SENATE BILL NO. 93

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INTRODUCED BY CHRISTIAENS, CONNELLY, KADAS, LANE, J. BROWN, LYNCH, HARRINGTON, B. WILLIAMS

IN THE SENATE

January 11, 1985	Introduced and referred to Committee on Local Government.
January 30, 1985	Committee recommend bill do pass as amended. Report adopted.
January 31, 1985	Bill printed and placed on members' desks.
February 1, 1985	Second reading, do pass.
February 2, 1985	Considered correctly engrossed.
February 4, 1985	Third reading, passed. Ayes, 44; Noes, 0.
	Transmitted to House.
IN THE H	OUSE
February 27, 1985	Introduced and referred to Committee on Local Government.
March 15, 1985	Committee recommend bill be concurred in. Report adopted.
March 18, 1985	Second reading, concurred in.
March 20, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

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March	20, 1985		Received from House.
			Sent to enrolling.
March	22, 1985		Correctly enrolled.
			Signed by President.
March	23, 1985		Signed by Speaker.
March	25, 1985		Delivered to Governor.
March	29, 1985		Returned from Governor with recommended amendments.
April	2, 1985		Second reading, Governor's amendments concurred in.
April	4, 1985		Third reading, Governor's amendments concurred in. Ayes, 49; Noes, 0.
			Governor's amendments transmitted to House.
		IN THE H	IOUSE
April	4, 1985		Received from Senate.
April	9, 1985		Second reading, Governor's amendments concurred in.
April	10, 1985		Third reading, Governor's amendments concurred in.
April	15, 1985		Returned to Senate.
		IN THE S	SENATE
April	15, 1985		Received from House.
			Sent to enrolling.
			Reported correctly enrolled.

LC 0090/01

BILL NO. 93 1 Connelly Jacka INTRODUCED BY 2 Brown Jun 3 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LOCAL 4 ESTABLISH REQUIREMENTS FOR HANDICAPPED ŤΟ 5 GOVERNMENTS PERSONS' SPECIAL RESERVED PARKING SPACES; AMENDING SECTION 6 49-4-302, MCA." 7

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 49-4-302, MCA, is amended to read: 10 "49-4-302. Privileges of permitholder -- exemptions 11 from time limits -- requirements for special parking spaces. 12 (1) The parking permit issued under this part, when 13 displayed, entitles a person to park a motor vehicle in 14 special parking spaces reserved for handicapped persons 15 whether on public property or, upon the request of the 16 private property owner, on private property available for 17 public use. 18

19 (2) No vehicle other than one lawfully displaying a
20 parking permit issued under this part and conveying a
21 handicapped person may be parked in a parking space on
22 public or private property that is clearly identified by an
23 official sign as being reserved for use by handicapped
24 persons.

25 (3) The governing body of a city, town, or county may

Montana Legislative Council

1 exempt vehicles lawfully displaying parking permits issued 2 under this part and parked in public places along public 3 streets from any time limitation imposed upon parking in 4 such area except in areas where: 5 (a) stopping, standing, or parking of all vehicles is 6 prohibited: 7 (b) only special vehicles may be parked; or (c) parking is not allowed during specific periods of 8 9 the day in order to accommodate heavy traffic. 10 (4) The governing body of a city, town, or county may impose all, but not less than all, of the following 11 12 requirements with respect to any special parking space 13 constructed after September 30, 1985, and reserved for handicapped persons on public or private property in 14 accordance with subsection (2): 15 16 (a) The space must be located on a smooth, level 17 surface as near as practicable to building entrances or 18 walkways that have curb cuts and appropriately designed 19 ramps and access lanes to accommodate wheelchairs. 20 (b) If parallel to curbside, the parking space must be 21 separated from an adjacent space, either in the front or the 22 rear, by at least 5 feet of striped no-parking area. 23 (c) If at an angle to curbside, the parking space must 24 be at least 8 feet wide and free of obstruction if located 25 at the end of a line of angle parking spaces, and each other

-2- INTRODUCED BILL 5893

LC 0090/01

- 1 angle parking space designated for handicapped persons must
- 2 be at least 8 feet wide and contiguous to a striped
- 3 no-parking area at least 5 feet wide."

