

# STATE OF NEW YORK

8857

## IN SENATE

March 21, 2024

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to increasing the penalties for stopping, standing, or parking in handicapped spaces without a handicapped permit

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 1203-b of the vehicle and traffic  
2 law, as amended by chapter 203 of the laws of 1981, is amended to read  
3 as follows:

4 2. It shall be a violation for any person to stop, stand or park a  
5 vehicle in any area designated as a place for handicapped parking unless  
6 the vehicle bears a permit issued under section one thousand two hundred  
7 three-a or a registration issued under section four hundred four-a of  
8 this chapter and such vehicle is being used for the transportation of a  
9 severely disabled or handicapped person. The penalty for such a  
10 violation shall be a fine of not less than one hundred fifty dollars nor  
11 more than three hundred dollars for the first offense and three hundred  
12 to five hundred fifty dollars for the second offense under this section  
13 or section one thousand two hundred three-c of this article occurring  
14 within a period of five years within the state. This subdivision shall  
15 not apply to a violation of section twelve hundred three-c of this chap-  
16 ter.

17 § 2. Subdivision 4 of section 1203-c of the vehicle and traffic law,  
18 as amended by chapter 424 of the laws of 2022, is amended to read as  
19 follows:

20 4. Except as otherwise provided by local law which imposes a larger  
21 maximum fine, any person who stops, stands or parks in spaces clearly  
22 marked for use by the handicapped either: (a) in accordance with this  
23 section; or (b) in the parking area of a shopping center or facility  
24 with at least one but less than five separate retail stores and at least  
25 twenty off street parking spaces provided for use by the shopping  
26 public, in accordance with the state fire prevention and building code,  
27 without a special vehicle identification parking permit, a special

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD13459-01-3

1 municipal parking permit or whose motor vehicle is not registered in  
2 accordance with section four hundred four-a of this chapter and being  
3 used for the transportation of a handicapped person; or with such permit  
4 or registration and such person is not the one to whom the permit or  
5 registration was issued or is not transporting the person issued the  
6 permit or registration; or any person who parks in a handicapped parking  
7 access aisle; shall be subject to a fine of not less than one hundred  
8 fifty dollars nor more than [~~seventy-five~~] three hundred dollars for the  
9 first offense and [~~seventy-five~~] three hundred to [~~one~~] five hundred  
10 fifty dollars for the second offense occurring under this section or  
11 section one thousand two hundred three-b of this article within a period  
12 of [~~two~~] five years within the [~~same municipality~~] state. The arresting  
13 or ticketing officer shall issue a summons to violators of this section.  
14 A ticketing officer issuing a summons pursuant to this section may  
15 provide for the removal and storage of a motor vehicle illegally parked  
16 in a handicapped parking space, or a handicapped parking access aisle.  
17 § 3. This act shall take effect on the thirtieth day after it shall  
18 have become a law.