

Steve Ledoux, Town Manager
Town Hall
Acton, MA 01720

September 9, 2010

Dear Steve Ledoux,

We are aware of the difficult economy, never the less, Acton should not fall behind in the increases for Handicapped Parking violation fines. We are recommending the fine be increased from \$25 to \$100 which is well within the allowable range and more in line with our neighboring towns. By increasing the fine, our community can decrease Handicapped Parking space abuse. In so doing, we can improve access to Handicapped Parking spaces by authorized people with disabilities.

The following is information from the Massachusetts Department of Transportation Registry of Motor Vehicles.

“A person parking in a Handicapped Parking (HP) space without a HP placard or HP plate may be issued a parking ticket. Unauthorized parking in a handicap spot was increased from a range of \$25 to \$100 to a range of \$100 to \$300. The vehicle may be towed. The law also makes it illegal to park in certain areas which are intended spaces for wheelchair lifts and ramps.”

The law concerning HP placard fraud and abuse was amended in 2001. The amended law increased the fines for placard abuse and abuse of the handicap parking space. Anyone using a placard in an HP space that was issued to another person is placard abuse. Any tampering or altering of a placard is abuse. Using a photograph of placard is abuse. Anyone using an HP plate in an HP space without the HP plate holder either entering or exiting the vehicle is plate abuse.

“The provision increases the fine for wrongful use of the HP plate or placard from \$100 to \$500 for the first offense with a mandatory thirty day loss of driver’s license. The fine for each subsequent offense is \$1,000. A citation of \$500. can be written under Chapter 90 section 2: Handicap Parking Abuse. A responsible finding for the citation will automatically suspend the violator’s license for thirty days.”

Studies have shown the most common reasons for abuse are:

- Social attitudes toward people with disabilities (just don’t care)

- Convenience, close proximity to store/facility, especially in poor weather conditions
- Lack of other parking spaces
- Inconsistency (or lack of) law enforcement
- Poor signage, faded paint on pavement, no upright posts
- Not aware of eligibility for HP placard or plate

We are aware of the need for education and outreach to all citizens especially elders who may be eligible for HP plate or placards. Businesses need improved HP signage in their parking lots. Citizens need to respect the rights of people with disabilities through heightening social attitudes. Law enforcement can help our resolve by issuing parking tickets/citations for HP space abuse. The Commission on Disability can provide education, outreach and resources to these groups.

As a community, we need to ensure HP parking is always available to people with disabilities so they can work, shop and enjoy recreational activities.

Sincerely,

Brenda Viola, Secretary
Acton Commission on Disability