

SUGGESTIONS FOR ENFORCING HANDICAP PARKING LAWS



**Prepared For:
Transportation Committee
Connecticut General Assembly**

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INTRODUCTION

At the conclusion of the 2009 legislative session, there were several changes to the handicap placard program for the state of Connecticut. As requested by the legislature at the end of the 2009 session, this report offers suggestions for alternative ways to enforce handicap parking laws within the state of Connecticut. The report entails the following: background information about handicap parking permits, suggestions to increase enforcement, sample material used by other jurisdictions to enforce handicap parking laws, and the pertinent exhibits.

BACKGROUND

In the 2009 legislative session, the Department of Motor Vehicles (“the Department”) presented legislative changes for the special parking permit program, commonly known as the handicap parking placard program. Due to the abuse of these permits, the Department was compelled to take strides to mitigate the abuse, and protect rights that are reserved for those with disabilities. The legislature passed new legislation governing the process of issuing, renewing, replacing, and monitoring permits, as well as implementing more stringent fines for those who abuse disabled parking permits.

In addition to passing legislation, the legislature requested that the Department work in conjunction with members of local police departments to:

- Review and evaluate alternative ways of enforcing the handicapped parking laws in areas not normally patrolled by local police, including private property open to public use
- Develop recommendations, including any necessary legislation, authorizing local police departments to use ancillary staff for handicapped parking enforcement including retired police officers and licensed private security companies
- Recommend increased fines and a mandatory court appearance for persons who violate such provisions.

To facilitate this request, the Department issued a survey to the police chief’s association to elicit feedback regarding handicap placard enforcement within the state. The survey included questions about the following: type of infractions issued, annual volume of citations, incentives to increase enforcement, and an opportunity to make suggestions to increase enforcement. Subsequently, the Department conducted benchmarking studies to review how other jurisdictions enforce handicap parking laws. Using the information received from both the survey of local police departments and benchmarking of other jurisdictions, the Department has compiled this report to make suggestions for ways Connecticut can increase enforcement of handicap parking laws, and raise awareness about the abuse of the permits.

SUGGESTIONS

Enforcement Sweep

Based upon the response to the Department's survey, several police chiefs suggested periods of dedicated enforcement throughout the year. On average most towns in Connecticut issue less than one hundred tickets per year for handicap parking violations, although abuse of placards reportedly occurs far more frequently within the state. Enforcement of handicap parking laws could be increased by dedicating three to four periods a year where local law enforcement concentrates specifically on the handicap parking laws. Similar to the annual "Road Check" program sponsored by the Commercial Vehicle Safety Alliance, where for a period of seventy two hours law enforcement concentrates on commercial vehicle safety, the state of Connecticut could introduce a program where for a specified period of time, law enforcement would focus on handicap parking law violations. The periods of enforcement would help to raise awareness about the abuse of handicap parking and act as a deterrent from continuing such violations.

In Albany, New York, a similar program entitled. "Project Access," has been used since 1994. "Project Access" sponsored by the Albany County Sheriff's Department, is a program where several law enforcement agencies work in conjunction to "sweep" areas in the community to enforce parking violations. Although the program in its entirety monitors various types of parking violations, there are instances where a "sweep" is conducted specifically to address handicap parking violations. The "sweeps," or patrols of the area, are conducted frequently

throughout the year, and are believed to help those who need access to handicap parking spaces continue to have access to the parking that is available for them.

Media Campaigns

Similar to the “Ticket or Click It” campaigns, several police chiefs advocated that a similar campaign for handicap parking would be a viable option for addressing abuse of handicap parking and special parking permits. The media advertisements would raise awareness about the abuse of those permits within Connecticut and act as a deterrent. The media campaign could also work in conjunction with a week or several weeks of enforcement throughout the year to help decrease the abuse of handicap parking and special parking permits. Additionally, a governor sponsored week of enforcement and awareness would bring attention to the issue, and inform the public that the state is aware of the issue and will be taking action to correct said issue.

To create the campaign, the state could elicit the suggestions of the citizen’s of Connecticut as well as various disability activists and groups throughout the state. Handicap parking and the abuse of and special parking permits are an important topic that many in Connecticut feel passionate. Allowing them to participate in the process of raising awareness around this topic would be beneficial to the state and to the various individuals who are passionate about this topic. It is also an opportunity for the state to work together with the people in Connecticut to resolve a serious issue in the community.

Volunteer Citizens Corps

Many towns across the country employ a volunteer citizen's corporation, in which volunteers are trained for a varying amount of hours, depending on the town, and gain the authority to issue citations for handicap parking violations. For instance, a program utilized in Huntington, Long Island, N.Y. uses citizen's volunteers to issue affidavits to people who are witnessed violating New York State parking laws for disabled parking spaces. The program is non-confrontational, where from their patrolling vehicle, volunteers photograph the violation, making sure to capture the vehicle, license plate, and parking tag in the photograph. Subsequently, a card detailing: vehicle make and type, plate type, body style, offense date and time, location of offense, and a sworn statement that the vehicle was in violation of the law is submitted to a program coordinator within the town. The program coordinator then files and processes the affidavits through the courts and a summons is requested. A complete process flow for the Huntington program is in Appendix C.

The program in Huntington could be modified and adopted in Connecticut to help enforce parking laws in areas not normally patrolled by officers. Although the Huntington program allows volunteers to photograph a vehicle that is in violation of the law and also requires a sworn officer to commence official action by the town, Connecticut citizens if statutorily permitted could follow a similar procedure and report such incidents to their local police department. Each town could have a similar form available online and require citizens to photograph the alleged offense, and submit a completed form to the police department.

With regard to the survey responses on this specific issue, a sizable representation of the police chiefs stated that they currently use non-police officers to enforce their respective municipality's parking laws. Moreover, three of the towns that do not use non-police officers to enforce parking laws stated that if the laws were changed, they would consider allowing non-police officers to enforce parking laws. However, some of the police chiefs that responded to the survey did not support the idea of a citizen's corporation. In particular, several of the police chiefs cited that citizens do not have the authority to issue citations or access the Connecticut On-Line Law Enforcement Communications Teleprocessing (COLLECT) system for verification of the Department's handicap parking permit information.

COLLECT Enhancement

Several chiefs suggested in the survey that there should be an easier way to verify handicap parking permit information in COLLECT. In their view, if the information was easily attainable in COLLECT, enforcement would be easier. However, COLLECT is a Department of Public Safety (DPS) information system for which the Department of Motor Vehicles and the DPS would need to work together to identify an easier way to verify the information in COLLECT. Moreover, after identification to what is the best way to facilitate the request, it would require several months of system-related programming to make all the necessary system changes to bring the idea into fruition.

