over 32 years and rely on orthotics on both legs and a crutch, occasionally use a wheelchair or a scooter. I do use full (audio) on my cars to drive. When I use a car, usually takes me about 10 min. to get behind the wheel. When I use the mini it doesn't take me quite so long to get in. I do use a lowered floor mini-van so I can use my wheelchair or my motor scooter. When I use a car, I usually will try and park with by an access aisle so I have room so I can get in on the drivers side. If a car were to crowd the drivers door I can't get in through the passenger door to get over on the other side and I usually have to wait for somebody to come and move so that I can get out. It makes it very difficult.

There was a situation when I was commuting to work where I would park my mini-van and I couldn't easily get into my mini-van and it happened several weeks in a row and it was a municipal garage. Ultimately, I was able to approach the Security Guard there and ask him if there was anything he could do about it and he said sure. Just give the license plate number and he

said when I gave him the plate number he said why that's my car (laughter) and I said well you are making it very difficult for me to get into my van. And I said don't you know that those spots are there to make it easier for people with disabilities to get in and out of their vehicles? You know, you're really not suppose to park there. That's why they're crosshatched like that, they are part of the handicap spots. He was very nice after that he said I won't do that anymore. He was a Security Guard; he knew they were crosshatche's that meant that you weren't suppose to park there in the first place. So at least that was one positive experience but I do find that it is very stressful approaching someone or confronting them when they do illegally park or they are not suppose to park in a handicapped area. I always considered it a no-brainer when somebody abused his handicap parking. I've always considered these cross-hatched areas when people park in any crosshatched area really. For me it's don't park here except for motor cycles when they do park in regular cross hatched areas. But when you've got like two handicapped spots it seems to me that everything in between 2 handicapped spots is part of handicap parking. You really shouldn't need a law when you've got the 2 handicapped spots that everything in between those 2 handicap signs would be handicap parking I always felt that.

Years ago, there were articles in the newspapers in NH that did have educational articles that had a lot of things about handicap parking the do's and don'ts that were very informative. Haven't seen many of them lately that were very informative that did a lot of good haven't seen them run again. I really would appreciate if the state did something like that again. I really would appreciate it if the state did some sort of educational program again. By and large, the most the vaguest abuses of handicap parking, seem to be people who have handicap privileges in the stated. I don't know what else that I can really add myself. Everybody else here has pretty much state everything else that I've observed. I do appreciate your time and the opportunity to state my feelings of what I've had thus far.

Please see testimony of William Godfrey attached hereto and referred to as Attachment 9.

Senator Joseph D. Kenney, D. 3: I really appreciate your coming up here and are there any questions of the Committee? Not. Thank you so much!

Mr. Godfrey: Thank you!

Michelle Dickson: Would you mind, I would just like to reiterate one quick thing in my testimony because it's been brought up by other people.

Senator Joseph D. Kenney, D. 3: O.K. We can allow that.

Michelle Dickson: O.K. Thank you! As I alluded to, our Organization has spoken to the Executive Director of the Governor's Commission on Disability about doing a public awareness campaign. Because clearly we recognize that a law is very important and needs to be in place but it simply is not enough and with human nature you have to educate people. I just want to give you some ideas of some initial things we've talked about. We talked about doing media, we talked about working with the registry, having posters, inserts when people renew their licenses in the drivers manual, going to driving schools, targeting groups like AARP. So we see this as an on-going, long-term project but without it being illegal doesn't give it the meat. So I don't think it's one or the other it's really both.

Senator Joseph D. Kenney, D. 3: Is there anyone else who wishes to speak? Senator Boyce.

Senator Robert K. Boyce, D. 4: I just wanted to address one point that, my friend, Dr. Pilliod (Representative Pilliod) brought up about the enforcement. I think (audio) there is the we do expect the police officers to use some judgement in writing tickets for these offenses and we also expect the courts to exercise some judgement. Truly, if somebody with a handicap placard came into court and said I didn't understand I wasn't suppose to be parking there. I think on the first offense that either it would not be prosecuted. The officer would not pursue it or the court would vacate the ticket. I think that would be educational experience on a first offense. Certainly if they came back a second time and appeared in the court a second time I think it would be necessary, unfortunate maybe there, but I think that would be we expect them to use some judgement.

Senator Joseph D. Kenney, D. 3: Senator Boyce are you agreeing to Rep. Pilliod as far as changing shall to may?

