

2025 -- H 5883 SUBSTITUTE A

LC001720/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

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

Introduced By: Representatives Shanley, Noret, Spears, Read, Solomon, Casimiro, Chippendale, Hopkins, Edwards, and Bennett
Date Introduced: February 28, 2025

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-28-7 of the General Laws in Chapter 31-28 entitled "Parking
2 Facilities and Privileges" is hereby amended to read as follows:

3 **31-28-7. Motor vehicle plates for persons with disabilities — Entitlement —**
4 **Designated parking spaces — Violations.**

5 (a) Persons, as defined in subsection (h) of this section, upon application and proof of
6 permanent or long-term disability to the division of motor vehicles, shall be issued one motor
7 vehicle disability parking privilege placard or in the case of a motorcycle, one motor vehicle sticker,
8 of blue which shall be imprinted with the white international symbol of access, certificate number,
9 the words “Rhode Island Disability Parking Permit” and shall bear the expiration date upon its face.
10 A placard or motorcycle sticker issued to a person whose disability is temporary shall be
11 substantially similar to that issued to a person with a permanent or long term disability. The
12 temporary placard, however, shall be a red placard with a white international symbol of access,
13 certificate number, the words “Rhode Island Disability Parking Permit” and shall bear the
14 expiration dates upon its face. A preliminary placard shall be similar to that issued to a person with
15 a permanent, long-term, or temporary disability. The preliminary placard shall be effective for
16 twenty-one (21) days, and may be issued by an applicant’s licensed physician, if in the medical
17 provider’s opinion the applicant’s medical condition merits the issuance of a preliminary placard
18 while the division considers the applicant’s qualifications for any type of disability parking permit.

1 The preliminary placard shall be an orange placard with a white international symbol of access,
2 certificate number, the words "Rhode Island Disability Parking Permit" and shall bear the
3 expiration date upon its face and shall be displayed on the dashboard of the vehicle in a manner
4 that it is clearly visible from the front. The division of motor vehicles shall promulgate rules
5 governing the issuance and use of preliminary placards. Applicants shall not be charged any fee
6 associated with the issuance of a preliminary placard. Physicians submitting false information to
7 the division of motor vehicles to obtain a preliminary placard on anyone's behalf may be subject
8 to the penalties set forth in § 11-18-1.3. Persons issued a placard or motorcycle sticker pursuant to
9 this section shall be entitled to the immunities of §§ 31-28-4 and 31-28-6. The placard shall conform
10 to the Uniform Parking System for Disabled Drivers standard issued by the United States
11 Department of Transportation. If an application for a placard or motorcycle sticker is denied, the
12 division of motor vehicles shall promptly notify the applicant in writing, stating the specific
13 reason(s) for the denial, and advising the applicant of the procedures for requesting a hearing to
14 appeal the denial. Prior to the appeal hearing, the applicant shall be provided with any and all
15 documents relied upon by the division in denying the application. If an application contains a
16 physician certification that the applicant is sufficiently disabled to require a placard or motorcycle
17 sticker, and the division has not provided specific reasons in its denial letter to the applicant, the
18 hearing officer shall summarily order that a placard or motorcycle sticker be provided to the
19 applicant. At all other hearings of application denials where a physician certification has been
20 provided, the division shall bear the burden of proof that the individual is not entitled to a placard
21 or motorcycle sticker pursuant to this chapter.

22 (b) A placard issued pursuant to this section shall be portable and used only when the
23 person is being transported. The placard is to be hung from the rear view mirror so as to be seen
24 through the front or rear windshield of the motor vehicle. A placard may be issued to a person with
25 a disability who does not own a motor vehicle, to be used only when he or she is being transported.
26 A motorcycle sticker issued pursuant to this section shall not be portable and shall be affixed to the
27 rear plate of the motorcycle.

28 (c)(1) The certificate of entitlement to the placard or motorcycle sticker shall be renewed
29 every six (6) years for individuals with a long-term disability, as defined in subsection (d) of this
30 section, and the renewal application shall require a physician's certification that the condition has
31 not changed since the previous approval, and six (6) years for individuals with a permanent
32 disability as defined in subsection (h) of this section, in accordance with a schedule prepared by
33 the division of motor vehicles that uses the last name of an individual to determine the month of
34 renewal. If an application or subsequent renewal is accompanied by a physician's certification that

1 the applicant's condition is a chronic, permanent impairment and that application is approved, then
2 any subsequent renewal shall be authorized upon receipt of a notarized affidavit from the applicant
3 or applicant's, guardian or legal representative or a certificate from the applicant's physician that
4 his or her condition has not changed since the previous approval.

5 (2) The certificate of entitlement to the placard or motorcycle sticker shall be covered with
6 plastic or similar material. The applicant shall, upon timely renewal, receive a sticker bearing the
7 expiration date of the certificate of entitlement to be affixed across the expiration date of the
8 disability parking privilege placard or in the case of a motorcycle the applicant shall receive a new
9 motorcycle sticker. The division of motor vehicles shall establish rules and regulations allowing
10 for the renewal of the certificates of entitlement by mail.