Window Stickers

Another possible idea to enhance compliance with the handicap parking permit laws may be by issuing a handicap parking sticker instead of the portable permit that could be affixed to the windshield of a car. Because the placards are often left on the seats of vehicles, at home, or are simply not hung, many times when an officer issues a citation for violation of handicap parking law, the ticket is thrown out when the placard holder produces the placard. This discourages officers from taking the time to write a citation for the handicap parking violations. Moreover, a window sticker would be easier for an officer to identify, thus making it easier to enforce the laws.

There are some potential drawbacks of using a window sticker. Although the American Disabilities Act (ADA) does not require that a hanger style placard be issued to those eligible for disabled parking access, hangers style placards are the standard across the country for utilizing parking spaces reserved for those with disabilities. Although some states issue window stickers for motorcycles to permit disabled parking access, for passenger cars and trucks all states issue a placard. Given that the placard is the unofficial standard to signify access for disabled parking, issuing a window sticker may cause issues when a Connecticut resident travels out of state and would like to utilize parking spaces reserved for those with disabilities because law enforcement would not recognize the window sticker as the medium for identifying those who are eligible to access those parking spaces.

INCREASED FINES

Public Act 09-187, An Act Concerning the Functions of the Department of Motor Vehicles, section 38, recommended an increase in fines, as well as a mandatory court appearance for persons who violate the state's handicap parking laws. In addition, the Act amended Section 14-253a of the Connecticut General Statutes (CGS) to increase the fines for handicap parking violations to the following:

- (l) Any person who violates any provision of this section for which a penalty or fine is not otherwise provided shall, for a first violation, be subject to a fine of one hundred fifty dollars, and for a subsequent violation, be subject to a fine of two hundred fifty dollars.
- (m) Any placard or special license plate issued pursuant to this section shall be returned to the commissioner upon the subsequent change of residence to another state or death of the person to whom such placard or license plate was issued. Any person who uses a placard or a special license plate issued pursuant to this section after the death of the person to whom such placard or special license plate was issued shall be fined five hundred dollars.

According to survey results, more than fifty percent of the citations issued for handicap parking violations are issued under the municipal ordinance codes for the towns.

Therefore, if fines were to be increased for handicap parking violations, to be an effective deterrent, the fines should be increased under the municipal ordinance codes for each town in Connecticut. Moreover, each town would be required to update their codes to mandate court appearances for handicap parking violators, as suggested in Section 38 of Public Act 09-187.

The Department would like to acknowledge and extend gratitude for the contributions made by the police chiefs of the following towns:

Berlin
Bristol
Bloomfield
Cheshire
Darien
East Hampton
Easter CT State University Police
Easton Police
Farmington
Granby
Greenwich
Groton
Guilford
Monroe
New Britain

New Haven
Norwalk
Norwich
Plymouth
Redding
Simsbury
Southington
South Windsor
Stonington
Vernon
West Haven
Westport
Wilton
Willimantic
Windsor

APPENDIX A: SURVEY FOR LOCAL POLICE DEPARTMENTS

Greetings-

The Department of Motor Vehicles (“the Department”) is preparing to implement many changes to the handicap parking permit program as a result of changes to the law stemming from the 2009 legislative session. The fines for misusing a handicap permit have been increased to the following:

- One hundred fifty (\$150) dollars for the first offense;
- Two hundred fifty (\$250) dollars for the second offense; and
- Five hundred (\$500) dollars for using a placard or plate of a deceased individual.

As a part of the legislation, the Department is required to explore options to increase enforcement of the handicap parking laws due to the increase in abuse of the parking permits. Because the enforcement of the handicap parking laws is conducted by municipal police departments, I would like to gain your input on enforcement alternatives within Connecticut. With this in mind, please take a moment to answer a brief five (5) question survey about enforcement of handicap parking laws in your town.

Given the time constraints mandated by law, I would sincerely appreciate a response to the survey questions no later than **November 10th, 2009**. I appreciate your time and attention to this matter in advance. If you have any questions, please feel free to contact me via phone, fax or email using the contact information listed below.

Thank you,

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Survey Questions

1. Does your agency issue municipal parking tickets or state of CT infractions for handicap parking violations?
 - a. If so, are there any written policies or procedures that you may provide?
2. How many tickets or infractions does your town issue for handicap parking violations annually?
3. If your town would receive a percentage of the fines for infractions issued, would the town enforce handicap parking laws more frequently?
 - a. If so, in your opinion what would you recommend that percentage to be?
4. Do you employ non-police officers to enforce parking laws in your community?
 - a. If statutory changes were made to allow non-police officers to issue parking infractions, would you consider allowing those same individuals to issue infractions?
5. Do you have any suggestions about how handicap parking laws can be better enforced in Connecticut?

APPENDIX B: SURVEY RESPONSES FROM LOCAL POLICE DEPARTMENTS

Responses from Connecticut Police Chiefs on Handicap Parking

APPENDIX B: Survey Response From Local Police Departments	Berlin	Bristol	Brookfield	Cheshire	Darien	East Hampton	Eastern CT State University	Easton Police	Farmington	Granby
Does your agency issue municipal parking tickets or state of CT infractions for handicap parking violations	State	Municipal	State	Mostly municipal some state	Municipal	Yes	University parking violations	At officer's discretion	Municipal	State
If so, are there any written policies or procedures that you may provide?	Motor Vehicle Enforcement policies only			It is the officers decision		No	None	No	No	No
How many tickets or infractions does your town issue for handicap parking violations annually?	71 parking tickets (not solely HP)	New books with HP violations are being issued now	1/2008-6/2009= 58 infractions & 15 warnings	50	50-60	0-10	2008= 57	0	10	3 to 4
If your town would receive a percentage of the fines for infractions issued, would the town enforce handicap parking laws more frequently?	Don't think so	This is the reason why HP violations were recently added to the municipal books	No difference	Don't think so	This could possibly be an incentive for the town to delegate its "non-police" parking agent to concentrate on this enforcement. Although, with municipal parking tickets (\$50) all of the money goes to the town.	Possibly	University parking fines go to scholarships; therefore, NA	No	No because of town ordinance codes	No
If so, in your opinion what would you recommend that percentage to be ?	50%				not more then what the town gets now	25%	20%			
Do you employ non-police officers to enforce parking laws in your community	No	No	No	No	Yes	No	Yes	No	N/A	No
If statutory changes were made to allow non-police officers to issue parking infractions, would you consider allowing those same individuals to issue infractions	N/A	No	Would consider if statues permitted	No; and do not plan on doing so	Doubtful due training & education required		N/A	Do not believe so	N/A	Maybe

