

SB94 INTRODUCED



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



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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 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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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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29 who does not have a distinctive special long-term access or
30 long-term disability access license plate or placard or
31 temporary disability placard as provided in Section 32-6-231,
32 or who is not transporting a passenger who has a distinctive
33 special long-term access or long-term disability access
34 license plate or placard or temporary disability placard as
35 provided in Section 32-6-231, to park a motor vehicle in a
36 parking place designated for individuals with disabilities at
37 any place of public accommodation, any business or legal
38 entity engaged in interstate commerce or which is subject to
39 any federal or state laws requiring access by individuals with
40 disabilities, any amusement facility or resort, or any other
41 place to which the general public is invited or solicited,
42 even though located on private property.

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

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



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



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

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

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



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113 (g) Municipal law enforcement officers, sheriffs,
114 deputy sheriffs, and Alabama State Troopers ~~T~~ may cause
115 vehicles illegally parked in accessible parking spaces to be
116 towed.

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

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

129 "§32-6-233.1

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



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

145 ~~(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
146 second or any subsequent offense under ~~this section~~
147 subdivision (1), the ~~person~~ individual shall be ordered by the
148 court to perform a minimum of 40 hours of either of the
149 following forms of community service:

150 ~~(1)~~a. Community service for a nonprofit organization
151 that serves individuals with disabilities or serves
152 individuals who have a disabling disease.

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

156 (b) Any authorized municipal, county, or state law
157 enforcement officer may go on private property to enforce this
158 section.

159 (c) This section may be enforced by any law enforcement
160 officer who has successfully complied with the minimum
161 standards for police officers as set forth in Section
162 36-21-46, including, but not limited to, municipal law



169 enforcement officers, sheriffs, deputy sheriffs, and Alabama
170 State Troopers. Any law enforcement officer enforcing this
171 section may ask for verification that either the driver or a
172 passenger of the parked vehicle is the lawful holder of a
173 distinctive special long-term access or long-term disability
174 access license plate or placard or temporary disability
175 placard.

176 (d) Any sign designating a special access parking or
177 disability access parking place may contain on the sign or
178 attached to the sign the amount of the fine for a parking
179 violation on the first offense pursuant to subsection (a).

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

193 (2) If the law enforcement officer who issues the
194 special access parking or disability access parking violation
195 is employed by a state law enforcement agency, the fines
196 collected pursuant to this section shall be remitted to the



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197 State Treasury, to be deposited in a separate fund to be
198 distributed 50 percent to the law enforcement agency by whom
199 the arresting officer is employed, 25 percent to the
200 Administrative Office of Courts, to be expended for support of
201 the trial courts, and 25 percent to the Department of Mental
202 Health, to be expended for the Individual and Family Support
203 Program for individuals with developmental disabilities.

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

217 (f) This section shall be held in pari materia with all
218 other provisions of law related to illegal special access
219 parking or disability access parking violations and all laws
220 or parts of laws which conflict with this section are
221 repealed.

222 (g) Municipal law enforcement officers, sheriffs,
223 deputy sheriffs, and Alabama State Troopers~~T~~ may cause
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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.