

ENROLLED SENATE
BILL NO. 901

By: Paddock of the Senate

and

Hilliard and Sherrer of the
House

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-1007, as amended by Section 6, Chapter 279, O.S.L. 2003 (47 O.S. Supp. 2004, Section 11-1007), which relates to parking areas for physically disabled persons; clarifying violation; expanding consequence of violation; fixing certain costs; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-1007, as amended by Section 6, Chapter 279, O.S.L. 2003 (47 O.S. Supp. 2004, Section 11-1007), is amended to read as follows:

Section 11-1007. A. It shall be unlawful for any person to place or park a motor vehicle in any parking space, ~~van-accessible parking space side-striped area, wheelchair ramp, wheelchair unloading area or any portion thereof~~ that is designated and posted as a reserved area for the parking of a motor vehicle operated by or transporting a physically disabled person unless such person has applied for and been issued a detachable insignia indicating physical disability under the provisions of Section 15-112 of this title, and such insignia is displayed as provided in Section 15-112 of this title or in rules adopted pursuant thereto, or has applied for and been issued a physically disabled special license plate pursuant to the provisions of paragraph 8 of Section 1136 of this title, and such license plate is displayed pursuant to the provisions of the Oklahoma Vehicle License and Registration Act. ~~Vehicles unlawfully parked in van-accessible side-striped areas, whether with or without a physically disabled placard or plate, shall be subject to immediate tow and storage at the expense of the vehicle owner. It shall also be unlawful for any person to place or park a motor vehicle, whether with or without a physically disabled placard or plate, in any disabled parking space access aisle, wheelchair ramp, wheelchair loading/unloading area or any portion thereof.~~

B. Violation of these provisions shall be a misdemeanor and upon conviction such person shall be fined not less than One Hundred Fifty Dollars (\$150.00) and not more than Two Hundred Fifty Dollars (\$250.00) and, ~~in addition thereto, such person shall pay any and~~

~~all reasonable and necessary charges incurred by the landowner or other person in having any motor vehicle removed from the property and stored.~~ Provided, any person cited for a first offense of a violation of this section who has displayed a placard which has expired pursuant to paragraph 4 or 5 of subsection D of Section 15-112 of this title shall be entitled to dismissal of such charge and shall not be required to pay the fine or court costs if the person presents to the court within thirty (30) days of the issuance of the citation a notice from the Department of Public Safety that the person has obtained a valid placard pursuant to the provisions of subsection D of Section 15-112 of this title. In addition, vehicles unlawfully parked in violation of these provisions shall be subject to immediate tow by a licensed tow truck operator at the request of the landowner or a duly appointed agent of the landowner, at the request of any person unable to lawfully gain access to or move their vehicle, at the request of any person unable to lawfully gain access to the area blocked by the unlawfully parked vehicle, or at the request of appropriate law-enforcement personnel. The owner of any vehicle unlawfully parked in violation of these provisions shall pay any and all reasonable and necessary costs associated with towing and storage of the vehicle.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 4th day of May, 2005.

Presiding Officer of the Senate

Passed the House of Representatives the 12th day of April, 2005.

Presiding Officer of the House
of Representatives

