



**House Public Safety and Homeland Security Reported
Substitute for SB94**

A BILL

TO BE ENTITLED

AN ACT

Relating to disabled parking; to amend Sections 32-6-231, 40-12-300, and Section 32-6-233.1, as last amended by Act 2025-399 of the 2025 Regular Session, Code of Alabama 1975, to further provide for the unauthorized use of designated disability parking places; to require certain individuals to notify the Department of Revenue of the death of a disabled individual who was issued a windshield placard; and to authorize the Department of Revenue to create an electronic scanning system for disability placards.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-6-233.1, Code of Alabama 1975, as last amended by Act 2025-399 of the 2025 Regular Session, and pursuant to that act is effective until October 1, 2028, is amended to read as follows:

"§32-6-233.1

(a) (1) It shall be unlawful for any ~~person~~ individual ~~who does not have a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard as provided in Section 32-6-231, or who is not transporting a passenger who has a distinctive~~



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~~special long-term access or long-term disability access~~
~~license plate or placard or temporary disability placard as~~
~~provided in Section 32-6-231,~~ to park a motor vehicle in a
parking place designated for individuals with disabilities at
any place of public accommodation, at any business or legal
entity engaged in interstate commerce or which is subject to
any federal or state laws requiring access by individuals with
disabilities, at any amusement facility or resort, or at any
other place to which the general public is invited or
solicited, even though located on private property-, unless
the individual meets one of the following requirements:

a. The individual is the lawful holder of a distinctive
special long-term access or long-term disability access
license plate or placard or a temporary disability placard.

b. The individual is transporting a passenger who is a
lawful holder of a distinctive special long-term access or
long-term disability access license plate or placard or a
temporary disability placard.

(2) Upon conviction, notwithstanding any other penalty
provision that may be authorized or employed, the ~~person~~
individual shall be fined a minimum of fifty dollars (\$50) for
the first offense, a minimum of two hundred dollars (\$200) for
the second offense, and a minimum of five hundred dollars
(\$500) for the third or any subsequent offense. In addition,
for the second or any subsequent offense under ~~this section~~
subdivision (1), the ~~person-individual~~ shall be ordered by the
court to perform a minimum of 40 hours of either of the
following forms of community service:



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57 ~~(1)~~a. Community service for a nonprofit organization
58 that serves individuals with disabilities or serves
59 individuals who have a disabling disease.

60 ~~(2)~~b. Any other community service that may sensitize
61 the ~~individuals~~ individual to the needs and obstacles faced
62 daily by individuals with disabilities.

63 (b) Any authorized municipal, county, or state law
64 enforcement officer may go on private property to enforce this
65 section.

66 (c) This section may be enforced by any law enforcement
67 officer who has successfully complied with the minimum
68 standards for police officers as set forth in Section
69 36-21-46, including, but not limited to, municipal law
70 enforcement officers, sheriffs, deputy sheriffs, and Alabama
71 State Troopers. Any law enforcement officer enforcing this
72 section may ask for verification that either the driver or a
73 passenger of the parked vehicle is the lawful holder of a
74 distinctive special long-term access or long-term disability
75 access license plate or placard or temporary disability
76 placard.

77 (d) Any sign designating a special access parking or
78 disability access parking place may contain on the sign or
79 attached to the sign the amount of the fine for a parking
80 violation on the first offense pursuant to subsection (a).

81 (e) (1) If the law enforcement officer who issues the
82 special access parking or disability access parking violation
83 is employed by a local law enforcement agency, 100 percent of
84 the fines collected pursuant to this section shall be paid to



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the municipal or county general fund for the use of the law enforcement agency by whom the arresting officer is employed.

(2) If the law enforcement officer who issues the special access parking or disability access parking violation is employed by a state law enforcement agency, the fines collected pursuant to this section shall be remitted to the State Treasury, to be deposited in a separate fund to be distributed 50 percent to the law enforcement agency by whom the arresting officer is employed, 25 percent to the Administrative Office of Courts, to be expended for support of the trial courts, and 25 percent to the Department of Mental Health, to be expended for the Individual and Family Support Program for individuals with developmental disabilities.

(3) All funds deposited to a separate fund in the State Treasury pursuant to this subsection to be expended by the Department of Mental Health, the Administrative Office of Courts, and state law enforcement agencies shall be appropriated by the Legislature, for the purposes stated in this subsection. The expenditure of such sums so appropriated shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Chapter 4 of Title 41. No monies deposited to this fund shall revert to the State General Fund at the end of any fiscal year. Prior to the release of any monies to the Individual and Family Support Program, such expenditures shall first be approved by the Commissioner of the Department of Mental Health.

(f) This section shall be held in pari materia with all other provisions of law related to illegal special access



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parking or disability access parking violations and all laws or parts of laws which conflict with this section are repealed.

(g) Municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers, may cause vehicles illegally parked in accessible parking spaces to be towed.