Responses from Connecticut Police Chiefs on Handicap Parking

<p>Do you have any suggestions about how handicap parking laws can be better enforced in Connecticut?</p>	<p>Not at this time</p>		<p>No suggestions</p>	<p>Better education of the public similar to the don't drink and drive</p>	<p>If there was an easy way to run the status of handicap permits through DMV files, like registration plates, that would be a definite aid to officers at the scene. This could assist in determining if the permit was valid and who is authorized to use it. Proper maintenance of signs & markings would also aid in enforcement and compliance.</p>	<p>Media blitz such as the click it or ticket campaign</p>	<p>Our experience at the University is that placards get passed around to family members quite frequently. We have issued tickets for this when we discover individuals using placards of relatives or deceased relatives. A few years ago we discovered an entire family that had placards issued them. When we discovered that two students were using the placards from a handicapped juvenile brother and a deceased grandfather, we seized the permits and turned them into the State. The mother of the students was furious with us and within a few weeks, both of those students had their own placards issued to them on the approval of a doctor. There has to be better control of how placards are issued.</p>	<p>More vigorous education of the public</p>	<p>Add photo, name, year of birth to the parking permit. Will allow officers to more easily identify those who are "Borrowing" a permit</p>	
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Responses from Connecticut Police Chiefs on Handicap Parking

APPENDIX B: Survey Response From Local Police Departments	Greenwich	Groton	Groton (Deputy)	Guilford	Monroe	New Britain	New Haven	Norwalk	Norwich	Plymouth
Does your agency issue municipal parking tickets or state of CT infractions for handicap parking violations	Municipal	Yes	Mostly municipal but some state	Municipal	Parking Tickets	Municipal	Yes	Yes	Municipal	Both
If so, are there any written policies or procedures that you may provide?	See ordinance	No	No	Under Duty Manual Ch 12.02 Parking Enforcement	N/A	No	None	Only general parking violation policies	It is a matter of routine with our officers	None
How many tickets or infractions does your town issue for handicap parking violations annually?	150	Very Few	17 last year	572 for all parking violations (not HP only)	07- 18, 1 infraction 08-16 09-2		2008= 12	Unknown	Average of 82	about 12
If your town would receive a percentage of the fines for infractions issued, would the town enforce handicap parking laws more frequently?	We receive 100% currently	Probably Not		No	Doesn't believe enforcement is overlooked because of their not receiving funds	Possibly	See 51-56a		No - The city gets 100% of parking ticket fines now.	No
If so, in your opinion what would you recommend that percentage to be ?		No recommendation	25%		25-30%	33%		10-20%	100%	
Do you employ non-police officers to enforce parking laws in your community	Yes	Yes	We used to have Community Service Officers, but we had to disband that program	No	No	Yes	Yes	Yes	Yes	No
If statutory changes were made to allow non-police officers to issue parking infractions, would you consider allowing those same individuals to issue infractions		Yes	probably not	No		No	Problematic because only police officers have COLLECT access	Yes	No – No financial benefit to city	No

Responses from Connecticut Police Chiefs on Handicap Parking

<p>Do you have any suggestions about how handicap parking laws can be better enforced in Connecticut?</p>	<p>Establish an expiration time of 4-5 yrs</p>	<p>Public awareness campaigns similar to the "Click It or Ticket" seatbelt campaigns and publicized periods of dedicated enforcement targeting handicapped parking violations.</p>	<p>I would suggest stickers be issued in place of placards. Often people forget to put the placards in view and they can easily be moved to a non handicapped vehicle which leads to abuse of the system. The stickers would be easy for officers to spot and if they did not see a plate or sticker, enforcement action could be taken</p>	<p>Make it easier for people with temporary disabilities to get a permit</p>	<p>Color-coded windshield registration stickers in addition to placards; special license plates in more cases where there is a permanent handicap; Easier way to trace handicap tags through COLLECT.</p>	<p>Grant similar to "Click it or Ticket"- officers would be hired to work high traffic locations looking for violations. PS announcements. Governor could dedicate a week. If Temporary permits had an expiration date on the permit for enforcers to see. Re-issue permits annually not for lifetime. Different color permit for each year and maybe an expiration sticker. DMV should update COLLECT throughout the year with death notices.</p>	<p>Publicized enforcement sweeps by state or municipal enforcement</p>	<p>Have the photograph of the person who holds the permit on the permit itself.</p>	<p>- Tighten-up the Law/regulations reference to who gets permits (need based) and when and by whom and under what circumstances the permits may be utilized.</p>	<p>No</p>
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Responses from Connecticut Police Chiefs on Handicap Parking

APPENDIX B: Survey Response From Local Police Departments	Redding	Simsbury	Southington	South Windsor	Stonington	Vernon	West Haven	Westport	Wilton	Willimantic	Windsor	
Does your agency issue municipal parking tickets or state of CT infractions for handicap parking violations	Municipal	Yes	Municipal	State	Both	Municipal	Municipal	Municipal	Municipal	Municipal	Municipal	
If so, are there any written policies or procedures that you may provide?	See policy	Yes	See policy	No	No	No written policies		No written policies		No		
How many tickets or infractions does your town issue for handicap parking violations annually?	about 50	2008- 7 2009-10	2008= 20 2009= 21		15	2008/2009= 8	30	Unknown	25-30	40-50	About 50	40-50
If your town would receive a percentage of the fines for infractions issued, would the town enforce handicap parking laws more frequently?	We use town ticket	N/A	No	Possibly, but likely	No		We receive 100% currently			They are enforced based on violations. We would continue to do so consistently, without taking into consideration any potential funds.	Yes	No
If so, in your opinion what would you recommend that percentage to be ?	50%				25%		50%				10%	
Do you employ non-police officers to enforce parking laws in your community	Yes	No	No	No	Yes	No	No	Yes	No	Yes	Yes	
If statutory changes were made to allow non-police officers to issue parking infractions, would you consider allowing those same individuals to issue infractions	Yes	No	No	Yes	Yes		Yes- Summer time constables etc.	Wouldn't make a difference		Yes		

Responses from Connecticut Police Chiefs on Handicap Parking

<p>Do you have any suggestions about how handicap parking laws can be better enforced in Connecticut?</p>	<p>Additional manpower- perhaps grants for Traffic Agents</p>	<p>Not at this time</p>	<p>N/A</p>	<p>A) Suspend operator's license for unauthorized use/possession of handicapped permit B) Suspend operator's license for illegal parking in handicapped space after 2nd offense</p>	<p>Handicap permits should have expirations</p>	<p>None</p>	<p>N/A</p>	<p>None</p>	<p>Consistency from those enforcing the law.</p>	<p>Additional public service announcements including that the person issued the permit must be present when the tag is being utilized</p>	<p>Handicap parking laws would be enforced more frequently if only handicap registration plates were utilized, or if window stickers were used. The hanging placards are often left on the seat, in the glove box or other places where the card is not easily seen. An officer then issues a ticket and the ticket is taken back once the owner produces the handicap placard. This discourages the officer from writing tickets even though it would be unfair to give a 75 year old widow a \$95.00 ticket for forgetting to hang the placard on the rearview window.</p>
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APPENDIX C: HUNTINGTON, LONG ISLAND, N.Y. PROCESS

State of New York
County of Suffolk
Town of Huntington

AFFIDAVIT

Date

I, _____ being duly sworn depose and say that I reside in the Town of Huntington, NY, and duly appointed member of the Handicap Enforcement Program.

