

**SB94 ENROLLED**



1 SB94  
2 84N7UHH-2  
3 By Senator Melson  
4 RFD: Judiciary  
5 First Read: 13-Jan-26



## SB94 Enrolled

1 Enrolled, An Act,

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4 Relating to disabled parking; to amend Sections  
5 32-6-231, 40-12-300, and Section 32-6-233.1, as last amended  
6 by Act 2025-399 of the 2025 Regular Session, Code of Alabama  
7 1975, to further provide for the unauthorized use of  
8 designated disability parking places; to require certain  
9 individuals to notify the Department of Revenue of the death  
10 of a disabled individual who was issued a windshield placard;  
11 and to authorize the Department of Revenue to create an  
12 electronic scanning system for disability placards.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 "§32-6-233.1

19 (a) (1) It shall be unlawful for any ~~person~~ individual  
20 ~~who does not have a distinctive special long-term access or~~  
21 ~~long-term disability access license plate or placard or~~  
22 ~~temporary disability placard as provided in Section 32-6-231,~~  
23 ~~or who is not transporting a passenger who has a distinctive~~  
24 ~~special long-term access or long-term disability access~~  
25 ~~license plate or placard or temporary disability placard as~~  
26 ~~provided in Section 32-6-231,~~ to park a motor vehicle in a  
27 parking place designated for individuals with disabilities at  
28 any place of public accommodation, at any business or legal



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29 entity engaged in interstate commerce or which is subject to  
30 any federal or state laws requiring access by individuals with  
31 disabilities, at any amusement facility or resort, or at any  
32 other place to which the general public is invited or  
33 solicited, even though located on private property-, unless  
34 the individual meets one of the following requirements:

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

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

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

52 ~~(1)~~ a. Community service for a nonprofit organization  
53 that serves individuals with disabilities or serves  
54 individuals who have a disabling disease.

55 ~~(2)~~ b. Any other community service that may sensitize  
56 the ~~individuals~~ individual to the needs and obstacles faced



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57 daily by individuals with disabilities.

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

61 (c) This section may be enforced by any law enforcement  
62 officer who has successfully complied with the minimum  
63 standards for police officers as set forth in Section  
64 36-21-46, including, but not limited to, municipal law  
65 enforcement officers, sheriffs, deputy sheriffs, and Alabama  
66 State Troopers. Any law enforcement officer enforcing this  
67 section may ask for verification that either the driver or a  
68 passenger of the parked vehicle is the lawful holder of a  
69 distinctive special long-term access or long-term disability  
70 access license plate or placard or temporary disability  
71 placard.

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

76 (e) (1) If the law enforcement officer who issues the  
77 special access parking or disability access parking violation  
78 is employed by a local law enforcement agency, 100 percent of  
79 the fines collected pursuant to this section shall be paid to  
80 the municipal or county general fund for the use of the law  
81 enforcement agency by whom the arresting officer is employed.

82 (2) If the law enforcement officer who issues the  
83 special access parking or disability access parking violation  
84 is employed by a state law enforcement agency, the fines



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85 collected pursuant to this section shall be remitted to the  
86 State Treasury, to be deposited in a separate fund to be  
87 distributed 50 percent to the law enforcement agency by whom  
88 the arresting officer is employed, 25 percent to the  
89 Administrative Office of Courts, to be expended for support of  
90 the trial courts, and 25 percent to the Department of Mental  
91 Health, to be expended for the Individual and Family Support  
92 Program for individuals with developmental disabilities.

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

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

111 (g) Municipal law enforcement officers, sheriffs,  
112 deputy sheriffs, and Alabama State Troopers, may cause



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113 vehicles illegally parked in accessible parking spaces to be  
114 towed.

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

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

128 "§32-6-233.1

129 (a) (1) It shall be unlawful for any individual person ~~who does~~  
130 ~~not have a distinctive special long-term access or long-term~~  
131 ~~disability access license plate or placard or temporary~~  
132 ~~disability placard as provided in Section 32-6-231, or who is~~  
133 ~~not transporting a passenger who has a distinctive special~~  
134 ~~long-term access or long-term disability access license plate~~  
135 ~~or placard or temporary disability placard as provided in~~  
136 ~~Section 32-6-231,~~ to park a motor vehicle in a parking place  
137 designated for individuals with disabilities at any place of  
138 public accommodation, at any business or legal entity engaged  
139 in interstate commerce or which is subject to any federal or  
140 state laws requiring access by individuals with disabilities,



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141 at any amusement facility or resort, or at any other place to  
142 which the general public is invited or solicited, even though  
143 located on private property-, unless the individual meets one  
144 of the following requirements:

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

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

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

162 ~~(1)~~ a. Community service for a nonprofit organization  
163 that serves individuals with disabilities or serves  
164 individuals who have a disabling disease.

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

168 (b) Any authorized municipal, county, or state law

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169 enforcement officer may go on private property to enforce this  
170 section.