Senator Robert K. Boyce, D. 4: No, what I'm saying is that this is on a conviction. So if the court listens to the person and says we understand that you did what you did there but we are not going to find you guilty because you didn't understand it was not clear to you that this was an offense. The court can in their judgement decide that a person is not guilty. Then there's no penalty. The officer on finding the person identify who it is can or in court as well can at that point use some discretion prosecuting or pursuing. So there is discretion already in it the way it's ready. So I don't think that we need to go further than that I just want to point out that on any type of violation we expect the police officers and the courts to have some discretion.

Senator Joseph D. Kenney, D. 3: O.K. Thank you, Senator. Well, if there's no other testimony I will go ahead and close this hearing on SB56. Thank you for coming.

Hearing concluded at 5:10 p.m.

Attachments 9 – No. 8 not included due to size.

Respectfully submitted:

Gloria Lamoureux
Committee/Senate Secretary
2/12/03

Attachment 1

Testimony

To: Transportation Committee
From: Nancy J. Ashton, Government Relations Committee, MS Society
Date: 2-5-03
Re: Relative to parking for persons with disabilities

Senate Bill #~~0765R~~ 56
Sponsor: Senator Robert Boyce

I have been in a wheelchair since around 1986. I have lived in NH and traveled throughout the state. I own a handicap van with a ramp that extends a few feet from the van when put down. I need crosshatches to use my van.

I use handicap spaces in parking lots, on the street and in designated spots.

Sometimes I cannot park my van because the crosshatches are not there. Sometimes I have to rely on a friend to do my shopping or to leave a message where I was trying to go but can't get in. Sometimes I cannot get back into my van because the crosshatches are occupied by another car, snow or other markers.

It was not intended to have these problems when parking in a handicap space. It is not fair to me or safe. I need the crosshatches.

Nancy J. Ashton

Nancy J. Ashton

Attachment 2

National Multiple Sclerosis Society
Central New England Chapter
101A First Avenue, Suite 6
Waltham, MA 02451-1115
Tel 781 890 4990
1 800 FIGHT MS
Fax 781 890 2089

NATIONAL MULTIPLE SCLEROSIS SOCIETY

Central New England Chapter

Testimony Submitted to the New Hampshire Senate Transportation Committee regarding SB56-FN

An Act Relative to Parking For Persons With Disabilities

February 5, 2003

NATIONAL
MULTIPLE SCLEROSIS
SOCIETY

Central New England Chapter

This testimony is submitted to the New Hampshire Legislature Senate Transportation Committee by the Central New England Chapter of the National Multiple Sclerosis Society in support of **SB56-FN *An Act Relative to Parking for Persons with Disabilities***. The Central New England Chapter secured sponsorship for this bill in response to feedback on the difficulties in utilizing disabled parking spaces and access aisles by persons with MS. The Governor's Commission on Disability has provided our organization with support and technical assistance relating to this bill matter.

Introduction

The Central New England Chapter is committed to advancing the cure, prevention and treatment of MS while improving the quality of life for the estimated 2,500 individuals coping with this disease in New Hampshire. For people with multiple sclerosis and other disabilities, there are many obstacles to full participation in transportation, employment, recreation and cultural events. The National Multiple Sclerosis Society is dedicated to the removal of barriers so that people with MS can live with as much independence as possible. Since the passage of the *Americans with Disabilities Act*, the National Multiple Sclerosis Society continues to support legislative, regulatory and judicial efforts to increase accessibility and independence, prevent discrimination and protect the general well-being of individuals with disabilities.

Multiple Sclerosis and Equal Access

Multiple sclerosis is a chronic, often disabling disease that randomly attacks the Central Nervous System. The progress, severity and specific symptoms of MS vary in any one person and can not be predicted. Symptoms may be mild, such as numbness in the limbs, or severe such as paralysis or loss of vision. Other symptoms can include muscle weakness or spasticity, fatigue, blurred vision, slurred speech, bladder and bowel dysfunction, and cognitive changes. Most people with MS are diagnosed between the ages of 20 and 40. MS is not a fatal disease and people have normal or near normal life expectancies. The progress, severity, and specific symptoms of MS in any one person cannot yet be predicted.

As the disease progresses, people with MS often experience difficulty with ambulation and physical fatigue. It is not uncommon for individuals to maintain mobility by use of canes, walkers, electric scooters, manual and electric wheelchairs. For those who qualify for a plate or placard for persons with walking disabilities, designated parking spaces facilitate participation in all aspects of community life. In recent years, specially adapted vans have increased in use for persons with walking disabilities. These adaptations enable individuals to continue to drive and permit those in electric scooters or wheelchairs to

exit their vehicle via electric ramps that lower from either side of the vehicle. ADA provisions require that for every eight designated handicapped spaces, there is at least one space that must be van accessible. Thus a smaller number of van accessible spaces available are impacted by the problem of access aisle violations.