That on ____ - ____ - ____ at ____ : ____ M at _____

I saw a _____ license plate no.

--	--	--	--	--	--	--	--	--	--	--	--

 parked in a designated handicapped parking space without a valid handicap parking permit visible, or license plate for the disabled.

Therefore, I request the Town of Huntington to issue a summons to the owner of the above vehicle, pursuant to applicable law.

Sworn to before me this

Signature _____

Print Name _____

_____ day of _____, 20____

Notary _____

HANDICAPPED PARKING

TOWN OF HUNTINGTON DEPARTMENT OF PUBLIC SAFETY HANDICAPPED ENFORCEMENT PROGRAM VIOLATION INFORMATION FORM

C

VEHICLE MAKE

- ACURA
- AUDI
- BMW
- BUICK
- CADILLAC
- CHEVROLET
- CHRYSLER
- DODGE
- FORD
- GMC
- HONDA
- HYUNDAI
- INFINITI
- ISUZU
- JAGUAR
- JEEP
- KIA
- _____

- LEXUS
- LINCOLN
- MAZDA
- ME / BE
- MERCURY
- MITSU
- NISSAN
- OLDS
- PLYM
- PONTIAC
- PORSCHE
- SAAB
- SATURN
- SUBARU
- TOYOTA
- VW
- VOLVO
- _____

PLATE TYPE

- PASSENGER
- COMMERCIAL
- OTHER

BODY TYPE

- SEDAN
- VAN
- STA. WAG.
- TRUCK
- SUBURB
- OTHER



--	--	--	--	--	--	--	--

owner-operator-car lic. number

--	--

state

OFFENSE

DATE ____ - ____ - ____

COLOR

TIME ____ - ____ - ____ M

LOCATION

PERMIT - NO - YES - TRANSFER AREA -

COMMENTS - { see back }

SITE # _____ VIOLATION # _____ HEP # _____

RESERVED
PARKING



VAN
ACCESSIBLE





RESERVED
PARKING
FOR
DISABLED
PERSONS



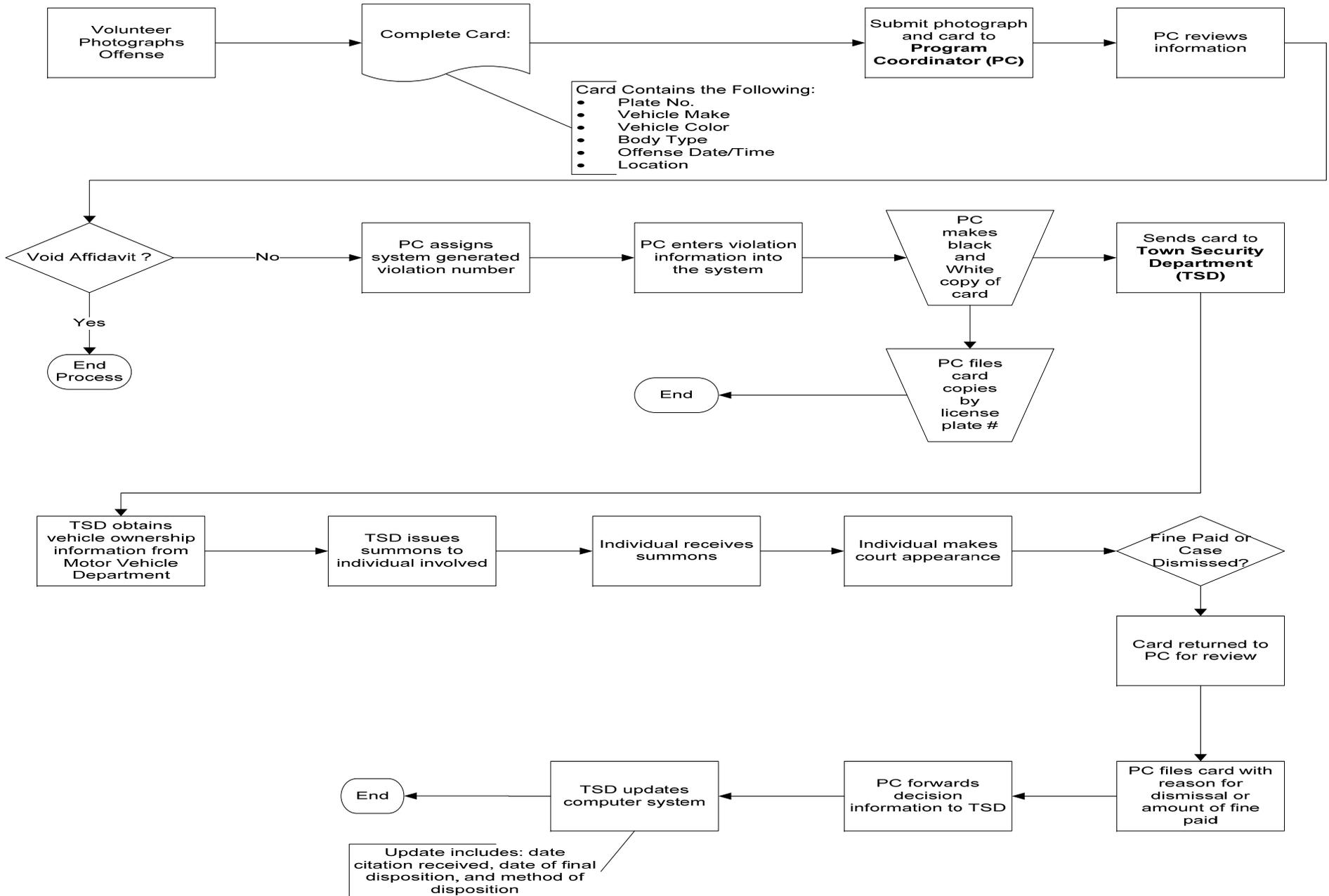
ATG-9678

Arizona Bar

TIFFANY NAILS

HOT

Huntington, Long Island Process Flow



APPENDIX D: BENCHMARKING STUDY



Handicap Parking Abuse: Policy Solutions for Kentucky

**A report prepared for the Kentucky Council
on Developmental Disabilities**

October 8, 2003

Martin School of Public Policy and Administration

Dr. Edward Jennings

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Executive Summary

Handicap parking is the cornerstone of accessibility for persons with disabilities. While accessibility has expanded because of handicap parking, new problems have arisen due to the abuse of handicap parking privileges. Three types of handicap parking violations exist:

1. Parking in a space without an appropriate permit.
2. Parking with an appropriate permit but the person does not have a mobility impairment.
3. The fraudulent creation of a permit in order to park illegally.

