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4 SYNOPSIS:

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

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

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16 A BILL

17 TO BE ENTITLED

18 AN ACT

19
20 Relating to disabled parking; to amend Sections
21 32-6-233 and 40-12-300, Code of Alabama 1975, to further
22 provide for the unauthorized used of designated parking
23 places.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

27 "§32-6-233

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



29 guilty of a Class B misdemeanor:

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

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

41 (2) The person misuses or abuses the parking privilege
42 protected by this division ~~is~~ ~~or~~

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

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

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



57 designated for individuals with disabilities.

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

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

70 (c) (1) This section may be enforced by any law
71 enforcement officer who has successfully complied with the
72 minimum standards for police officers as set forth in Section
73 36-21-46, including municipal law enforcement officers,
74 sheriffs, deputy sheriffs, and Alabama State Troopers.

75 (2) Any law enforcement officer enforcing this section
76 may ask for verification that either the driver or a passenger
77 of the parked vehicle is the lawful holder of a distinctive
78 special access or disability access license plate or placard."

79 "§40-12-300

80 (a) (1) The distinctive license plates provided for
81 herein shall be prepared by the Commissioner of Revenue and
82 shall be issued through the county license issuing officials
83 of the state in the same manner as are other motor vehicle
84 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



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

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

128 (f) Notwithstanding any provision of this section, a
129 motor vehicle ~~may not be~~ parked in an area reserved for
130 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~~
133 ~~disability is in the vehicle."~~

134 Section 2. This act shall become effective on October
135 1, 2026.