The Disabled Parking Access Aisle.

By ADA definition, the access aisle is the space between vehicles necessary to maneuver a wheelchair or other mobility device when entering or exiting a vehicle. Access aisles serving car parking spaces shall be 60 inches (1525 mm) wide minimum. Access aisles serving van parking spaces shall be 96 inches (2440 mm) wide minimum. Access aisles shall extend the full length of the parking spaces they serve and shall be marked so as to discourage parking in them. (Taken from ADA-ABA Technical Assistance Guidelines, Ch. 5, 502.2, 502.3, 502.3.1, 502.3.2, 502.3.3)

Handicapped spaces often share an access aisle. The access aisle is easily recognizable by the painted stripes similarly used to prohibit parking in other areas of the street or parking lots. The access aisle is not intended for any vehicle to park in or overlap in, regardless of whether a driver has a special plate or placard. When this occurs, another driver will not be able to park in the adjacent handicapped space or will be unable to enter their vehicle.

Disabled Parking Access Aisles and the Law

Current New Hampshire parking laws for persons with walking disabilities do not include any references to the access aisle. New Hampshire does, however, adhere to the ADA standards in the markings and dimensions for handicapped parking spaces and access aisles. The access aisle is truly a function of the handicapped space, but it was not included when previous laws were enacted. The ADA serves as a reference for states when enacting their own disabled parking laws. Access aisle violations are not unique to New Hampshire. In recent years, other states such as Massachusetts, Florida, Michigan, New York, New Jersey, Pennsylvania, Oregon and Hawaii have enacted laws that recognize the access aisle and impose severe penalties on violations of this space.

Purpose of the Bill

The Central New England Chapter secured sponsorship of a LSR in order to clarify the existing parking laws, by adding language in all relevant chapters and sections to make it illegal for any driver, including walking disabled drivers to park within or block the access aisle adjacent to a designated handicapped space.

We chose not to recommend any regulations that would require communities to assume the cost of designating the access aisle with additional signage, or other markings beyond the current guidelines states must adhere to in the ADA. Communities would have the option of designating this space more clearly as they see appropriate if this becomes law.

Drivers who are authorized to park in disabled parking spaces and encounter vehicles who have violated the access aisle have no recourse under the law. Law enforcement

personnel are usually sympathetic to the plight of a driver blocked or unable to park in an available space but have no authority to issue a parking violation or have the vehicle towed. The Governor's Commission on Disability coordinates a consumer violation notice program. This program allows drivers with a special plate or placard to place a copy of a violation notice on the windshield of a vehicle that has violated current disabled parking laws. A copy of the notice is sent back to the Governor's Commission for purposes of tracking and following up with offenders so as to promote awareness and reduce the likelihood of subsequent offenses. Drivers who violate the access aisle are not subject to this program but would be if this law was put into effect.

Drivers who park in or overlap the access aisle are more often than not authorized special plate or placard holders who are unaware of the purpose of the access aisle. Others simply park in a careless manner or choose to utilize this space due to a lack of disabled parking spaces. The end result is the same and the bill is intended to issue violations and hopefully serve as a deterrent. The bill would also relieve drivers from attempting to confront the driver in violation of the access aisle, as they often encounter resistance or hostility.

The Law and Public Awareness

Passage of this bill is an important first step to ensuring equal access and protection for citizens with walking disabilities. Education of all drivers about disabled parking regulations is still needed, however. If this bill is enacted into law, The Governor's Commission on Disability has agreed to partner with the Central New England Chapter in launching a public awareness campaign of the access aisle and other disabled parking regulations.

Conclusion

The Central New England Chapter supports the language of SB56-FN and thanks Senators Boyce and Martel, and the members of the Transportation Committee for their attention to this matter and review of this written testimony. The inclusion of the provision pertaining to parking spaces on public and private property is critical in achieving a universal standard of equal access under the law. The proposed increase in parking fine violation from $50 to $100 is warranted. We respectfully request, however, this increase be re-evaluated if it is determined a hindrance to passage of this bill.

Linda R. Guiod, RN
Vice President, Chapter Programs

Michelle Dickson
Advocacy Coordinator

Attachment 3

VSA arts of New Hampshire

44 South Main Stree
Concord, NH 0330
V/tty: 603-228-433
info@vsaartsnh.or
www.vsarts.or

February 3, 2003

New Hampshire State House
att: Senator Joseph Kenney
33 North State Street
LOB-Room 102 A
Concord, NH 03301

Dear Senator Joseph Kenney:

I am writing to you in reference to Bill #SB 56-FN. I am in full support of clarifying the existing parking laws and regulations regarding access aisles adjacent to accessible/ van-accessible parking spaces.