This paper examines the legal framework surrounding handicap parking in order to understand policy solutions. A maze of laws on the federal and state levels addresses handicap parking. State laws regulate permitting, fines and penalties and enforcement, and these are subject to federal mandates. Local law enforcement carries out the task of enforcing the regulations.

Second, this paper looks at empirical studies which have attempted to determine how often people abuse handicap parking spaces, their rationale for doing so, and the observed deterrents of abuse. Studies have found that abuse is a prevalent problem and that most people violate the regulations because of convenience. Observational studies have shown that the use of vertical handicap parking signs along with messages warning about enforcement have decreased violations. Furthermore, increased enforcement is also a proven deterrent.

Third, this paper surveys the news from states and localities about policy solutions to the widespread problem of abuse. The policy solutions that governments use most often include

- Enforcing Stricter Fines or Penalties;
- Using Technical Countermeasures;
- Tightening Standards for Issuing Permits;

- Increased Enforcement by Police or by Using Volunteers; and
- Implementing Handicap Parking Educational Programs

Recommendations for the Council

From the empirical studies and the policy solutions described above, the Martin School has developed the following recommendations for the Council concerning possible handicap-parking legislation in Kentucky:

- Work with state legislators who are already working on handicap-parking abuse concerns.
- Require more frequent renewal of handicap-parking permits.
- Implement technical countermeasures to deter fraud and abuse.
- Take steps to increase local enforcement of handicap parking violations.
- Require vertical signs displaying a message about the consequences of violations.
- Place stricter requirements on the authorization for disability certification in the permit application process.

Handicap Parking Abuse

The abuse of handicap parking spaces has been a problem ever since handicap parking came into existence. There are several types of abuse of handicap parking spaces. The most well known type occurs when a car parks in a space without an appropriate permit. A second type occurs when a person parks with an appropriate permit, but does not have a disability, such as when a family member of a person with a disability borrows their permit to park. The third, and most severe type of abuse, is the fraudulent creation of a permit in order to park illegally. Over the years, policymakers have attempted several solutions to address this widespread problem. The most commonly used attempts to curb abuse have included increased fines and penalties, increased enforcement, and educational programs. These solutions, and others, will be considered in this report to address handicap parking abuse in Kentucky.

First, however, in order to understand how to address the problem of abuse, one must become familiar with the legal framework surrounding the use and abuse of handicap parking.

The Legal Framework of Handicapped Parking

A myriad of laws and rules govern handicap parking, and these laws exist on the federal, state and local levels. Handicap parking regulation began in the 1960s through programs adopted at the state and local levels. Beginning in the late 1960s, the federal government adopted several pieces of legislation, which would ultimately affect handicap parking today. These acts were:

- **The Architectural Barriers Act of 1968**, which instructed federal agencies to require that physically handicapped persons, where possible, have ready access to, and use of federal facilities.¹
- **The Rehabilitation Act of 1973** that extended those federal regulations beyond federal facilities to those that were federally-funded.²

- **The Fair Housing Act**, as amended in 1988, that prohibits discrimination in the sale or rental or make unavailable a dwelling to any buyer or renter because of a handicap.³
- **The Americans with Disabilities Act of 1990**, which prohibits discrimination in the employment of persons with disabilities and requires reasonable accommodations for those persons' needs.⁴

Besides these major pieces of legislation, the regulations governing handicap parking are complex, allocating responsibility among the three levels of government. The two areas of law governing handicap parking are:

1. Permit regulation (these are the rules for the issuance of handicap parking permits); and
2. Site regulation (the rules governing the site and design of handicap parking at commercial buildings, workplaces, public streets and residential buildings).⁵ The Americans with Disabilities Act, which mandates that a specific number of handicap spaces be set-aside in parking lots, governs site regulation.

This report is concerned, however, with the permit regulations because they are more applicable to prevent abuse of handicap parking.

Parking Permit Regulations

Permitting determines who is eligible to use handicap parking spots. Permitting is generally regulated by states and is subject to federal mandates.⁶ Federal law puts forth the minimum definition of "disability" as stated below:

23 C.F.R. § 1235.2 Defines persons with disabilities which limit or impair the ability to walk as persons who, as determined by a licensed physician:

- Cannot walk two hundred feet without stopping to rest; or
- Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
- Are restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by

spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

- Use portable oxygen; or
- Have a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or
- Are severely limited in their ability to walk due to an arthritic, neurological, or orthopedic condition.⁷

Federal laws also tell the states what types of permits shall be distributed and how the permits should be displayed. Three types of permits exist, and all three require the certification of a licensed physician, as mandated by federal law.

1. Special handicap license plates: these can be issued to vehicles owned by persons with a disability or to a vehicle owned by an organization that transports individuals with disabilities.

2. Removable windshield placards: these are transferable to other cars that the driver may be using. A person may have this type of permit in addition to the license plates.

3. Temporary removable windshield placards: these are good for only a short period of time, such as six months, and may be transferred to other cars that the driver may be using.

Beyond these laws, each state has statutes that govern the implementation of permitting, prohibitions against abuse of permits, and the enforcement of prohibitions.

Implementation of Permitting System

Kentucky Revised Statutes set forth further regulations concerning the handicap parking permit system. One noteworthy fact is that Kentucky's definition of disability is broader than the minimum federal definition. Kentucky's definition adds the following conditions to the list for eligibility to receive a handicap-parking permit:

Severe visual, audio, or physical impairment including partial paralysis, lower limb amputation, chronic heart condition, emphysema, arthritic rheumatism, or debilitating condition which limits or impairs one's mobility or ability to walk.

Other Kentucky regulations govern the issuance of permits in such areas as fees, proper documentation, and expiration dates of permits. In Kentucky, the special license plates and

removable parking placards are issued for a term of six years. The following chart⁸ was prepared in 1997 by Handiplate Research and Development Company, and it reveals that Kentucky's permit expiration law is among the most generous of the states.

Figure 1

Length of Time for Which Permanent Disabled Person(s) Parking Placards Are Issued.

