

**SB94 ENGROSSED**



1 SB94  
2 RBE39YM-2  
3 By Senator Melson  
4 RFD: Judiciary  
5 First Read: 13-Jan-26



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

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

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

47 (2) Upon conviction, notwithstanding any other penalty  
48 provision that may be authorized or employed, the ~~person~~  
49 individual shall be fined a minimum of fifty dollars (\$50) for  
50 the first offense, a minimum of two hundred dollars (\$200) for  
51 the second offense, and a minimum of five hundred dollars  
52 (\$500) for the third or any subsequent offense. In addition,  
53 for the second or any subsequent offense ~~under this section~~  
54 subdivision (1), the ~~person~~ individual shall be ordered by the  
55 court to perform a minimum of 40 hours of either of the  
56 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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85 the municipal or county general fund for the use of the law  
86 enforcement agency by whom the arresting officer is employed.

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

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

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



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

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

120 (h) Municipal law enforcement officers, sheriffs,  
121 deputy sheriffs, and Alabama State Troopers may issue  
122 violations for vehicles parked on access aisles. "Access  
123 aisles" are defined as the hash-marked or cross-striped ~~space~~  
124 spaces that ~~is~~ are five feet or eight feet wide ~~which is~~ and  
125 are directly next to the accessible parking space. "Access  
126 aisle" also has the same definition as contained within the  
127 2010 Accessible Design Standards within the Americans with  
128 Disabilities Act."

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

133 "§32-6-233.1

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



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

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

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

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

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



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169 individuals who have a disabling disease.

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

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

176           (c) This section may be enforced by any law enforcement  
177 officer who has successfully complied with the minimum  
178 standards for police officers as set forth in Section  
179 36-21-46, including, but not limited to, municipal law  
180 enforcement officers, sheriffs, deputy sheriffs, and Alabama  
181 State Troopers. Any law enforcement officer enforcing this  
182 section may ask for verification that either the driver or a  
183 passenger of the parked vehicle is the lawful holder of a  
184 distinctive special long-term access or long-term disability  
185 access license plate or placard or temporary disability  
186 placard.

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

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



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

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

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



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

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

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

237 (h) Municipal law enforcement officers, sheriffs,  
238 deputy sheriffs, and Alabama State Troopers may issue  
239 violations for vehicles parked on access aisles. "Access  
240 aisles" are defined as the hash-marked or cross-striped ~~space~~  
241 spaces that ~~is~~ are five feet or eight feet wide ~~which is~~ and  
242 are directly next to the accessible parking space. "Access  
243 aisle" also has the same definition as contained within the  
244 2010 Accessible Design Standards within the Americans with  
245 Disabilities Act."

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

248 "§32-6-231

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



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

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

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

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

275 (3) In the event that an individual with a disability  
276 does not have the distinctive special access or disability  
277 access license plate as provided ~~by Sections 40-12-300 to~~  
278 ~~40-12-302, inclusive~~ under Division 3 of Article 5 of Chapter  
279 12 of Title 40, upon request, a second placard may be issued.

280 (b) The commissioner may adopt any rules necessary to



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281 administer this division.

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

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

293 (2) The executor of the estate of any disabled  
294 individual who has been issued a removable windshield placard  
295 shall notify the Department of Revenue of the disabled  
296 individual's death either at the time of probate proceedings  
297 or within 90 days of the disabled individual's death,  
298 whichever comes first.

299 (e) Any special access or disability access placard  
300 that is not in conformity with the federal system rule for  
301 parking reserved for individuals with disabilities, Public Law  
302 100-641, and subsequent Rule 23 C.F.R. § 1235, shall not be  
303 recognized as a valid disabled parking credential."

304 "§40-12-300

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



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

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

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

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

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

328 (c) Any government agency that applies for a license  
329 plate for a vehicle that it owns for the primary purpose of  
330 transporting individuals with disabilities shall be issued the  
331 requested number of license plates according to Section  
332 40-12-250, with the plate displaying the Dynamic Accessibility  
333 Symbol embossed on the plate.

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



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

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

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

359 Section 4. (a) The Department of Revenue shall develop  
360 and implement an electronic scanning system through which a  
361 scannable barcode or quick response code shall appear on  
362 disability placards and, upon scanning, shall link to the  
363 disability placard holder's name and the status of the  
364 disability placard.



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

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

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

373 (3) That the system and the information contained  
374 within the system may only be accessed by the Department of  
375 Revenue and law enforcement agencies enforcing Sections  
376 32-6-233 and 32-6-233.1, Code of Alabama 1975.

377 Section 5. This act shall become effective on October  
378 1, 2026, except Section 2 shall become effective October 1,  
379 2028.



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380  
381  
382 Senate

383 Read for the first time and referred .....13-Jan-26  
384 to the Senate committee on Judiciary  
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386 Read for the second time and placed .....21-Jan-26  
387 on the calendar:  
388 0 amendments  
389  
390 Read for the third time and passed .....19-Feb-26  
391 as amended  
392 Yeas 28  
393 Nays 0  
394 Abstains 0  
395  
396  
397 Patrick Harris,  
398 Secretary.  
399