My name is Rebecca Bruns and I direct the New Hampshire Cultural Access Initiative. A program of *VSA arts of NH*, the Cultural Access Initiative (CAI) is a long-range commitment to helping our state's cultural organizations identify and improve physical and programmatic access for all people with disabilities, their families, and friends. We provide physical site surveys based on the requirements of the Americans with Disabilities Act (ADA) and help organizations understand best practices for welcoming all audiences, and identifying creative affordable solutions. Included in New Hampshire's 300+ cultural organizations are museums, theatres, gallery spaces, and music halls.

According to a survey conducted by the National Endowment for the Arts, ***"63% of American adults would like to attend more concerts, museums, theatre, ballet, and opera performances...Due to inaccessibility issues or social stigmatization, many of these individuals did not participate in or attend cultural events though they had interest".***

There are currently ***79*** cultural sites across New Hampshire that are at various stages of the Cultural Access Initiative site survey process. 'Accessible approach/entrance' is a first priority for these sites for obvious reasons. This includes accessible/ van-accessible parking.

I have repeatedly observed four problems with accessible/ van-accessible parking when visiting NH cultural sites:

- There are an inadequate number of accessible/ van-accessible parking spaces available.

- The accessible/ van-accessible parking that is available to patrons with disabilities is not appropriately marked with universal signage.

- The dimensions marked for accessible parking spaces are often too narrow. This situation is even more problematic for van-accessible spaces which require additional area for access aisles (marked by crosshatches.)

- Within the organizational structure of the facility, there is no policy in place to ensure that only patrons with appropriate accessible plates or rearview mirror tags park in a designated accessible/van-accessible space.

The mission of VSA arts of NH is to cultivate a society where people with disabilities have the same opportunities to experience the arts as artists and audience. ***Quite simply, inaccessible parking prevents patrons with disabilities, families and friends from accessing the arts.*** The revisions proposed in bill #SB- 56 FN address this simple and independence-affirming need.

Please do not hesitate to contact me with any questions or comments you may have at 603.228.4330 or rebecca@vsaartsnh.org.

Sincerely,

Rebecca E. Bruns
Director of Cultural Access
VSA arts of New Hampshire

Attachment 4

FIRST
CLASS
STAMP
REQUIRED

GOVERNOR'S COMMISSION ON DISABILITY
57 REGIONAL DRIVE
CONCORD NH 03301

Notice of Violation (RSA 261:88)



Not a ticket – No Fine

On (date) _____at _____AM/PM, this vehicle was parked:

- ☐ in a space reserved for persons with walking disabilities

- ☐ across a ramp designed for persons who use wheelchairs

License # _____ State _____
Location: _____

This vehicle does not have proper identification issued or recognized by the NH Division of Motor Vehicles (license plate or placard with wheelchair symbol).

A copy of this notice has been sent to the Governor's Commission on Disability (57 Regional Drive, Concord, NH 03301) and forwarded to the NH Division of Motor Vehicles.

If you have a walking disability, call the Governor's Commission on Disability (tel.#: 1-800-852-3405) to find out how you can get a proper permit.

If you do not have a walking disability, refrain from parking in these reserved spaces. NH Law (RSA 265:69) calls for a substantial fine for each violation.

Cheryl L. Killam
Accessibility Specialist

STATE OF NEW HAMPSHIRE

GOVERNOR'S COMMISSION ON DISABILITY

ARCHITECTURAL BARRIER-FREE DESIGN COMMITTEE

57 Regional Drive - Concord, NH 03301-8518

Web-site: http://www.state.nh.us/disability/abcommittee.html

Toll-Free (800) 852-3405
V/TT (603) 271-2773
Ext. 4177

Direct/VMB (603) 271-4177
Fax (603) 271-2837
e-mail: ckillam@gov.state.nh.us

Attachment 5

SB56-FN

AN ACT relative to parking for persons with disabilities.

HEARING DATE: FEBRUARY 5, 2003
HEARING TIME: 3:30PM
HEARING LOCATION: LOB 104

SENATE COMMITTEE ON TRANSPORTATION

Good afternoon Chairman Kennedy, Vice-Chairman Morse, Senators Below, Flanders, and Martel.

My name is Cheryl Killam. I am the accessibility specialist for the Governor's Commission on Disability. I provide technical assistance to the general public on various access issues, including how to comply with accessibility guidelines.

