



RHODE ISLAND AND PROVIDENCE PLANTATIONS  
Executive Department  
**GOVERNOR'S COMMISSION ON  
DISABILITIES**

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**RULES AND REGULATIONS PERTAINING TO**

**Chapter K. Enhanced Enforcement of Disability Parking**

Advertised October 21, 1999  
Public Hearing November 22, 1999  
Amendment adopted November 22, 1999  
Effective December 27, 1999  
Technical Amendments Adopted September 13, 2003  
Amendments proposed on August 11, 2009  
Public Hearing scheduled for September 14, 2009  
Adopted on September 21, 2009  
Effective on October 28, 2009  
Repeal proposed on October 31, 2011  
Public Hearing scheduled for November 28, 2011

**COMPILER'S NOTES: The entire regulation would be repealed**

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**~~I. STATUTORY AUTHORITY~~**

~~RI GL 31-28-7.3 Disability Parking Enforcement Program<sup>1</sup>.~~

**~~II. DEFINITIONS~~**

~~A. “The Commission” shall mean the Governor’s Commission on Disabilities<sup>2</sup>.~~

~~B. “Disability Parking Laws” include but are not limited to RI GL 31-21-4, 31-28-4, 31-28-6, 31-28-7, 31-28-7.1, 31-28-7.3, and 31-29-5.~~

~~C. “State agency(ies)” means The State Police, Department of Environmental Management, Airport Corporation, Capitol Police, Department of Mental Health, Retardation and Hospitals and the state operated colleges<sup>3</sup>.~~

**~~III. THE DISABILITY PARKING ENFORCEMENT ENHANCEMENT PLANS~~**

~~A. The state agency or municipality shall develop a disability parking enforcement enhancement plan. The law does not proscribe any procedure but does list several options, including:~~

~~1. Enforcement programs, which utilize persons deputized for the purpose of the disability parking enforcement enhancement program<sup>4</sup>.~~

~~2. Enforcement programs, which specifically designate paid and trained personnel as staff for the disability parking enforcement enhancement program<sup>5</sup>.~~

~~B. The plan shall also describe efforts to publicize enforcement.~~

**~~IV. SUBMISSION OF DISABILITY PARKING ENFORCEMENT ENHANCEMENT PLANS~~**

~~A. The state agencies and cities and towns shall submit their Disability parking enforcement enhancement plans to the Commission’s Accessibility Committee, on the Disability Parking Enforcement Enhancement Plan GCD Form K.~~

~~B. The state agencies shall develop and submit a disability parking enforcement enhancement plan to the Commission’s Accessibility Committee, by November 1, 1999 and the cities and towns by April 1, 2000<sup>6</sup>.~~

**~~V. IMPLEMENTATION~~**

~~A. The State agencies shall establish a disability parking laws enforcement enhancement program no later than January 1, 2000<sup>7</sup>.~~

~~B. The 39 cities and towns shall establish a disability parking enforcement enhancement program no later than July 1, 2000<sup>8</sup>.~~

**~~VI. ANNUAL REPORTING~~**

~~Beginning January 1, 2001 and on each January 1 thereafter, cities and towns and the state agencies shall submit to the Commission’s Accessibility Committee an annual progress report chronicling the collections of fines, procedures used, convictions, and any problems or successes which result from the disability parking enforcement enhancement program<sup>9</sup>.~~

## ~~VII. REVIEW OF DISABILITY PARKING ENFORCEMENT ENHANCEMENT PLANS AND ANNUAL REPORTS~~

~~The Commission's Accessibility Committee shall review and make suggested improvements to the disability parking enforcement enhancement plans, in writing to the agency / municipality within 60 days receipt of those plans and annual reports<sup>40</sup>.~~

## ~~VIII. FORMS~~

~~The Commission's staff shall prepare and revise any forms, as necessary.~~

## ~~IX. ENDNOTES~~

~~These endnotes are the text of several general laws and are provided for clarification and are not part of the regulation. They are subject to revision, as amended by the General Assembly.~~