11 (3) Whenever the division of motor vehicles proposes to suspend, revoke or fail to renew
12 the certificate of entitlement for noncompliance with the requirements of this section or for
13 violation of subsection (h) of this section, the individual shall first be entitled to a hearing before
14 the division of motor vehicles to contest the proposed action. At the hearing, the division of motor
15 vehicles shall bear the burden of proof that the individual is not entitled to the placard or motorcycle
16 sticker pursuant to this chapter. There shall be no renewal fee charged for the placards or
17 motorcycle sticker. The division of motor vehicles shall be authorized to issue a temporary
18 disability parking privilege placard or motorcycle sticker immediately upon receipt of an
19 application for individuals with a temporary impairment, as defined in subsection (h) of this section.
20 A temporary placard or motorcycle sticker shall be valid for sixty (60) days from the date of
21 issuance. Temporary placards or motorcycle stickers may be renewed for a period of one year or
22 less, as determined by the medical advisory board upon application if the disability persists. The
23 division of motor vehicles shall subsequently review the applications in accordance with the
24 procedures currently in effect as to applications from persons whose disability is long term. Any
25 issuance which, after subsequent review, shall be found to be inappropriate shall be revoked and
26 notice of the revocation shall be sent to the applicant.

27 (d) A person, other than a person with a disability, who for his or her own purposes uses
28 the parking privilege placard, shall be fined five hundred dollars (\$500) for each violation. A person
29 issued a special placard who uses the placard after expiration, or who shall allow unauthorized use
30 of the disability parking placard or sticker, may be subject to immediate revocation of the use of
31 the placard by the division of motor vehicles, and subject to a fine of five hundred dollars (\$500).

32 (e) Disability parking spaces shall be designated and identified by the posting of signs
33 above ground level incorporating the international symbol of access of white on blue, and the words
34 "Handicapped Parking," "Disability Parking," "Disabled Parking," or "Reserved Parking" at each

1 space, at both ends of a row or series of adjacent disability parking spaces, or at the entrance to a
2 parking lot restricted to only disability parking; provided however, effective January 1, 2026, all
3 new or replacement signage under this subsection shall include the language "Accessible Parking"
4 in place of "Handicapped Parking", "Disability Parking", and "Disabled Parking".

5 (f) A person, other than a person issued a special placard or motorcycle sticker pursuant to
6 this section, who parks a vehicle in a parking space designated for persons with disabilities, shall
7 be fined: (1) one hundred dollars (\$100) for a first violation, (2) one hundred seventy-five dollars
8 (\$175) for a second violation, and (3) three hundred twenty-five dollars (\$325) for a third or
9 subsequent violation. The vehicle may be subject to towing at the owner's expense. Provided
10 further, that it shall not be unlawful for a person to park a vehicle in a space designated for person
11 with disabilities if that person is transporting a person who has been issued a special placard and is
12 properly displaying the placard on the vehicle.

13 (g) Enforcement of the parking provisions of this section shall be enforced by the local or
14 state authorities on public or private property when the location of the parking spaces is within the
15 purview of the State Building Code, chapter 27.3 of title 23.

16 (h) Definitions. For the purpose of this section:

17 (1) "Disabled" or "disability" means a permanent or long-term impairment which prevents
18 or impedes walking, which shall include but not be limited to: (i) an impairment which prevents
19 walking and requires use of a wheelchair; (ii) an impairment which involuntarily causes difficulty
20 or insecurity in walking or climbing stairs with or without the need to use braces, crutches, canes
21 or artificial support; (iii) an impairment caused by amputation, arthritis, blindness (including legally
22 blind), or orthopedic condition; (iv) an impairment in respiratory, circulatory, or neurological health
23 which limits the person's walking capability; or (v) disabled veteran, pursuant to § 31-6-8 after
24 certification of eligibility from the Veterans' Administration or other satisfactory documentation
25 of eligibility is presented. Persons with disabilities may be capable of working or may be presently
26 working.

27 (2) "Long-term disability" means an impairment which is potentially reversible or may
28 improve with appropriate medical treatment. At the time of application and or renewal, the
29 impairment should not be expected to improve prior to the expiration of the certification, to a point
30 where the individual does not meet the provisions of subdivision (1) of this subsection.

31 (3) "Permanent disability" means an impairment which is non-reversible.

32 (4) "Temporary impairment" means an impairment which is expected to improve to a point
33 where the individual does not meet the provisions of subdivision (1) of this subsection, within two
34 (2) years of the application.

1 (i) The department of revenue shall inform each licensed driver of the certificate procedures
2 and parking restrictions of this section and §§ 31-28-4 and 31-28-6, and a facsimile of the portable
3 placards and motorcycle stickers issued under this section shall be sent to the enforcing authority
4 of each state, and each enforcing authority shall be informed of the parking restrictions of this
5 section and §§ 31-28-4 and 31-28-6. Recipients of disability parking privilege placards shall also
6 receive instructions on their use and the penalties for misuse, when the placard is initially issued.

7 (j) Any person who makes, manufactures, offers for sale or knowingly uses a counterfeit
8 parking privilege placard shall be fined up to five hundred dollars (\$500) and/or forty (40) hours
9 of community restitution.

10 SECTION 2. Chapter 31-28 of the General Laws entitled "Parking Facilities and
11 Privileges" is hereby amended by adding thereto the following section:

12 **31-28-7.4. Parking mobility app program.**

13 All municipalities may participate in a parking mobility app program, whereby individuals
14 may submit photos on the parking mobility app program of vehicles illegally parked in spaces
15 designated for individuals with disabilities pursuant to § 31-28-7. A municipality may fine the
16 owner of the vehicle illegally parked in accordance to § 31-28-7.

17 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would update disability parking space signage and would enable municipalities to
2 participate in the parking mobility app program where individuals may submit photos on the app
3 of vehicles that are parked in spaces designated for individuals with disabilities and the violator
4 may be cited and fined.

5 This act would take effect upon passage.

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