On behalf of the Governor's Commission on Disability, we fully **support SB 56-FN.**

By way of explanation, and before I get into the more technical aspects of this bill, let me tell you about an incident that happened to me personally that will help illustrate why the Commission strongly support passage of this bill:

This past October I had parked my van in a wheelchair accessible space in a lot in Portsmouth. When I returned to my vehicle there was a car parked in the access aisle. The ramp from my van extends 4 feet out and then I still need room to get onto the ramp. This 8 foot space is the "access aisle." Because the car was parked in this space, it made it impossible for me to get back into my van. It was a very cold day and my cell phone was in the car. I was lucky enough to be able to use the phone of a local business, and the police did respond to my call. However, they would not ticket the vehicle. The vehicle owner was located in the restaurant nearby and did move their car. I missed my next appointment because of this delay. I am now forced to park my van across two spaces at the back of the parking lot to prevent this from happening again.

The Definition of an Access Aisle:

The suggested new section for RSA 259:1-b defines the access aisle as:

259:1-b access aisle. "access aisle" shall mean

the space between vehicles necessary to maneuver a wheelchair or other mobility device when entering or exiting a vehicle. Access aisles serving car parking spaces shall be at least 60 inches wide. Access aisles serving van parking spaces shall be at least 96 inches wide. Access aisles shall extend the full length of the parking spaces they serve and shall be marked so as to discourage parking in them.

A van has either a lift or a ramp that requires four feet to deploy, with another four feet beyond the ramp or lift required to maneuver a wheelchair off or on to the ramp or lift. A person using

a wheelchair exiting from a car needs five feet to maneuver their wheelchair next to the car door.

When a vehicle is parked in an access aisle it either prevents the disabled individual from using the parking space designated for a person with a disability, or it prevents an individual from getting back into their vehicle.

Currently **RSA 265:69, stopping, standing or parking prohibited in specified places** does not identify the access aisle in specified places where parking is prohibited as listed in section i (A) – (L). Because of this, enforcement officials are reluctant to ticket or tow vehicles parked in access aisles.

By adding ***(m) in any access aisle*** to RSA 265:69 I, parking in access aisles will officially become illegal and enforceable.

Technical information:

As you can see in the diagrams I have provided, the access aisles are adjacent to the parking spaces designated for persons with walking disabilities.

These diagrams are from the **A**merican **N**ational **S**tandards Institute, otherwise known as ANSI, code A117.1-1998, section 502, which is the accessibility code referenced in the New Hampshire State Building Code, Title XII of Public Safety and Welfare, Chapter 155-a, specifically the New Hampshire Building Code, Section 155-a:2.

The Architectural Barrier-Free Design Code for the State of New Hampshire, Chapter Abfd 300 (Statutory Authority: RSA 275-c:10-18), references the **A**merican with **D**isabilities **A**ct **A**ccessibility **G**uidelines (ADAAG).

The ADAAG specifications for parking spaces and access aisles (ADAAG 4.6) are identical to the ANSIi A117.1-1998 section 502 specifications for parking and access aisles.

I will be happy to take answer any questions you may have. If you require more information, please let me know.

Attachment 6

Chapter 5. General Site and Building Elements

501 General

501.1 Scope. General site and building elements required to be accessible by the scoping provisions adopted by the administrative authority shall comply with the applicable provisions of this chapter.

502 Parking Spaces

502.1 General. Accessible parking spaces shall comply with Section 502.

502.2 Vehicle Spaces. Car and van parking spaces shall be 96 inches (2440 mm) wide minimum and shall have an adjacent access aisle complying with Section 502.3.

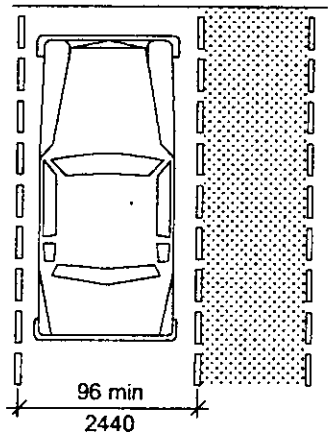


Fig. 502.2
Vehicle Parking Space

502.3 Access Aisle. Access aisles serving parking spaces shall comply with Sections 502.3.1 through 502.3.3. Parking access aisles shall be part of the accessible route to the building or facility entrance and shall comply with Section 402. Two parking spaces shall be permitted to share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible route.