1 Year	2 Years	3 Years
Missouri Utah District of Columbia	California Louisiana Maryland Nevada New Mexico Tennessee West Virginia Puerto Rico	Colorado Kansas Mississippi Montana Nebraska New Hampshire New Jersey North Dakota Rhode Island
4 Years	5 Years	6 Years
Georgia Illinois Indiana Maine Michigan Oregon South Carolina Vermont Wisconsin Wyoming	Alabama Alaska Arizona Arkansas Connecticut Massachusetts New York North Carolina Ohio Oklahoma Pennsylvania South Dakota Texas Virginia Washington	Florida Kentucky Minnesota
		Life
		Idaho Iowa

For temporary parking placards, the expiration date in Kentucky is six months, a regulation that is in line with most states, as the following chart⁹, prepared in 1997, reveals:

Figure 2

Length of Time for Which Temporary Disabled Parking Placards Are Issued

3 Month Period	6 Month Period	12 Month Period	24 Month Period
Arkansas Colorado	Alabama Alaska California Connecticut Georgia Idaho Illinois Indiana Iowa Kansas Kentucky Maine Maryland Michigan Minnesota Mississippi Missouri Nebraska Nevada New Hampshire New Jersey New Mexico New York North Carolina Ohio Oklahoma Oregon Pennsylvania Tennessee Texas Utah Vermont Virginia Washington Wisconsin Wyoming District of Columbia	Florida Louisiana North Dakota South Dakota	Massachusetts Montana

Prohibitions against Abuse of Permits in Kentucky

Prohibitions against the abuse of handicapped parking permits are set forth in KRS

189.459. These prohibitions include the following:

“No person shall park in a parking area designated as accessible to and for the use of a person with a disability in a motor vehicle not displaying either an auto registration plate as provided in KRS 186.041, 186.042, 186.0425, or an out-of-state registration plate designated for the use of a person with a disability on the rear of the vehicle unless he displays on the dashboard of his motor vehicle an accessible parking placard issued to a person with a disability.”

“No person shall park a vehicle displaying an accessible parking placard in a parking area designated as accessible to and for the use of a person with a disability when the person with a disability is not in the motor vehicle.”

“No person shall make, issue, possess, or knowingly use any imitation, counterfeit, or transferable placard or license plate for a person with a disability.”

The penalties for violating these prohibitions are found in KRS 189.990, which states that “any person who violates [these prohibitions] will be ***fin******ed not less than twenty dollars (\$20) or more than one hundred dollars (\$100) for each offense.***” Each county or city in Kentucky sets fines for violating these prohibitions within these monetary limits.

Enforcement of Prohibitions

Kentucky state law gives enforcement power of the handicap parking prohibitions to local law enforcement through KRS 189.396. This law states that “all law enforcement officials shall enforce the traffic regulations contained in KRS Chapter 189 on off-street parking facilities offered for public use, except for-hire parking facilities listed in KRS 189.700.” Also, law enforcement officials in Kentucky have the ability to call in a disabled person(s) parking placard identification number and obtain information about the placard, such as owner’s name and address, the date of expiration, and if the placard has been reported lost or stolen. The following

chart¹⁰ compares the ability of law enforcement in each state to have this call-in ability 7 days a week, 24 hours a day:

Figure 3

Does Local Law Enforcement Have the Ability to Call-in a Disabled Person(s) Parking Placard Identification Number to Obtain Information?

Can Do 24 Hours a Day/ 7 Days a Week	Only During Business Hours	Can Not do
Alaska Arkansas California Florida Idaho Illinois Indiana Iowa Kentucky Michigan Nevada New Hampshire New Jersey Ohio Oregon Pennsylvania South Dakota Tennessee Utah Vermont Virginia Washington West Virginia Puerto Rico	Colorado Connecticut Delaware Kansas Maine Mississippi Missouri; Montana Oklahoma Rhode Island Wisconsin	Alabama Arizona Georgia Louisiana Maryland Massachusetts Minnesota Nebraska New Mexico New York North Carolina North Dakota South Carolina Texas Wyoming District of Columbia

Empirical Studies

In order to address the violations of handicap parking regulations, it is useful to determine how often people abuse handicap parking spaces, their rationale for doing so, and the observed deterrents of abuse. Several researchers have undertaken observational and experimental studies that can begin to provide answers to these questions.

How frequently do people abuse handicap parking spaces?

Past research has shown that inappropriate use of handicap parking spaces occurs frequently. Several reports have indicated that the majority of cars parked in these spaces are parked illegally.¹¹ In an experiment designed to determine the frequency of handicap parking abuse, Taylor found that rates of violations were high in both urban (76.3%) and rural (44%) locations. Taylor's study targeted those persons who parked in a space without an appropriate permit or license plate.¹²

Why do people abuse handicap parking spaces?

A behavior study conducted in 1990 by Cope and Allred explored the rationale of those who violated handicap-parking ordinances. They undertook a survey at two local shopping malls in Greensville, North Carolina, randomly stopping 246 people walking in the center sections of the mall and asking them several questions related to their "traffic behavior." Each individual was asked if they had ever inappropriately parked in a handicap space, why or why they had not used the space, and if they had a legal handicap. Of the 246 contacted, 177 stated that they had never parked in a handicap space. One respondent reported that they had a handicap and had legal identification for their vehicle.

The most common reasons given for illegally using the spaces were:

- Convenience/in a hurry

- Could not see or read the sign
- Nothing else available

The most common reasons given for not illegally using the spaces were:

- It's against the law
- It's not right
- It's not respectful of others
- Others need it more¹³

The benefit of convenience appears to be the most prevalent reason that people will violate the handicap parking laws. In an observational study, Cope and Allred found the lowest handicap parking violation rates at a site where a convenient fire lane served as an alternative for short-term parking. A second example that supports this theory was that Cope and Allred found that the violation rate during rainy weather was 75% compared to 59.7% during clear weather.¹⁴

Overall, it seems that people will park illegally when the benefit of convenience outweighs the perceived risks of legal or social consequences.

What works to deter handicap-parking violators?

Researchers have conducted several observational studies to experiment with different deterrents of handicap parking abuse, most of which involve the use of contingent punishment (example: police enforcement) or antecedent strategies (example: the use of signs). An experiment conducted in 1991 by John G. Cope, Linda J. Allred and Joseph M. Morsell studied the percentage of illegal parking in spaces reserved for the physically disabled under three different sign conditions: ground markings, ground markings plus vertical signs, and vertical signs containing a message that concerned citizens were watching the space.¹⁵ The results of their experiment reveal the following statistics:

Figure 4

Rate at Which Handicap Parking is Violated Under Different Conditions: 1991 Experiment

Handicap Parking Sign Experimental Condition	Before Experiment: Ground Markings Only	During Experiment	After Experiment was Removed
Vertical signs added to the experiment	69.3% violation rate	57.3% violation rate	68.7%
A message that concerned citizens were watching the space was added to the experiment	68.7% violation rate	27.1% violation rate	34.6% when message was removed and then 65.2% after vertical sign was removed

The experiment revealed that vertical signs were more effective at deterring abuse than ground markings only. Other studies by Jason and Jung (1984)¹⁶ and Suarez de Balcazar (1988)¹⁷ support this claim that vertical signs are more effective than ground signs in preventing illegal parking. The addition of a message warning about social sanctions appeared to have the greatest impact on illegal parking compared to the vertical sign and ground markings.

