

SENATE BILL NO. 93

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 HOUSE

February 27, 1985	Introduced and referred to Committee on Local Government.
March 15, 1985	Committee recommend bill be concurrred in. Report adopted.
March 18, 1985	Second reading, concurrred in.
March 20, 1985	Third reading, concurrred in.
	Returned to Senate.

IN THE SENATE

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 HOUSE

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 SENATE

April 15, 1985	Received from House. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. *93*  
 2 INTRODUCED BY *Connelly, LANE*  
 3 *J. Brown Lynch Hamilton Williams*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LOCAL  
 5 GOVERNMENTS TO ESTABLISH REQUIREMENTS FOR HANDICAPPED  
 6 PERSONS' SPECIAL RESERVED PARKING SPACES; AMENDING SECTION  
 7 49-4-302, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10 Section 1. Section 49-4-302, MCA, is amended to read:  
 11 "49-4-302. Privileges of permitholder -- exemptions  
 12 from time limits -- requirements for special parking spaces.  
 13 (1) The parking permit issued under this part, when  
 14 displayed, entitles a person to park a motor vehicle in  
 15 special parking spaces reserved for handicapped persons  
 16 whether on public property or, upon the request of the  
 17 private property owner, on private property available for  
 18 public use.  
 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

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  
 8 (c) parking is not allowed during specific periods of  
 9 the day in order to accommodate heavy traffic.

10 (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 handicapped persons on public or private property in  
 15 accordance with subsection (2):

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

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-

APPROVED BY COMM.  
ON LOCAL GOVERNMENT

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17 (a) The space must be located on a smooth, level  
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

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  
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-End-

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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  
25 persons.

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5 such area except in areas where:

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7 prohibited;

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10 the day in order to accommodate heavy traffic.

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16 accordance with subsection (2):

17 (a) The space must be located on a smooth, level  
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

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 1/2 feet wide and-contiguous-to--a  
4 striped-no-parking-area-at-least-5-feet-wide.

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20 (2) No vehicle other than one lawfully displaying a  
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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

1 located at the end of a line of angle parking spaces, and  
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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"

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