-End-

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persons.

SB 0093/02

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APPROVED BY COMM. ON LOCAL GOVERNMENT

Nontana Legislative Council

1	SENATE BILL NO. 93
2	INTRODUCED BY CHRISTIAENS, CONNELLY, KADAS,
3	LANE, J. BROWN, LYNCH, HARRINGTON, B. WILLIAMS
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LOCAL
6	GOVERNMENTS TO ESTABLISH REQUIREMENTS FOR HANDICAPPED
7	PERSONS' SPECIAL RESERVED PARKING SPACES; AMENDING SECTION
8	49-4-302, MCA."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 49-4-302, MCA, is amended to read:
12	*49-4-302. Privileges of permitholder exemptions
13	from time limits requirements for special parking spaces.
14	(1) The parking permit issued under this part, when
15	displayed, entitles a person to park a motor vehicle in
16	special parking spaces reserved for handicapped persons
17	whether on public property or, upon the request of the
18	private property owner, on private property available for
19	public use.
20	(2) No vehicle other than one lawfully displaying a
21	parking permit issued under this part and conveying a
22	handicapped person may be parked in a parking space on
23	public or private property that is clearly identified by an
24	official sign as being reserved for use by handicapped

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exempt vehicles lawfully displaying parking permits issued under this part and parked in public places along public streets from any time limitation imposed upon parking in such area except in areas where: (a) stopping, standing, or parking of all vehicles is prohibited; (b) only special vehicles may be parked; or (c) parking is not allowed during specific periods of the day in order to accommodate heavy traffic. (4) The governing body of a city, town, or county may impose all, but not less than all, of the following requirements with respect to any special parking space constructed after September 30, 1985, and reserved for handicapped persons on public or private property in accordance with subsection (2): (a) The space must be located on a smooth, level surface as near as practicable to building entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate wheelchairs. (b) If parallel to curbside, the parking space must be separated from an adjacent space, either in the front or the rear, by at least 5 feet of striped no-parking area.

(3) The governing body of a city, town, or county may

- 24 (c) If at an angle to curbside, the parking space must
 25 be at least 8 13 feet wide and free of obstruction if
 - ue rease of its rece wide and rive of obstraction

-2-

SB 93

SECOND READING

1 located at the end of a line of angle parking spaces, and 2 each other angle parking space designated for handicapped 3 persons must be at least 8 13 feet wide and-contiguous-to--a 4 striped-no-parking-area-at-least-5-feet-wide. 5 (D) A PARKING SPACE RESERVED FOR HANDICAPPED PERSONS 6 MUST BE DESIGNATED BY A SIGN SHOWING THE INTERNATIONAL 7 SYMBOL OF ACCESSIBILITY AND INDICATING THAT A PERMIT IS 8 REQUIRED. THE SIGN MUST BE ATTACHED TO A WALL OR POST IN 9 SUCH A WAY THAT IT IS NOT OBSCURED BY A VEHICLE PARKED IN 10 THE SPACE."

