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:

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

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

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

4. Except as otherwise provided by local law which imposes a larger maximum fine, any person who stops, stands or parks in spaces clearly marked for use by the handicapped either: (a) in accordance with this section; or (b) in the parking area of a shopping center or facility with at least one but less than five separate retail stores and at least twenty off street parking spaces provided for use by the shopping public, in accordance with the state fire prevention and building code, 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.

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municipal parking permit or whose motor vehicle is not registered in accordance with section four hundred four-a of this chapter and being used for the transportation of a handicapped person; or with such permit or registration and such person is not the one to whom the permit or registration was issued or is not transporting the person issued the permit or registration; or any person who parks in a handicapped parking access aisle; shall be subject to a fine of not less than **one hundred** fifty dollars nor more than [~~**seventy-five**~~] **three hundred** dollars for the first offense and [~~**seventy-five**~~] **three hundred** to [~~**one**~~] **five** hundred fifty dollars for the second offense occurring **under this section or section one thousand two hundred three-b of this article** within a period of [~~**two**~~] **five** years within the [~~**same municipality**~~] **state**. The arresting or ticketing officer shall issue a summons to violators of this section. A ticketing officer issuing a summons pursuant to this section may provide for the removal and storage of a motor vehicle illegally parked in a handicapped parking space, or a handicapped parking access aisle.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.