502.3.1 Width. Access aisles serving car parking spaces shall be 60 inches (1525 mm) wide minimum. Access aisles serving van parking spaces shall be 96 inches (2440 mm) wide minimum.

502.3.2 Length. Access aisles shall extend the full length of the parking spaces they serve.

502.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.

502.4 Floor or Ground Surfaces. Parking spaces and access aisles shall have surface slopes not steeper than 1:48. Access aisles shall be at the same level as the parking spaces they serve.

502.5 Vertical Clearance. Parking spaces for vans shall have a vertical clearance of 98 inches (2490 mm) minimum at the space and along the vehicular route thereto.

502.6 Identification. Where accessible parking spaces are required to be identified by signs, the signs shall include the International Symbol of Accessibility complying with Section 703.7. Such signs shall be 60 inches (1525 mm) minimum above the floor or ground surface of the parking space, measured to the bottom of the sign.

503 Passenger Loading Zones

503.1 General. Accessible passenger loading zones shall comply with Section 503.

503.2 Vehicle Pull-up Space. Passenger loading zones shall provide an access aisle complying with Section 503.3, adjacent and parallel to a vehicle pull-up space.

503.3 Access Aisle. Access aisles serving passenger loading zones shall comply with Section 302 and Sections 503.3.1 through 503.3.3. Access aisles shall be part of the accessible route to the building or facility entrance and shall comply with Section 402.

503.3.1 Width. Access aisles serving vehicle pull-up spaces shall be 60 inches (1525 mm) wide minimum.

503.3.2 Length. Access aisles shall be 20 feet (6100 mm) long minimum.

503.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.

503.4 Floor or Ground Surfaces. Vehicle pull-up spaces in passenger loading zones and access aisles shall have surface slopes not steeper than

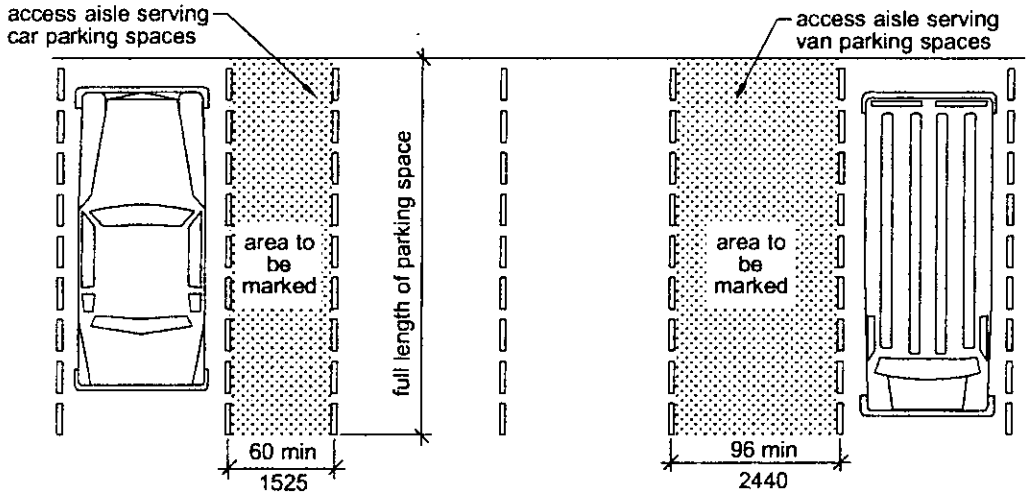


Fig. 502.3
Parking Space Access Aisle

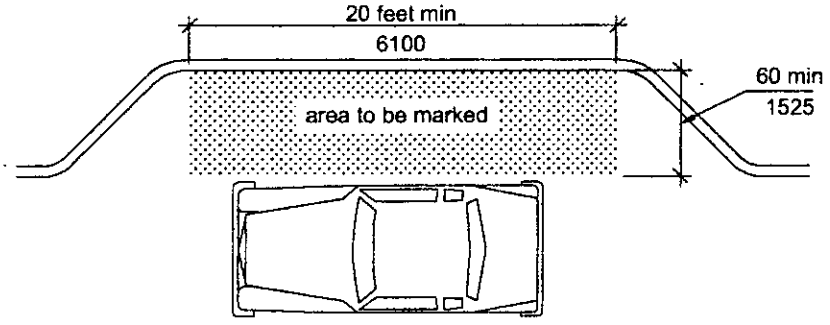


Fig. 503.3
Passenger Loading Zone Access Aisle

1:48. Access aisles shall be at the same level as the vehicle pull-up space they serve.

503.5 Vertical Clearance. Vertical clearance of 114 inches (2895 mm) minimum shall be provided at passenger loading zones and along vehicle access routes to such areas from site entrances.