-End-

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1	SENATE BILL NO. 93	1	(3) The governing body of a city, town, or county may
2	INTRODUCED BY CHRISTIAENS, CONNELLY, KADAS,	2	exempt vehicles lawfully displaying parking permits issued
3	LANE, J. BROWN, LYNCH, HARRINGTON, B. WILLIAMS	3	under this part and parked in public places along public
4		4	streets from any time limitation imposed upon parking in
5	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LOCAL	5	such area except in areas where:
6	GOVERNMENTS TO ESTABLISH REQUIREMENTS FOR HANDICAPPED	6	(a) stopping, standing, or parking of all vehicles is
7	PERSONS' SPECIAL RESERVED PARKING SPACES; AMENDING SECTION	7	prohibited;
8	49-4-302, MCA."	8	(b) only special vehicles may be parked; or
2		9	(c) parking is not allowed during specific periods of
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	the day in order to accommodate heavy traffic.
11	Section 1. Section 49-4-302, MCA, is amended to read:	11	(4) The governing body of a city, town, or county may
12	"49-4-302. Privileges of permitholder exemptions	12	impose all, but not less than all, of the following
13	from time limits requirements for special parking spaces.	. 13	requirements with respect to any special parking space
14	(1) The parking permit issued under this part, when	14	constructed after September 30, 1985, and reserved for
15	displayed, entitles a person to park a motor vehicle in	15	handicapped persons on public or private property in
16	special parking spaces reserved for handicapped persons	16	accordance with subsection (2):
17	whether on public property or, upon the request of the	17	(a) The space must be located on a smooth, level
18	private property owner, on private property available for	18	surface as near as practicable to building entrances or
19	public use.	19	walkways that have curb cuts and appropriately designed
20	(2) No vehicle other than one lawfully displaying a	20	ramps and access lanes to accommodate wheelchairs.
21	parking permit issued under this part and conveying a	21	(b) If parallel to curbside, the parking space must be
22	handicapped person may be parked in a parking space on	22	separated from an adjacent space, either in the front or the
23	public or private property that is clearly identified by an	23	rear, by at least 5 feet of striped no-parking area.
24	official sign as being reserved for use by handicapped	24	(c) If at an angle to curbside, the parking space must
25	persons.	25	be at least 6 13 feet wide and free of obstruction if



THIRD READING

-2-

SB 93

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located at the end of a line of angle parking spaces, and 1 2 each other angle parking space designated for handicapped 3 persons must be at least 8 13 feet wide and-contiguous-to--a striped-no-parking-area-at-ieast-5-feet-wide. 4 (D) A PARKING SPACE RESERVED FOR HANDICAPPED PERSONS 5 6 MUST BE DESIGNATED BY A SIGN SHOWING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND INDICATING THAT A PERMIT IS 7 REQUIRED. THE SIGN MUST BE ATTACHED TO A WALL OR POST IN 8 SUCH A WAY THAT IT IS NOT OBSCURED BY A VEHICLE PARKED IN 9 10 THE SPACE."

-End-

-3-

SB 93

25

persons.

SB 0093/02

1	SENATE BILL NO. 93
2	INTRODUCED BY CHRISTIAENS, CONNELLY, KADAS,
3	LANE, J. BROWN, LYNCH, HARRINGTON, B. WILLIAMS
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16	special parking spaces reserved for handicapped persons
17	whether on public property or, upon the request of the
18	private property owner, on private property available for
19	public use.
20	(2) No vehicle other than one lawfully displaying a
21	parking permit issued under this part and conveying a
22	handicapped person may be parked in a parking space on
23	public or private property that is clearly identified by an
24	official sign as being reserved for use by handicapped

1 (3) The governing body of a city, town, or county may 2 exempt vehicles lawfully displaying parking permits issued under this part and parked in public places along public 3 4 streets from any time limitation imposed upon parking in 5 such area except in areas where: 6 (a) stopping, standing, or parking of all vehicles is 7 prohibited; (b) only special vehicles may be parked; or 8 9 (c) parking is not allowed during specific periods of 10 the day in order to accommodate heavy traffic. (4) The governing body of a city, town, or county may 11 12 impose all, but not less than all, of the following 13 requirements with respect to any special parking space 14 constructed after September 30, 1985, and reserved for 15 handicapped persons on public or private property in 16 accordance with subsection (2): (a) The space must be located on a smooth, level 17 18 surface as near as practicable to building entrances or 19 walkways that have curb cuts and appropriately designed 20 ramps and access lanes to accommodate wheelchairs. 21 (b) If parallel to curbside, the parking space must be 22 separated from an adjacent space, either in the front or the 23 rear, by at least 5 feet of striped no-parking area. 24 (c) If at an angle to curbside, the parking space must 25 be at least 8 13 feet wide and free of obstruction if