(h) Municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers may issue violations for vehicles parked on access aisles. "Access aisles" are defined as the hash-marked or cross-striped ~~space~~ spaces that ~~is~~ are five feet or eight feet wide ~~which is and~~ are directly next to the accessible parking space. "Access aisle" also has the same definition as contained within the 2010 Accessible Design Standards within the Americans with Disabilities Act."

Section 2. Section 32-6-233.1, Code of Alabama 1975, as last amended by Act 2025-399 of the 2025 Regular Session and pursuant to that act takes effect October 1, 2028, is amended to read as follows:

"§32-6-233.1

(a) (1) It shall be unlawful for any individual ~~person who does not have a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard as provided in Section 32-6-231, or who is not transporting a passenger who has a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard as provided in~~



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~~Section 32-6-231~~, to park a motor vehicle in a parking place designated for individuals with disabilities at any place of public accommodation, at any business or legal entity engaged in interstate commerce or which is subject to any federal or state laws requiring access by individuals with disabilities, at any amusement facility or resort, or at any other place to which the general public is invited or solicited, even though located on private property, unless the individual meets one of the following requirements:

a. The individual is the lawful holder of a distinctive special long-term access or long-term disability access license plate or placard or a temporary disability placard.

b. The individual is transporting a passenger who is a lawful holder of a distinctive special long-term access or long-term disability access license plate or placard or a temporary disability placard.

(2) Upon conviction, notwithstanding any other penalty provision that may be authorized or employed, the ~~person~~ individual shall be fined a minimum of fifty dollars (\$50) for the first offense, a minimum of two hundred dollars (\$200) for the second offense, and a minimum of five hundred dollars (\$500) for the third or any subsequent offense. In addition, for the second or any subsequent offense under ~~this section~~ subdivision (1), the ~~person~~ individual shall be ordered by the court to perform a minimum of 40 hours of either of the following forms of community service:

~~(1)~~ a. Community service for a nonprofit organization that serves individuals with disabilities or serves



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individuals who have a disabling disease.

~~(2)~~ b. Any other community service that may sensitize the ~~individuals~~ individual to the needs and obstacles faced daily by individuals with disabilities.

(b) Any authorized municipal, county, or state law enforcement officer may go on private property to enforce this section.

(c) This section may be enforced by any law enforcement officer who has successfully complied with the minimum standards for police officers as set forth in Section 36-21-46, including, but not limited to, municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers. Any law enforcement officer enforcing this section may ask for verification that either the driver or a passenger of the parked vehicle is the lawful holder of a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard.

(d) Any sign designating a special access parking or disability access parking place may contain on the sign or attached to the sign the amount of the fine for a parking violation on the first offense pursuant to subsection (a).

(e) (1) If the law enforcement officer who issues the special access parking or disability access parking violation is employed by a local law enforcement agency, 50 percent of the fines collected pursuant to this section shall be paid to the municipal or county general fund for the use of the law enforcement agency by whom the arresting officer is employed



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with the remainder to be remitted to the State Treasury, to be deposited in a separate fund to be distributed 50 percent to the Administrative Office of Courts, to be expended for support of the trial courts, and 50 percent to the Department of Mental Health, to be expended for the Individual and Family Support Program for individuals with developmental disabilities.

(2) If the law enforcement officer who issues the special access parking or disability access parking violation is employed by a state law enforcement agency, the fines collected pursuant to this section shall be remitted to the State Treasury, to be deposited in a separate fund to be distributed 50 percent to the law enforcement agency by whom the arresting officer is employed, 25 percent to the Administrative Office of Courts, to be expended for support of the trial courts, and 25 percent to the Department of Mental Health, to be expended for the Individual and Family Support Program for individuals with developmental disabilities.

(3) All funds deposited to a separate fund in the State Treasury pursuant to this subsection to be expended by the Department of Mental Health, the Administrative Office of Courts, and state law enforcement agencies shall be appropriated by the Legislature, for the purposes stated in this subsection. The expenditure of such sums so appropriated shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Chapter 4 of Title 41. No monies deposited to this fund shall revert to the State General Fund at the end of any fiscal year. Prior to the



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release of any monies to the Individual and Family Support Program, such expenditures shall first be approved by the Commissioner of the Department of Mental Health.

(f) This section shall be held in pari materia with all other provisions of law related to illegal special access parking or disability access parking violations and all laws or parts of laws which conflict with this section are repealed.

(g) Municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers~~r~~ may cause vehicles illegally parked in accessible parking spaces to be towed.

(h) Municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers may issue violations for vehicles parked on access aisles. "Access aisles" are defined as the hash-marked or cross-striped~~space~~ spaces that~~is~~ are five feet or eight feet wide~~which is~~ and are directly next to the accessible parking space. "Access aisle" also has the same definition as contained within the 2010 Accessible Design Standards within the Americans with Disabilities Act."

Section 3. Sections 32-6-231 and 40-12-300, Code of Alabama 1975, are amended to read as follows:

"§32-6-231

(a) Any individual who submits to the license issuing official a completed special access parking or disability access parking application form approved by the Commissioner of Revenue which includes the physician's certification that



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he or she is an individual with a disability shall be issued one removable windshield placard displaying the Dynamic Accessibility Symbol, thereby designating the driver of the vehicle or the passenger as being an individual with a disability.

