

SB94 INTRODUCED



1 SB94
2 FK8E7D5-1
3 By Senator Melson
4 RFD: Judiciary
5 First Read: 13-Jan-26



4 SYNOPSIS:

5 Under existing law, an individual who parks in a
6 designated disability access parking place without
7 proper authorization will be fined and must complete a
8 minimum of 40 hours of community service on a second or
9 subsequent offense.

10 This bill would increase the penalty for the
11 unauthorized use of a designated disability access
12 parking place to a Class C misdemeanor.

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14
15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Relating to disabled parking; to amend Section
20 32-6-233.1, Code of Alabama 1975, as last amended by Act
21 2025-399 of the 2025 Regular Session, to increase penalties
22 for the unauthorized used of designated parking places.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 32-6-233.1, Code of Alabama 1975, as
25 last amended by Act 2025-399 of the 2025 Regular Session, is
26 amended to read as follows:

27 "§32-6-233.1

28 (a) (1) It shall be unlawful for any ~~person~~ individual



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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 Section 32-6-231, to park a motor vehicle in a parking place designated for individuals with disabilities at any place of public accommodation, 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, any amusement facility or resort, or any other place to which the general public is invited or solicited, even though located on private property.

~~(2) Upon conviction, notwithstanding any other penalty provision that may be authorized or employed, the person 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. A violation of subdivision (1) is a Class C misdemeanor.~~ 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 individuals who have a disabling disease.



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

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

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

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

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

84 (2) If the law enforcement officer who issues the



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



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(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 that is five feet or eight feet wide which is 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 ~~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 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, any business or legal entity engaged in interstate commerce or which is subject to



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any federal or state laws requiring access by individuals with disabilities, any amusement facility or resort, or any other place to which the general public is invited or solicited, even though located on private property.

~~(2) Upon conviction, notwithstanding any other penalty provision that may be authorized or employed, the person 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. A violation of~~
subdivision (1) is a Class C misdemeanor. 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 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



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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 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



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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 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



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229 aisles" are defined as the hash-marked or cross-striped space
230 that is five feet or eight feet wide which is directly next to
231 the accessible parking space. "Access aisle" also has the same
232 definition as contained within the 2010 Accessible Design
233 Standards within the Americans with Disabilities Act."

234 Section 3. This act shall become effective on October
235 1, 2026.