



SYNOPSIS:

Under existing law, an individual who parks in a designated disability access parking place without proper authorization will face varying penalties.

This bill would provide that an individual who is not an individual with a disability or who is not transporting an individual with a disability and uses a distinctive disability license plate or placard to park in a designated disability access parking place shall be guilty of a Class B misdemeanor.

A BILL
TO BE ENTITLED
AN ACT

Relating to disabled parking; to amend Sections 32-6-233 and 40-12-300, Code of Alabama 1975, to further provide for the unauthorized used of designated parking places.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 32-6-233 and 40-12-300, Code of Alabama 1975, are amended to read as follows:

"§32-6-233

(a) Any person who meets any of the following shall be



guilty of a Class B misdemeanor:

(1)a. The person is not an individual with a long-term or temporary disability, or ~~who~~ is not an owner of a vehicle primarily transporting an individual with a disability;~~;~~ and ~~who~~

b. The person willfully and falsely represents himself or herself as an individual with a long-term or temporary disability or as an owner of a vehicle primarily transporting an individual with a disability to obtain the distinctive special access or disability access license plates, or removable windshield placards, or both, prescribed by this division or Section 40-12-300.~~;~~~~or who~~

(2) The person misuses or abuses the parking privilege protected by this division.~~;~~~~or~~

(3) The person owns a vehicle bearing the distinctive special access or disability access license plate and is not entitled to that plate, to include use of an altered or stolen special access or disability access license plate.~~or~~

(4) The person is using removable windshield placards and is not entitled to do so under this division, to include use of an altered~~;~~ or stolen special access or disability access ~~license plate or~~ removable windshield placards~~s.~~~~;~~ ~~shall be guilty of a Class B misdemeanor and, upon conviction, shall be punished according to law.~~

(5) The person is not an individual with a long-term or temporary disability and uses a distinctive special access or disability access license plate, or removable windshield placard, or both, to park a motor vehicle in a parking place



designated for individuals with disabilities.

(6) The person is not an owner of a vehicle primarily transporting an individual with a disability and uses a distinctive special access or disability access license plate, or removable windshield placard, or both, to park a motor vehicle in a parking place designated for individuals with disabilities.

(b) Any person who misuses or abuses the parking privileges protected by this division by parking in designated special access parking or disability access spaces with expired removable windshield placards shall be guilty of a Class C misdemeanor and, upon conviction, shall be punished according to law.

(c) (1) 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 municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers.

(2) 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 access or disability access license plate or placard."

"§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 license plates. An applicant for a distinctive plate shall



85 present to the issuing official documentation that he or she
86 is either of the following:

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

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

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

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

103 (c) Any government agency that applies for a license
104 plate for a vehicle that it owns for the primary purpose of
105 transporting individuals with disabilities shall be issued the
106 requested number of license plates according to Section
107 40-12-250, with the plate displaying the Dynamic Accessibility
108 Symbol embossed on the plate.

109 (d) The distinctive license plates shall be used only
110 upon and for personally-owned, private, or government owned
111 and operated passenger vehicles, including, but not limited
112 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 as prescribed in Section 32-6-233, shall be subject to the penalties provided therein.~~unless the individual with a disability is in the vehicle.~~"

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