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Montana Legislative Council

SB 93 REFERENCE BILL

SB 93

1	located at the end of a line of angle parking spaces, and
2	each other angle parking space designated for handicapped
3	persons must be at least 0 13 feet wide and-contiguous-toa
4	striped-no-parking-area-at-least-5-feet-wide.
5	(D) A PARKING SPACE RESERVED FOR HANDICAPPED PERSONS
6	MUST BE DESIGNATED BY A SIGN SHOWING THE INTERNATIONAL
7	SYMBOL OF ACCESSIBILITY AND INDICATING THAT A PERMIT IS
8	REQUIRED. THE SIGN MUST BE ATTACHED TO A WALL OR POST IN
9	SUCH A WAY THAT IT IS NOT OBSCURED BY A VEHICLE PARKED IN
10	THE SPACE."

-End-

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PROPOSED GOVERNOR'S AMENDMENT TO SENATE BILL NO. 93, REFERENCE COPY

1. Page 2, line 25 Following: "8" Delete: "13" Insert: "8"

1 SENATE BILL NO. 93 2 INTRODUCED BY CHRISTIAENS, CONNELLY, KADAS, 3 LANE, J. BROWN, LYNCH, HARRINGTON, B. WILLIAMS 4 A BILL FOR AN ACT ENTITLED: 5 "AN ACT ALLOWING LOCAL GOVERNMENTS TO 6 ESTABLISH REQUIREMENTS FOR HANDICAPPED PERSONS' SPECIAL RESERVED PARKING SPACES; AMENDING SECTION 7 8 49~4-302, MCA." 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 Section 1. Section 49-4-302, MCA, is amended to read: 12 "49-4-302. Privileges of permitholder -- exemptions from time limits -- requirements for special parking spaces. 13 14 (1) The parking permit issued under this part, when 15 displayed, entitles a person to park a motor vehicle in 16 special parking spaces reserved for handicapped persons 17 whether on public property or, upon the request of the 18 private property owner, on private property available for 19 public use. 20 (2) No vehicle other than one lawfully displaying a parking permit issued under this part and conveying a 21 handicapped person may be parked in a parking space on 22 public or private property that is clearly identified by an 23 official sign as being reserved for use by handicapped 24

25 persons.

Montana Legislative Councy

(3) The governing body of a city, town, or county may 1 2 exempt vehicles lawfully displaying parking permits issued 3 under this part and parked in public places along public streets from any time limitation imposed upon parking in 4 5 such area except in areas where: (a) stopping, standing, or parking of all vehicles is 6 7 prohibited; 8 (b) only special vehicles may be parked; or 9 (c) parking is not allowed during specific periods of 10 the day in order to accommodate heavy traffic. (4) The governing body of a city, town, or county may 11 impose all, but not less than all, of the following 12 requirements with respect to any special parking space 13 constructed after September 30, 1985, and reserved for 14 15 handicapped persons on public or private property in 16 accordance with subsection (2): (a) The space must be located on a smooth, level 17 surface as near as practicable to building entrances or 18 walkways that have curb cuts and appropriately designed 19 20 ramps and access lanes to accommodate wheelchairs. 21 (b) If parallel to curbside, the parking space must be separated from an adjacent space, either in the front or the 22 rear, by at least 5 feet of striped no-parking area. 23 24

- (c) If at an angle to curbside, the parking space must
- 25 be at least θ $\frac{13}{23}$ 8 feet wide and free of obstruction if

SB 93 REFERENCE BILL: INCLUDES GOVERNOR'S AMENDMENTS DATED 3-29.85

SB 93

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1	located at the end of a line of angle parking spaces, and
2	each other angle parking space designated for handicapped
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10	THE SPACE."

-End-