



HB 38: Revise Laws Relating to Disability Parking

The main purpose behind HB 38 is to update Montana Code Annotated section 49-4-307, which provides for the penalty for individuals who illegally park in disability accessible parking spaces, as defined in MCA 49-4-302, which was updated during the 2021 session. This update is necessary for a number of reasons.

1. To add a reference to 49-4-302(3) which was inadvertently left out of HB 598, which was the bill passed by the 2021 Legislature;
2. To decriminalize citations issued for individuals who illegally park in a disability accessible parking space or a notice to appear must be issued and instead, make the citation commensurate with other parking violation citations;
3. To increase the fine for citations issued for individuals who illegally park in a disability accessible parking space or access aisle from \$100 to a range between \$150 and \$500, depending upon the number of citations a person has received for illegally parking in a disability accessible space or access aisle as the current \$100 fine that has been in place for decades is not a strong enough deterrent; and
4. To add a misdemeanor penalty for individuals who may provide or assist in providing false information for an unqualified person to acquire a disability parking permit

HB 38 is a follow/clean-up bill to HB 598 from the 2021 Legislative Session and serves to modernize Montana's disability accessible parking laws, put in place a fine structure that will hopefully actually deter individuals from illegally parking in disability accessible parking spaces and access aisles, and finally, to provide more clear language in MCA for law enforcement agencies to better be able to understand how to properly enforce Montana's disability accessible parking laws.