Another study conducted by Cope and Allred in 1991 examined daily rates of illegal parking across three types of sign displays: (a) vertical sign alone or in combination with (b) a message sign announcing the possibility of public surveillance; or (c) a message dispenser attached to the vertical sign that held “politely-worded reminder notes” announcing community involvement in deterring abuse. Their findings included the following:

“The average rate of illegal parking dropped from 51.3% during the initial vertical sign phase to 37.3% under the message sign condition, followed by an increase to 50.4% when the message was removed. Illegal parking decreased to 24.5% when the message dispensers were first used and to 23.7% when the message dispenser condition was repeated.”¹⁸

While the majority of studies related to handicap parking deterrence have explored the use of signs, some studies have looked at other solutions. In 1988, a dissertation prepared by

Yolanda Suarez de Balcazar, entitled “Effects of Environmental Design and Police Enforcement on Violations of Handicapped Parking Ordinances,” found that a police enforcement program consistently reduced the number of inappropriately parked cars and the percentage of intervals of inappropriate use of parking spaces compared with a control site where no enforcement was implemented. The experiment involved a seven day city-wide police crackdown, as six regular police officers patrolled handicap parking spaces in private lots an average of once every 2 hours for 12 hours a day. The researcher measured the parking rates in an experimental site where police enforcement occurred and compared them with a control site that did not have enforcement. Suarez de Balcazar also found satisfaction among police officers, store managers, and persons with disabilities concerning the police crackdown program and willingness to support police enforcement of parking ordinances.¹⁹

Policy Solutions

Policy solutions proposed to curb the abuse of handicap parking have been wide and varied. A survey of news, nationwide, reveals that several states are taking different actions to stop abuse. Among these solutions are: enforcing stricter fines or penalties, technical countermeasures, tightened standards for issuing permits, increased enforcement using volunteers, and implementing a handicap parking educational programs.

Enforcing Stricter Fines or Penalties

- In Sacramento, California, Assemblywoman Sharon Runner introduced a measure to raise the minimum fine for parking illegally in a handicap space from its current \$250 to \$500 in hopes of raising money for local governments. The bill also sets misdemeanors for more serious violations.²⁰

- In Jefferson City, Missouri, a measure pending before Governor Bob Holden would triple the criminal penalties for those who misuse or fraudulently obtain handicap plates or placards, making it a Class A misdemeanor to do so, facing a maximum fine of \$1,000 and up to one year in jail. The bill would also make it a Class A misdemeanor if physicians falsely authorize an application for a parking permit.²¹
- This past April, the city of Boston increased penalties from \$100 to \$200 for people who leave unauthorized vehicles in parking spaces designated for use by disabled veterans or handicapped persons. The money would be used to create a Disability Commission.²²

Technical Countermeasures

- Boston, Massachusetts also set forth a law that all handicap parking signs be permanently affixed to the ground and indicate the fine amount.²³
- States such as Virginia and Texas have enhanced authentication requirements for their handicap placards and require that the state seal appear as a holographic image on the placards, which make them difficult to counterfeit.²⁴
- A politically unpopular solution has been for some jurisdictions to implement a permit recall program, requiring all permits to be renewed and replaced to find outdated or forged cards.²⁵
- In several jurisdictions, the law requires that the applicant's driver's license number be printed on the placards, preventing improper use of authentic placards by those who are not handicapped.²⁶
- Other states have proposed or adopted requirements that the placards have a photographic identification of the user and that the user carry similar identification in their wallet.²⁷

- Proposed legislation in Missouri, gives law officers the option of asking an individual to provide verification that the person using a disabled placard have state authorization to do so. The state Revenue Department would issue a registration certificate. The law would also require physicians to keep on file the medical records of patients who are eligible for special parking privileges, and those records would be subject to review by a state medical licensing board.²⁸
- New Mexico is working on a database to store information on the identity of people who have handicap parking tags.²⁹
- The City of Buffalo, New York has implemented wireless parking as a way to curb abuse at parking meters and make paying for parking easier for disabled drivers. The system, developed by URS Corporation and supplied by Mobile2Meter Limited (M2M) works in this way: drivers register on a web site furnishing their cell phone number, license plate number, and billing information. When a motorist wants to park, they make a brief phone call using their cell phone and enter a short code and PIN number before they park. Attendants enforce the laws by using a hand-held terminal, which allows the officer to remotely query the database to identify the status of users parked in a particular zone. The rollout cost of this project was surprisingly low. The benefits include the fact that legitimate disabled users could be identified by their cell phone number, and they can remotely extend parking by calling the number again using the Web, cell phone or a landline phone.³⁰

Tightening Standards for Issuing Permits

- In Houston, Texas, a new ordinance requires the doctor to provide a notarized statement certifying that an applicant is actually mobility-impaired³¹

- In 1996, California tightened its requirements for medical approval by requiring submission of detailed patient information and making that information available to law enforcement officials.³²
- In Fort Lauderdale Florida, in 1997, officials proposed setting up a task force to investigate doctors accused of illegally certifying permit applications.³³

Increased Enforcement by Police or by Using Volunteers

- In the past, the state of Delaware used police cadets to issue citations for handicap parking violations.³⁴
- Several local governments have implemented a disabled parking “sweep,” which is similar to a drug enforcement sweep. Albany, New York began a “sweep” program, which collected \$35,000 in fines over three years from vehicles illegally parked in handicap spaces.³⁵ In Grand Prairie, Texas, the police department set aside shifts of one hour a day for monitoring these spaces.³⁶
- Kent, Washington began the Volunteers in Police Service (VIPS) program that, in 1999, took responsibility for informing and reminding citizens of their obligations to obey handicap-parking laws. VIPS personnel are members of the Disabled Parking Enforcement Team, and they were trained on how to fill out a citation and instructed on how to issue them. If a VIPS member sees someone violating handicap laws, they take a photograph of the vehicle, showing the disabled parking sign and the absence of a placard or plate. The photograph and citation must be approved by the Community Education Unit Sergeant for approval.³⁷

- Denver, Colorado uses a group of volunteers working for its Commission for People with Disabilities to spot violators. The volunteers work in pairs and some are disabled. They track down violators and issue them tickets.³⁸
- In Phoenix, Arizona, the police department has a full-time volunteer who patrols shopping centers and apartment complexes looking for violators. In his first 15 months as a volunteer, the volunteer wrote 400 tickets and put 4,000 miles on his car.³⁹
- The sheriff's department in Escambia County in Florida, in 1996, reported using 23 unpaid volunteers to enforce the regulations. The group is called PEST (Parking Enforcement Specialist Technicians), and it trains volunteers for 20 hours in state law, which includes advice by the sheriff's lawyer, enforcement officers, and training personnel. The volunteers were even issued shirts, pants, badges, and ticket books in order to write tickets.⁴⁰
- Huntington, Long Island has 18 volunteers that are equipped with identification badges and Polaroid cameras that spend their spare time tracking down illegal parkers. Many of the volunteers are retired, have slight disabilities, or know people who are disabled. The money generated in fines is spent on a summer employment program for the disabled.⁴¹
- During the early 1990's, a county in Florida began to enforce prohibitions using one full-time employee and twenty volunteers, raising more than \$150,000 in only one year. The money generated went to meet compliance with the ADA.⁴²
- In Espanola, New Mexico, city firefighters patrol parking lots in their free time, and they have the authority from the City Council to enforce parking laws.⁴³
- Oklahoma law specifies that a percentage of parking fees can subsidize parking patrols, which can be staffed with community volunteers.⁴⁴