(1) The removable windshield placard shall be prepared by the commissioner in conformity to Public Law 100-641 and rulemaking resulting therefrom.

(2)a. The removable windshield placard issued to the individual with a long-term disability shall expire after a maximum period of five years or any period less than five years to be designated by the commissioner. The placard shall clearly reveal the expiration date and shall be designed in accordance with Public Law 100-641 and rulemaking resulting therefrom to hang from the front windshield rearview mirror when the vehicle is parked in a parking space reserved for individuals with disabilities. If the vehicle lacks a rearview mirror, the placard shall be placed on the dashboard.

b. The commissioner may require all individuals with long-term disabilities to be recertified by a licensed physician before ~~special access or disability access parking~~ new removable windshield placards may be reissued.

(3) In the event that an individual with a disability does not have the distinctive special access or disability access license plate as provided ~~by Sections 40-12-300 to 40-12-302, inclusive~~ under Division 3 of Article 5 of Chapter 12 of Title 40, upon request, a second placard may be issued.

(b) The commissioner may adopt any rules necessary to



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administer this division.

(c) An individual with a temporary disability, who submits to the license issuing official a completed special access or disability access application form approved by the commissioner which includes the physician's certification that he or she is an individual with a temporary disability, shall be issued one temporary removable windshield placard for a period valid up to six months.

(d) (1) A removable windshield placard issued to an individual with a long-term or temporary disability shall expire one week following the death of the disabled individual.

(2) The executor of the estate of any disabled individual who has been issued a removable windshield placard shall notify the local licensing official of the disabled individual's death either at the time of probate proceedings or within 90 days of the disabled individual's death, whichever comes first.

(e) Any special access or disability access placard that is not in conformity with the federal system rule for parking reserved for individuals with disabilities, Public Law 100-641, and subsequent Rule 23 C.F.R. § 1235, shall not be recognized as a valid disabled parking credential."

"§40-12-300

(a) (1) The distinctive license plates provided for herein shall be prepared by the Commissioner of Revenue and shall be issued through the county license issuing officials of the state in the same manner as are other motor vehicle



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license plates. An applicant for a distinctive plate shall present to the issuing official documentation that he or she is either of the following:

a. A parent, stepparent, or legal guardian of a minor or an adult who is an individual with a disability as defined in Section 32-6-230.

b. An individual with a disability as defined in Section 32-6-230.

(2) Upon presentation of the required documentation, the applicant shall be issued the requested number of special access or disability access distinctive license plates upon the payment of the regular license fee, as provided by law.

(b) Any private agency, nursing home, church, or charitable institution that submits to the licensing authority proof satisfactory to the commissioner that it operates a motor vehicle for the primary purpose of transporting one or more individuals with disabilities may apply for the distinctive plates. Applicants shall pay the regular fees for license plates, as provided by law.

(c) Any government agency that applies for a license plate for a vehicle that it owns for the primary purpose of transporting individuals with disabilities shall be issued the requested number of license plates according to Section 40-12-250, with the plate displaying the Dynamic Accessibility Symbol embossed on the plate.

(d) The distinctive license plates shall be used only upon and for personally-owned, private, or government owned and operated passenger vehicles, including, but not limited



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to, vans, station wagons, buses, motorcycles, and pickup trucks, registered in the name of the individual or public or private agency, nursing home, church, or charitable institution making application therefor, and when issued to the applicant shall be used upon the vehicle for which issued in lieu of the standard license plates normally issued for the vehicle. This division shall not be construed to require an individual with a disability to display a distinctive special access or disability access license plate. It is specifically provided that this division shall be construed in pari materia with Section 32-6-231. The commissioner may adopt any rules necessary to carry out this division.

(e) The commissioner may require all individuals with long-term disabilities to be recertified by a licensed physician before special access parking or disability access parking license plates may be reissued.

(f) Notwithstanding any provision of this section, a motor vehicle ~~may not be~~ parked in an area reserved for individuals with disabilities to park, in a manner that violates Section 32-6-233.1, shall be subject to the penalties provided therein. ~~unless the individual with a disability is in the vehicle."~~

Section 4. (a) **On or after January 1, 2027, the** Department of Revenue shall develop and implement an electronic scanning system through which a scannable barcode or quick response code shall appear on disability placards and, upon scanning, shall link to the disability placard holder's name and the status of the disability placard.



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(b) The Commissioner of Revenue shall adopt rules as necessary to implement this section. At a minimum, the rules shall address all of the following:

(1) The creation of a scannable barcode or quick response code linked to a disability placard holder's name and the status of the disability placard as active or expired.

(2) The appearance of the scannable barcode or quick response code on disability placards.

(3) That the system and the information contained within the system may only be accessed by the Department of Revenue and law enforcement agencies enforcing Sections 32-6-233 and 32-6-233.1, Code of Alabama 1975.

Section 5. This act shall become effective on October 1, 2026, except Section 2 shall become effective October 1, 2028.