171 (c) This section may be enforced by any law enforcement  
172 officer who has successfully complied with the minimum  
173 standards for police officers as set forth in Section  
174 36-21-46, including, but not limited to, municipal law  
175 enforcement officers, sheriffs, deputy sheriffs, and Alabama  
176 State Troopers. Any law enforcement officer enforcing this  
177 section may ask for verification that either the driver or a  
178 passenger of the parked vehicle is the lawful holder of a  
179 distinctive special long-term access or long-term disability  
180 access license plate or placard or temporary disability  
181 placard.

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

186 (e) (1) If the law enforcement officer who issues the  
187 special access parking or disability access parking violation  
188 is employed by a local law enforcement agency, 50 percent of  
189 the fines collected pursuant to this section shall be paid to  
190 the municipal or county general fund for the use of the law  
191 enforcement agency by whom the arresting officer is employed  
192 with the remainder to be remitted to the State Treasury, to be  
193 deposited in a separate fund to be distributed 50 percent to  
194 the Administrative Office of Courts, to be expended for  
195 support of the trial courts, and 50 percent to the Department  
196 of Mental Health, to be expended for the Individual and Family



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197 Support Program for individuals with developmental  
198 disabilities.

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

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

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



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

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

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

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

243 "§32-6-231

244 (a) Any individual who submits to the license issuing  
245 official a completed special access parking or disability  
246 access parking application form approved by the Commissioner  
247 of Revenue which includes the physician's certification that  
248 he or she is an individual with a disability shall be issued  
249 one removable windshield placard displaying the Dynamic  
250 Accessibility Symbol, thereby designating the driver of the  
251 vehicle or the passenger as being an individual with a  
252 disability.



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

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

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

270 (3) In the event that an individual with a disability  
271 does not have the distinctive special access or disability  
272 access license plate as provided ~~by Sections 40-12-300 to~~  
273 ~~40-12-302, inclusive~~ under Division 3 of Article 5 of Chapter  
274 12 of Title 40, upon request, a second placard may be issued.

275 (b) The commissioner may adopt any rules necessary to  
276 administer this division.

277 (c) An individual with a temporary disability, who  
278 submits to the license issuing official a completed special  
279 access or disability access application form approved by the  
280 commissioner which includes the physician's certification that



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281 he or she is an individual with a temporary disability, shall  
282 be issued one temporary removable windshield placard for a  
283 period valid up to six months.

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

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

294 (e) Any special access or disability access placard  
295 that is not in conformity with the federal system rule for  
296 parking reserved for individuals with disabilities, Public Law  
297 100-641, and subsequent Rule 23 C.F.R. § 1235, shall not be  
298 recognized as a valid disabled parking credential."

299 "§40-12-300

300 (a) (1) The distinctive license plates provided for  
301 herein shall be prepared by the Commissioner of Revenue and  
302 shall be issued through the county license issuing officials  
303 of the state in the same manner as are other motor vehicle  
304 license plates. An applicant for a distinctive plate shall  
305 present to the issuing official documentation that he or she  
306 is either of the following:

307 a. A parent, stepparent, or legal guardian of a minor  
308 or an adult who is an individual with a disability as defined



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309 in Section 32-6-230.

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

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

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

323 (c) Any government agency that applies for a license  
324 plate for a vehicle that it owns for the primary purpose of  
325 transporting individuals with disabilities shall be issued the  
326 requested number of license plates according to Section  
327 40-12-250, with the plate displaying the Dynamic Accessibility  
328 Symbol embossed on the plate.

329 (d) The distinctive license plates shall be used only  
330 upon and for personally-owned, private, or government owned  
331 and operated passenger vehicles, including, but not limited  
332 to, vans, station wagons, buses, motorcycles, and pickup  
333 trucks, registered in the name of the individual or public or  
334 private agency, nursing home, church, or charitable  
335 institution making application therefor, and when issued to  
336 the applicant shall be used upon the vehicle for which issued



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337 in lieu of the standard license plates normally issued for the  
338 vehicle. This division shall not be construed to require an  
339 individual with a disability to display a distinctive special  
340 access or disability access license plate. It is specifically  
341 provided that this division shall be construed in pari materia  
342 with Section 32-6-231. The commissioner may adopt any rules  
343 necessary to carry out this division.

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

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

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

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

363 (1) The creation of a scannable barcode or quick  
364 response code linked to a disability placard holder's name and



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365 the status of the disability placard as active or expired.

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

368 (3) That the system and the information contained  
369 within the system may only be accessed by the Department of  
370 Revenue and law enforcement agencies enforcing Sections  
371 32-6-233 and 32-6-233.1, Code of Alabama 1975.

372 Section 5. This act shall become effective on October  
373 1, 2026, except Section 2 shall become effective October 1,  
374 2028.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB94

Senate 19-Feb-26

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed: 07-Apr-26

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Senate concurred in House amendment 07-Apr-26

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By: Senator Melson