504 Stairways

504.1 General. Accessible stairs shall comply with Section 504.

504.2 Treads and Risers. All steps on a flight of stairs shall have uniform riser heights and uniform tread depth. Risers shall be 4 inches (100 mm) high minimum and 7 inches (180 mm) maximum. Treads shall be 11 inches (280 mm) deep minimum, measured from riser to riser.

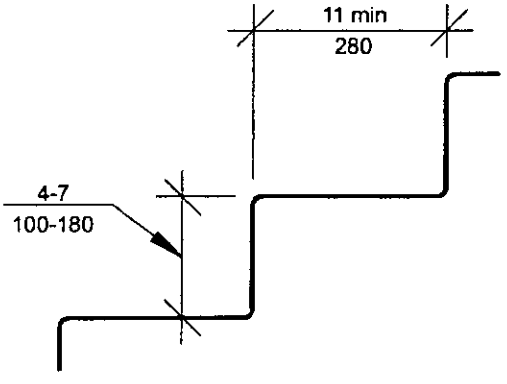


Fig. 504.2
Treads and Risers for Accessible Stairways

Attachment 7

P.O.Box 310
Meriden, N.H. 03770
January 17, 2003

Dear Senator Below,

My name is Judy Pollock Hallam, and I have lived in Meriden, Plainfield township for ten years. Out of courtesy to you, I wish to let you know that I am trying to get a bill passed through the New Hampshire legislature that addresses handicapped parking in this state. To be more specific, I would like to see an already existing bill reworded. While there are more than enough "handicapped" parking spaces available, I have found it continually frustrating and stressful to park in them. I was diagnosed with Multiple Sclerosis eight years ago and spent the past three and one half in a wheelchair. This part has been a real eye opener as to what "accessibily" really means. When I drive my car I need access to the yellow or white slashed lined areas next to the disabled parking. These areas are meant for people such as myself to disembark from a ramp, a lift system or simply have enough room to set up a wheelchair. It, therefore, is important that no one park in or cross into these areas in any way. However, for the past number of years, I have found myself continually blocked, frustrated, stymied and frequently harrassed by other people with "handicapped" placards who believe it is their "right" to park within the slash lined areas. The result is being unable to get back in my car (sometimes for hours). This can happen several times within a shopping day dispite my best efforts to prevent it! Very few people seem to know the true use of these spots - many also think they are for shopping carts. I have included a letter and photos documenting what I am talking about so that you might understand the situation better.

I began, in my frustration, speaking to store managers, the local police, the moter vehicle department, Lebanon City Councilmen and many others. Each has been nice to me but no one seems to know what to do. Councilwoman, Terry Grigsby, has been the biggest help in assisting me but can only do so for those matters within the Lebanon city limits. The situation is, unforntunately, more wide spread. I was finally able to contact Michelle Dickson an advocate for the M.S. Society who together with Carol Nadeau of the N.H. Commission on Disability were willing to listen. They have admitted having many similar complaints. However, while there seems to be a law making it illegal for non disabled people to park in these areas, the wording is ambiguous and there are no consequences for those who possess placards.

I thought you might like to be aware of my efforts to have this bill

changed and perhaps also set something in motion to "educate" drivers as to the significance of these slashed areas. The M.S. Society (although this is not a problem specific to M.S.) and the State Commission on Disability are willing to take up this particular task. Any further tips or hints I can use in my efforts to see this matter through would certainly be appreciated.

Sincerely,
Judy Pollock Hallam

469-3953 9am - 2pm.
5:30 - 9pm.

Attachment 8

No Documentation enclosed with File

Attachment 9

SB56 2/5/03

My name is William Godfrey and I am a Merrimack, NH resident. I've had MS over 32 years and have come to rely on easy access to handicap-parking spaces. I am fortunate in that I mainly rely on orthotics and crutches for mobility assistance most of the time, but occasionally I do use a wheelchair or a scooter.

Over the years, when driving a car, there have been many instances where an individual parked in the cross-hatched area along the handicap-parking spot my car was parked in, making it impossible for me to get into my car until the person returned and moved their car. I cannot get in the passenger side of my car and maneuver across the seats to the driver side due to the nature of the paralysis in my legs.

