



Rep. Scott Wiggam
77th Ohio House District

Chairman Peterson, Vice Chair Thomas, Ranking Member Humphrey, and members of the House Government Oversight Committee, I appreciate the opportunity to offer testimony on House Bill 391.

The purpose of this legislation is to ensure that those who need access to these accessible parking spaces will be able to use them. We will achieve this in two ways; first we will ensure that placards are not being abused and second by making sure the spots are not being abused by those who do not need them.

The College of Wooster conducted a study in 2018 in which they sent a public records request to 155 municipalities and 62 responded with information relevant to handicap parking. The data they collected showed that they had issued only 1,981 violations in 2017. Through our conversations we have learned this is largely due to the fact that law enforcement in order to issue a ticket would have to wait by the vehicle and hand the ticket to the individual instead of being able to leave the ticket on the vehicle like most other parking violations.

This bill achieves our goal by:

- Health Care Provider Certification Form Required instead of Prescription Which Does Not Always Include a Person's Qualifying Diagnosis
- When Required Revamping of Parking Placard to Include Visible Expiration Date
- Requirement to Return Disability License Plate and/or Placard Upon Expiration, Death, Out of State Relocation, or Other Ineligibility
- Illegal to Transfer Plates or Placard to Another Individual
- Public Accommodation Entities Must Keep Accessible Parking Spaces Obstruction Free or provide alternative options, in addition to current requirements that the markings must be properly marked and maintained, with a maximum fine of \$25
- Addition of Violations for Blocking of Curb Cuts and Accessible Routes of Travel Violations
- Prevents the Defense of Charges if Accessible Parking Sign Does Not Meet the Technical Requirements of the Law
- Requires that When Parking Privileges Are Used, the Person for Whom They Were Issued Must Be Entering or Exiting the Vehicle
- Illegal to Park in the Access Aisle Regardless of Valid Plates or Placard (Parking in the Access Aisle Can Result in an Unlawful Restraint Charge, a third-degree misdemeanor, if a Person With

a Disability Cannot Enter Their Vehicle Because of Said Violation)

- Modifies the penalty to be \$250 first time offense, \$250 to \$500 second time offense, and \$500 to \$750 for a third offense in a calendar year
- Enable the Ohio BMV to Track Violations
- Allow a Citation to be Left with an Unoccupied Vehicle
- Allow Law Enforcement Agencies to Create a Volunteer Enforcement Program
- Redirect 50% of The Fines to the State for Funding Adaptive Sports and Recreation for Ohioans with Disabilities and the other 50% goes to the local municipalities.

Through these changes, the goal is simple – enhance Ohio law to match the intent of the Americans with Disabilities Act so that Ohioans with disabilities can travel freely in their communities without parking concerns. I respectfully ask for your support of this legislation. Thank you all for your time and I am happy to answer any questions at this time.