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### <sup>1</sup> **RIGL 31-28-7.3. Parking Facilities And Privileges – Disability parking enforcement program.**

- (a) The state police, department of environmental management, airport corporation, capitol police, department of mental health, retardation and hospitals, and the state operated colleges shall establish a disability parking enforcement enhancement programs no later than January 1, 2000. The program will be designed to improve enforcement of disability parking laws on state-owned property and in parking facilities serving space leased or owned by the state, including state departments, agencies, boards, commissions, and quasi-governmental corporations. Citations issued in conjunction with this program shall be submitted to the traffic tribunal or its successor entity for collection pursuant to 31-28-7 and 31-28-7.1 and the fines collected through shall be paid over to the state agency or college that issued the citation.
- (b) The several cities and towns shall establish disability parking enforcement enhancement programs. Citations issued in conjunction with local enforcement programs shall be submitted to the municipal court, where established, or to the traffic tribunal or its successor entity. Fines collected through citations issued in accordance with local enforcement program specifications shall be paid over to the city or town or pursuant to 31-28-7 and 31-28-7.1.
- (c) *Disability parking enforcement enhancement plans.*
- (1) The state police, department of environmental management, airport corporation, capitol police, department of mental health, retardation and hospitals, and the state operated colleges shall submit a disability parking enforcement enhancement plan to the governor's commission on disabilities.
- (2) Cities and towns shall submit a disability parking enforcement enhancement plan to the governor's commission on the disability.
- (3) The disability parking enforcement enhancement plans shall describe the enforcement program which the state police, department of environmental management, airport corporation, capitol police, department of mental health, retardation and hospitals, the state operated colleges or the municipality intends to establish.
- (4) The disability parking enforcement enhancement plan shall be reviewed by governor's commission on disabilities within sixty (60) days of receipt and suggest improvements to the disability parking enforcement enhancement plans, that shall not be construed as required amendments.
- (d) Beginning January 1, 2001 and on each January 1 thereafter, cities and towns and the state police, department of environmental management, airport corporations, capitol police, department of mental health, retardation and hospitals, and the state operated colleges shall be required to submit to the governor's commission on disabilities an annual progress report chronicling the collections of fines, procedures used, convictions, and any problems or successes which result from the disability parking enforcement enhancement program. Following receipt of an annual program report, the governor's commission on disabilities may suggest improvements to a disability parking enforcement enhancement program.
- (e) The types of disability parking enforcement enhancement programs which may be put in place in each municipality, and by the state police, department of environmental management, airport corporation, capitol police, department of mental health, retardation and hospitals, and the state operated colleges, may include, but shall not be limited to:
- (1) Enforcement programs which utilize persons deputized for the purpose of the disability parking enforcement enhancement program. The disability parking enforcement deputies shall be required to complete a minimum of four (4) hours training in parking enforcement before being assigned to the program. Each municipality and the state police, department of environmental management, airport corporation, capitol police, department of mental health, retardation and hospitals, and the state operated colleges shall provide adequate training and shall assume all liability associated with disability parking enforcement.

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(2) Enforcement programs which specifically designate paid and trained personnel as staff for the disability parking enforcement enhancement program. These personnel are not limited to on-duty police officers, but may also include officers to be paid overtime, auxiliary personnel, special forces, retired personnel, and other paid employee deemed by the responsible authority to be competent and qualified.

<sup>2</sup> Governor's Commission on Disabilities  
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<sup>3</sup> RIGL 31-28-7.3 (a) see above

<sup>4</sup> RIGL 37-28-7.3 (e)(1) see above

<sup>5</sup> RIGL 37-28-7.3 (e)(2). see above

<sup>6</sup> RIGL 37-28-7.3 (c)(1) and (2) see above

<sup>7</sup> RIGL 31-28-7.3 (a) see above

<sup>8</sup> RIGL 37-28-7.3 (b) see above

<sup>9</sup> RIGL 37-28-7.3 (d) see above

<sup>10</sup> RIGL 37-28-7.3 (c)(4) see above