Handicap Parking Educational Programs

- The State of New York created the Handicap Parking Surcharge and Education Program in 1999, imposing a \$30 mandatory surcharge in addition to any other sentence, penalty or fine for parking illegally in a designated handicap parking space. The program creates a fund in each county, which will collect the surcharge and use the money to execute contracts with private organizations to provide advocacy, education, literature distribution, and public awareness of handicap parking laws. In addition to imposing the surcharge, the new law also established programs to educate New York motorists on the importance of making handicap spaces available to those who really need them.⁴⁵
- In Onandaga County, New York, the city manager and the mayor of Syracuse declared June 1994 as “Disabled Parking Awareness Month” in order to dissuade citizens from violating handicap-parking ordinances.⁴⁶
- Omaha, Nebraska allows violators of handicap parking ordinances to attend a three-hour sensitivity training on the needs of handicapped motorists, during which violators are required to perform tasks while riding in a wheelchair.⁴⁷

Policy Recommendations for the Council

Kentucky lawmakers have shown concern about handicap parking abuse in the last few years. Last year, Representative Mary Lou Marzian introduced a bill that would have increased handicap-parking fines from the maximum of \$100 to a maximum of \$250. The bill was defeated in committee, but advocates from the Center for Accessible Living have stated that Representative Marzian intends to reintroduce this bill again for the upcoming legislative session. If the Council decides to introduce legislation concerning this, they should consider working with Representative Marzian to include their concerns in her current bill. From the

empirical studies and the policy solutions described above, the Martin School has developed the following recommendations for the Council concerning handicap-parking legislation:

Recommendation # 1:

The Council should ask the state of Kentucky to experiment with a more frequent renewal policy for handicap privileges. Kentucky's renewal policy, at every six years, is very generous and may be a source of the abuse. This policy would filter out the cases in which the holder of the permit either died or regained mobility. Second, it would reduce the value of forged or stolen permits and may deter people from fraudulently applying for a permit since they may be more likely to get caught. The downside to such a policy would be that legitimate permit holders would incur the expense and inconvenience of renewing their permit.⁴⁸

Recommendation # 2

Since hangtags are the most easily abused form of parking permit, implementing other regulations concerning these should be put into place. Some suggestions, already mentioned, include placing a holographic image on the hangtag to deter fraud, and placing the drivers license number of the person or their picture on the tag. These last two policies would deter persons who borrow their handicapped relative's permit for their own use.

Recommendation # 3

Enforcement of handicap parking violations is a key component of deterring abuse. While fines and penalties are needed, without adequate enforcement, the penalties serve as a non-deterrent. The Council should ask lawmakers to implement legislation, which allows localities to enlist the help of volunteers to enforce parking regulations or ask localities to make enforcement a priority.

Recommendation # 4:

Empirical studies have suggested that handicap parking signs play a major influence in deterring abuse. Legislation concerning handicap parking should include the requirement of vertical handicap parking signs that display a message about the fines and penalties associated with violations and a message that the space is being monitored either by police or by concerned citizens.

Recommendation # 5:

The Council might also consider asking the legislature to restrict the authorization for certifying disability. This may include limiting the certification decision to physicians who have been specially designated by the localities. It may also include requiring a notarized signature by a doctor rather than the signature alone that is required now. Another alternative would be to require the signature of two professionals or to create special boards with exclusive certification powers.⁴⁹ This recommendation would be especially relevant to Kentucky because some physicians in Kentucky have reported massive increases in the number of requests for handicap parking privileges.⁵⁰

Endnotes

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- ² See 29 U.S.C. section 794(a) (1995)
- ³ Fair Housing Act, 42 U.S.C., section 3601-3614(a) 91995)
- ⁴ See Americans with Disabilities Act of 1990, 42 U.S.C. section 12112(a)-(b) (1995)
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timesunion.com

38 ticketed for illegal handicapped parking

By [PAUL GRONDAHL](#), Staff writer

Click byline for more stories by writer.

Last updated: 3:36 p.m., Thursday, July 9, 2009

COLONIE- Tickets were issued to 38 motorists in Albany County who were illegally parked in handicapped spots during a sweep Wednesday, officials said.

The tickets could add up to fines worth an estimated \$5,965, Sheriff James Campbell said.

The crackdown was the latest in more than 30 similar sweeps to enforce handicapped parking laws in the county since the initiative, known as Project Access, was started in 1994.

The sweep was taken by numerous law enforcement agencies and coordinated by the Albany County Sheriff's Department and the county's Traffic Safety Board with coordinator Gary Horne. The fines vary between municipalities, but typically cost about \$150 when surcharges are added.

"People who need those spaces want to be independent and it's a very important issue for them," Staff Sgt. Leonard Crouch said.

The Troy Record (TroyRecord.com), Serving Troy and its surrounding communities

News

38 ticketed for illegal handicap parking

Thursday, July 9, 2009

By James V. Franco
The Record

The 16 police agencies participating in the one day "Project Access" handicap parking blanket patrol issued 38 parking summonses representing \$5,965 in fines.

The Albany Police Department issues 19 and the Colonie Police Department issued 15 while police in Menands and the UAlbany police issued two each.

Since the program's onset in 1994, 41 details have been conducted resulting in 2,001 summonses issued for a total of \$217,470 fines levied.

URL: <http://www.troyrecord.com/articles/2009/07/09/news/doc4a56229180b8a201293690.prt>

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APPENDIX E: PUBLIC ACT 09-187 SECTION 38

Public Act 09-187 Section 38

Section 38 of Public Act 09-187 reads: (*Effective from passage*) The Commissioner of Motor Vehicles, in consultation with members of municipal police departments, shall: (1) Review and evaluate alternative methods of enforcement of statutory provisions concerning parking for persons who are blind and persons with disabilities in areas not normally patrolled by municipal police officers, including private property open to public use; (2) develop recommendations, including proposed legislation, authorizing municipal police departments to employ ancillary staff for such enforcement, such as retired police officers and licensed private security companies; and (3) recommend increased fines and a mandatory court appearance for persons who violate such provisions. The commissioner shall submit such recommendations and proposed legislation, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the Department of Motor Vehicles, not later than January 15, 2010.