

By: Noriega

H.B. No. 3161

A BILL TO BE ENTITLED

AN ACT

relating to the designation of a parking space for a person with disabilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 681.009(b) and (c), Transportation Code, are amended to read as follows:

(b) A political subdivision or a person who owns or controls private property used for parking must designate a parking space or area by conforming to the standards and specifications adopted by the Texas Commission of Licensing and Regulation under Section 469.052, Government Code ~~[5(i), Article 9102, Revised Statutes]~~, relating to the identification and dimensions of parking spaces for persons with disabilities. ~~[A person who owns or controls private property used for parking may designate a parking space or area without conforming to those standards and specifications, unless required to conform by law.]~~

(c) A political subdivision may require a private property owner or a person who controls property used for parking[+

~~-(1)]~~ to designate one or more parking spaces or a parking area for the exclusive use of vehicles transporting persons with disabilities~~[+or~~

~~-(2) to conform to the standards and specifications referred to in Subsection (b) when designating a parking space or area for persons with disabilities].~~

SECTION 2. Sections 681.011(a), (b), and (f),  
Transportation Code, are amended to read as follows:

(a) A person commits an offense if:

(1) the person stands a vehicle on which are displayed  
license plates issued under Section 502.253 or 502.254 or a  
disabled parking placard in a parking space or area designated  
specifically for persons with disabilities by:

(A) a political subdivision; or

(B) a person who owns or controls private  
property used for parking ~~[as to which a political subdivision has  
provided for the application of this section under Subsection (f)]~~;

and

(2) the standing of the vehicle in that parking space  
or area is not authorized by Section 681.006, 681.007, or 681.008.

(b) A person commits an offense if the person:

(1) stands a vehicle on which license plates issued  
under Section 502.253 or 502.254 are not displayed and a disabled  
parking placard is not displayed in a parking space or area  
designated specifically for individuals with disabilities by:

(A) a political subdivision; or

(B) a person who owns or controls private  
property used for parking ~~[as to which a political subdivision has  
provided for the application of this section under this Subsection  
(f)]~~; or

(2) stands a vehicle displaying a white on red shield  
disabled parking placard or license plates issued under Section  
502.253 in a space designated under Section 681.009(e) for the

1 exclusive use of vehicles displaying a white on blue shield  
2 disabled parking placard.

3 (f) This [~~A political subdivision may provide that this~~]  
4 section applies to a parking space or area for persons with  
5 disabilities [~~on private property~~] that is clearly identifiable as  
6 a parking space for persons with disabilities regardless of whether  
7 the parking space is designated in compliance with the  
8 identification requirements referred to in Section 681.009(b).

9 SECTION 3. This Act takes effect September 1, 2005.