

BILL ANALYSIS

Senate Research Center

S.B. 904
By: Springer
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 3163 from the 86th Legislature changed the requirements for how accessible parking spaces are designated. Texas Department of Licensing and Registration (TDLR) made the changes in their requirements. However, TDLR only inspects 'new builds' for compliance. Thereby putting thousands of clearly marked accessible parking spaces under the old system, which are waiting to be updated, out of compliance.

As a result, local law enforcement no longer tickets vehicles parked in spaces intended for persons with disabilities because the parking spaces do not meet the current (new) standards. Thus allowing able-bodied adults to park in clearly marked accessible-only parking spaces. Some judges have stopped accepting citations for accessible parking violations if the space is not marked correctly using the new standards. By enacting a minimum enforcement standard that allows for both the old and new standards, the state can protect parking access for persons with disabilities.

As proposed, S.B. 904 amends current law relating to presumption for an offense to accessible parking.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 681.011, Transportation Code, as follows:

Sec. 681.011. OFFENSES; PRESUMPTION. (a)-(e) Makes no changes to these subsections.

(f) Prohibits the violation from being dismissed for failure of the marking on the parking space to comply with Texas law if the space is in general compliance and is clearly distinguishable as a designated accessible parking space for people who have disabilities. Authorizes only a warning to be issued for unlawfully parking in a space designated for persons with disabilities if there is no above-grade sign as provided by law.

(g) Makes no changes to this subsection.

SECTION 2. Effective date: upon passage or September 1, 2023.