

SUBJECT: Allowing disabled persons to enforce parking restrictions

COMMITTEE: Urban Affairs — favorable, without amendment

VOTE: 8 ayes — Hill, Bailey, Davila, Ehrhardt, Staples, Thompson, Tillery,
Woolley

0 nays

1 absent — Conley

SENATE VOTE: On final passage, February 2 — 30-0

WITNESSES: For — Sen. Buster Brown; Chet Brooks; Jackie Goodman; Bob Kafke,
ADAPT of Texas; Bruce Elfant, Travis County constable

Against — None

DIGEST: SB 287 would allow a political subdivision to appoint a disabled person with authority to file charges against a person who commits an offense under VACS art. 6675a-5e.1, relating to disabled parking privileges.

The appointed person would have to be a U.S. citizen and never have been convicted of a felony. The person would have to take an oath of office and take a training course prescribed by the political subdivision.

Persons appointed would not be considered peace officers and could not carry a weapon while performing duties. They would not be paid or entitled to receive payment from the state or political subdivision for injury or property damage sustained or liability incurred. The political subdivision and the state would not be liable for any damages that result from the performance of duties.

The bill would take effect immediately if approved by a two-thirds of the membership of each house.

SUPPORTERS
SAY:

Federal and state laws require designated parking for the disabled. However, enforcement of the use of these designated parking spaces places a strain on traffic control divisions of the state and political subdivisions. This bill would allow those most affected to enforce designated disabled parking. It would require that they receive training to properly enforce the law.

This legislation would not increase the state's liability, nor would it require the state to compensate appointed persons for their own injuries.

OPPONENTS
SAY:

This bill could be subject to abuse, allowing private citizens to be deputized to issue parking tickets.

OTHER
OPPONENTS
SAY:

The bill should not be limited to just to citizen action by disabled persons; any citizen should be able to ticket people who park illegally in parking spaces for the disabled.