

3 Senate Bill No. 901
4 As Amended

5 SENATE BILL NO. 901 - By: PADDACK of the Senate and HILLIARD of the
6 House.

7 [motor vehicles - parking areas for physically disabled
8 persons - clarifying -
9 emergency]

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

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

14 Section 11-1007. A. It shall be unlawful for any person to
15 place or park a motor vehicle in any parking space, ~~van-accessible~~
16 ~~parking space side-striped area, wheelchair ramp, wheelchair~~
17 ~~unloading area or any portion thereof~~ that is designated and posted
18 as a reserved area for the parking of a motor vehicle operated by or
19 transporting a physically disabled person unless such person has
20 applied for and been issued a detachable insignia indicating
21 physical disability under the provisions of Section 15-112 of this
22 title, and such insignia is displayed as provided in Section 15-112
23 of this title or in rules adopted pursuant thereto, or has applied
24 for and been issued a physically disabled special license plate
25 pursuant to the provisions of paragraph 8 of Section 1136 of this

1 title, and such license plate is displayed pursuant to the
2 provisions of the Oklahoma Vehicle License and Registration Act.
3 ~~Vehicles unlawfully parked in van-accessible side-striped areas,~~
4 ~~whether with or without a physically disabled placard or plate,~~
5 ~~shall be subject to immediate tow and storage at the expense of the~~
6 ~~vehicle owner. It shall also be unlawful for any person to place or~~
7 ~~park a motor vehicle, whether with or without a physically disabled~~
8 ~~placard or plate, in any disabled parking space access aisle,~~
9 ~~wheelchair ramp, wheelchair loading/unloading area or any portion~~
10 ~~thereof.~~

11 B. Violation of these provisions shall be a misdemeanor and
12 upon conviction such person shall be fined not less than One Hundred
13 Fifty Dollars (\$150.00) and not more than Two Hundred Fifty Dollars
14 (\$250.00) ~~and, in addition thereto, such person shall pay any and~~
15 ~~all reasonable and necessary charges incurred by the landowner or~~
16 ~~other person in having any motor vehicle removed from the property~~
17 ~~and stored.~~ Provided, any person cited for a first offense of a
18 violation of this section who has displayed a placard which has
19 expired pursuant to paragraph 4 or 5 of subsection D of Section 15-
20 112 of this title shall be entitled to dismissal of such charge and
21 shall not be required to pay the fine or court costs if the person
22 presents to the court within thirty (30) days of the issuance of the
23 citation a notice from the Department of Public Safety that the

1 person has obtained a valid placard pursuant to the provisions of
2 subsection D of Section 15-112 of this title. In addition, vehicles
3 unlawfully parked in violation of these provisions shall be subject
4 to immediate tow by a licensed tow truck operator at the request of
5 the landowner or a duly appointed agent of the landowner, at the
6 request of any person unable to lawfully gain access to or move
7 their vehicle, at the request of any person unable to lawfully gain
8 access to the area blocked by the unlawfully parked vehicle, or at
9 the request of appropriate law-enforcement personnel. The owner of
10 any vehicle unlawfully parked in violation of these provisions shall
11 pay any and all reasonable and necessary costs associated with
12 towing and storage of the vehicle.

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

17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY AND HOMELAND
18 SECURITY, dated 2-15-05 - DO PASS, As Amended and Coauthored.