I would like to relate a story about my commute to work where I regularly parked my minivan in a municipal garage in the same handicap spot every day. Often the same person would park right beside me in the crosshatched area between the handicap-parking spots. After several weeks of this and never seeing the individual to confront him/her, I asked a security person if something could be done about someone who was abusing handicap parking. He replied, "Sure, just give me his license plate and I'll take care of it." I gave him the plate number. He said that it was his plate and he was parked in a crosshatched area and that was okay. I explained that he was parked in handicap-parking and that area was marked that way to give people with mobility impairments a little more room to get in and out of their cars and he was making it very difficult for me to get into my van. He said he would no longer park in those types of spots.

In addition, it is very stressful confronting people who abuse handicap-parking privileges in any way. I have only had a couple of positive experiences confronting people and have found that the people who respond positively expressed gratitude for the information. Most of the time a belligerent or arrogant response is received.

I understand that there are many demands placed upon law enforcement and feel that handicap-parking abuse could be minimized though regular public awareness education. In summary, I will greatly appreciate any improvements in education, awareness, enforcement, etc., of handicap parking abuse that may result should SB56 be enacted.

Thank you for the opportunity to express my feelings on this matter.

Speakers

SENATE TRANSPORTATION COMMITTEE

Date 2/05/03 Time 3:30 p.m. Public Hearing on **Bill 56-FN**

relative to parking for persons with disabilities.

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
☐	☒	☐	Sen Tom Eaton	
☑	☑	☐	Michelle Dickson	National MS Society
☑	☑	☐	John Stephen	Safety
☒	☒	☐	Cheryl Killam	Gov. Comm. on Disability
☒	☒	☐	Judy Hallam	Self
~~☒~~	~~☒~~	☐	~~Rep. Susan Almy~~	~~House~~
☒	☒	☐	James Rhodes	Co sponsor
☐	☒	☐	Sen Linda Merrill	Co-sponsor
☑	☑	☐	William GODFREY	SBF
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SENATE TRANSPORTATION COMMITTEE

Date 2/05/03 Time 3:30 p.m. Public Hearing on **Bill 56-FN**

relative to parking for persons with disabilities.

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
☑	☑	☐	Rep Laurie Boyce	NHB/A
☐	☑	☐	Ellen Edgerly	Brain Injury Assoc of NH
☐	☐	☐		
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Voting Sheets

Senate Transportation Committee

EXECUTIVE SESSION

Bill # SB 56-FN

Hearing date 2/12/03 Room LOB 104

Motion of OTPA

Made by Senator			***Seconded by Senator***		
	Kenney	☐		Kenney	☐
	Morse	☐		Morse	☐
	Below	☐		Below	☐
	Flanders	☑		Flanders	☐
	Martel	☐		Martel	☑

Committee Member	***Present***	***Vote***	***Reported out by***
Senator Kenney, Chairman	☑	5-0	
Senator Morse, Vice Chair	☑		Senator Below
Senator Below	☑		
Senator Flanders	☑		
Senator Martel	☑		

***Amendments**

NOTES

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Transportation

to which was referred Senate Bill 56-FN

AN ACT relative to parking for persons with disabilities.

VOTE: 5-0

2003-0297s

Having considered the same, report the same with the following amendment and recommend that the bill: **AS AMENDED OUGHT TO PASS.**

Senator Joseph D. Kenney
For the Committee

SB56 Docket

Next|Prev|Results List|Main|Bill Status

Bill Title: relative to parking for persons with disabilities.

Date	Body	Description
1/9/2003	**S**	Introduced and Ref. to Transportation; SJ 2, Pg.26
1/24/2003	**S**	Hearing; February 5, 2003, Room 104, LOB, 3:30 p.m.; SC6
2/14/2003	**S**	Committe Report; Ought to Pass with Amendment {0297}, [02/20/03]; SC10, Pg.10-11
2/20/2003	**S**	Committee Amendment {0297}, AA, VV; SJ 6, Pg.61-62
2/20/2003	**S**	Ought to Pass with Amendment {0297}, MA, VV; OT3drg; SJ 6, Pg.61-62
2/20/2003	**S**	Passed by 3rd Reading Resolution; SJ 6, Pg.63
2/20/2003	**H**	Introduced and ref to Transportation; HJ 21, p492
3/19/2003	**H**	Hearing Apr 1 1:15 RM203,LOB
4/29/2003	**H**	Maj Report OTP for May 8 (Vote 14-1;CC)
5/8/2003	**H**	Passed; HJ 40, p1283 + 1290
5/15/2003	**S**	Enrolled; SJ 16, Pg.394
5/15/2003	**H**	Enrolled; HJ 45, p1435
5/28/2003	**S**	Became Law Without Signature on 5/282003 Eff-1/1/2004 Chap-0071

Next|Prev|Results List|Main|Bill Status

Docket Abbreviations