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November 12, 2025

Interested Party Testimony, House Bill 450

Thank you, Chair White, Vice Chair Salvo, Ranking Member Lett, and members of the Children & Human Services Committee, for the opportunity to testify on the importance of increasing accessible parking in the state of Ohio. My name is Jennifer Kucera, and I am Chair of the Ohio Olmstead Task Force.

The Ohio Olmstead Task Force (OOTF) is a statewide grassroots coalition of Ohioans with disabilities of all ages, family members, advocates and organizations advocating for the right to live, work and participate in their communities. Formed in 2002, OOTF supports the Supreme Court decision that held unnecessary institutionalization is discrimination against people with disabilities. On behalf of this organization, please accept this testimony regarding HB450.

We are submitting interested party testimony regarding HB450, which proposes to provide accessible parking placards to pregnant women. This bill raises deep concerns for the disability community and threatens to undermine decades of hard-fought protections for accessible parking.

Our most pressing concerns with this legislation are:

- Decreasing accessible spots to increase expectant mother parking;
- Limiting community access for people with disabilities; and
- The possible violation of federal and/or state law.

Accessible parking was designed and reserved for people whose disabilities—chronic, lifelong, and, in many cases, invisible—“fundamentally limits or impairs the ability to walk”, as outlined in OAC 5403.44. [This includes criteria such as: the inability to walk two hundred feet without stopping to rest; inability to

walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; restrictions related to lung disease; using portable oxygen; having certain recognized cardiac conditions; limited ability to walk due to an arthritic, neurological, or orthopedic condition; or having blindness, legal blindness, or a severe visual impairment.]

These spaces are accommodations essential to the independence, dignity, and inclusion of Ohioans with disabilities. The scarcity of accessible spaces—already an acute issue in many parts of our state—means that any dilution of eligibility has real-world, harmful impacts. According to extensive research conducted by the United Spinal Association, nearly 13% of registered vehicles in Ohio have access to a disabled license plate or state-issued placard. Given these statistics, the demand for accessible spaces already grossly outweighs the available spaces. Instead of diluting the availability of accessible parking by adding people who aren't disabled to the class that qualifies for a disability placard, the Legislature should be increasing the number of accessible parking spots for persons with a disability that limit or impairs the ability to walk.

In addition, the Americans with Disabilities Act (ADA) sets forth clear standards governing accessible parking in public and private facilities. Under the ADA, accessible parking spaces must be provided in sufficient number and properly marked, with specific dimensions for vehicles and access aisles to ensure wheelchair users and others with mobility devices can enter and exit vehicles safely (ADA Standards for Accessible Design, Section 208 and 502). These spaces are explicitly reserved for individuals whose mobility is substantially limited due to a disability, as defined by federal law (42 U.S.C. § 12102).

Eligibility for accessible parking placards or permits is guided by medical necessity and certification of a permanent or severely limiting condition. The misuse or expansion of accessible parking eligibility outside this framework undermines the integrity of these accommodations and may not adhere to the principles and requirements established by the ADA.

Individuals whose ability to walk is limited or impaired during pregnancy are already covered under the current definition specified by the ADA as incorporated in Ohio Revised Code section 4503.44. This provision ensures that those experiencing disabling mobility challenges are eligible to obtain a disability placard. Broadening the criteria for accessible parking to include a larger group without qualifying mobility disabilities could significantly reduce the availability of these essential spaces for those who rely on them daily for access and independence. For further reference, the eligibility criteria can be reviewed in the official Ohio Revised Code section 4503.44 [here](#).

Our position is rooted in the lived reality of Ohioans with disabilities who routinely circle parking lots, unable to find a spot, forced to turn back from appointments or public activities—a constant reminder that our needs are still misunderstood and deprioritized.

If the legislature is determined to provide additional support for pregnant Ohioans, we encourage creating dedicated expectant and new mother parking that does not take away from the required accessible parking or expanding drop-off zones. These supports should not detract from the accommodations that make it possible for disabled people to simply live their lives.

Ohio must honor its commitments under the ADA and Section 504 of The Rehabilitation Act. **Accessible parking is not a convenience; it is a civil right.** It is crucial that Ohio's public policy reflects these federal protections, to ensure equal access for disabled Ohioans.

Thank you for your consideration, and for your commitment to public policy that values the safety, dignity, and independence of every Ohioan. We respectfully ask that HB450 be reconsidered to ensure all voices are heard without limiting community access for Ohioans with disabilities. We would be happy to discuss our concerns further, please don't hesitate to reach out.

Sincerely,

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