



Description of graphic: RI State Seal an anchor in gold behind a blue wheelchair logo. Just below is a blue banner with the state motto "Hope". All are in the center of a ring of 8 blue stars, in groups of 2 separated by the logos for Braille, hearing aids, low vision and amplified phone.

Meeting Notice for the Governor's Commission on Disabilities Business Meeting

Monday November 28, 2011 5 - 7 PM

John O. Pastore Center, 41 Cherry Dale Court,
Cranston, RI 02920-3049

(voice) 401-462-0100 (fax) 462-0106 (tty) via RI Relay 711

(e-mail) disabilities@gcd.ri.gov

(website) www.disabilities.ri.gov

	Agenda Topics	Moderator/Leader	Time
 Clock graphic	Call to Order and Acceptance of the Minutes	R. Timothy Flynn, Chairperson	5:00
Action Items:			
 Parking Graphic	Public Hearing on the Repeal of GCD Regulation Chapter K Enhanced enforcement of disability parking	Tim Flynn	5:05
 capitol graphic	Commission's Legislative Package and Public Forum Report	Linda Ward, Chair Legislation Committee	5:20
 Working graphic	Ratification of NE ADA Center Grant Contract	Patricia Ryherd, Chair Employment Committee	6:00
 calendar graphic	Adoption of the Commission's 2012 Meeting Schedule	Bob Cooper, Executive Secretary	6:20
 Balancing Budget graphic	Commission Budget Requests & Operations	Tim Flynn, Chair	6:30
 Announcer graphic	Announcements	Tim Flynn	6:50
 The end graphic	Adjournment	Tim Flynn	7:00
 No perfume or scents graphic	Special notes:		 assistive listening logo
 sign language logo	<p>We ask that you use unscented personal care products - that you not wear perfumes or scents. Please realize that what may seem to you to be a mild scent can make other people sick.</p> <p>Anyone may come to meetings of the Commission or its committees.</p> <p>If you need someone to read, large print, Braille, interpreters or captioners for the deaf and hard of hearing, at our meetings, please call (401-462-0100, via RI Replay 711) or email (disabilities@gcd.ri.gov) the Commission at least 3 business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting it.</p>		 large print logo



Rules and Regulations Database Submission Tool

Rules and Regulations Filing Form for: Bob Cooper

1. Agency Name and Address

Disabilities, Governor's Commission on

John O. Pastore Center

2. Title of Rule

Chapter K Enhanced enforcement of disability parking

3. Statutory Source of Authority

31-28-7.3

4. Concise Explanatory Statement - §42-35-2.3

This rule is being repealed, pursuant to RIPL 2011 Chapters 213 and 235. The current rule required state and local police agencies to file an annual report on their enforcement of disabilities parking laws. RIPL 2011 Chapters 213 and 235 repeal the requirement to file annual reports.

5. Type of Filing

A1. Emergency 120-day initial - §42-35-3(b)

Adoption

Amendment of ERLID:

Repeal of ERLID: 5795

A2. Emergency 90-day renewal - §42-35-3(b)

Adoption

Amendment

Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-3(b)(2):

ProposedB1. AmendmentB2. AdoptionB3. RepealC. Technical RevisionSupersedes ERLID: Repeals ERLID: Expires ERLID: If B1 or C, please indicate new, amended, deleted, or revised sections:

6. Notice and Hearing Information

Date of Public Notice - §42-35-3(a)(1) (MM/DD/YYYY): Notice Not Required.Date of Public Hearing - §42-35-3(a)(2)(MM/DD/YYYY): Hearing Not Required.End of Comment Period(MM/DD/YYYY):

7. Agency Additional Information - Web Page

http://

*Note: Do not print this form, it is not the filing form.
Also, if you have made changes to the content of the filing information, you'll need to print a new copy of the filing form.*

Submit This Entry to the Database

Office of the Secretary of State
82 Smith Street
Room 217
Providence, Rhode Island 02903
Hours: 8:30AM to 4:30PM
Phone: 401-222-2357 Fax: 401-222-1356 TDD#: TTY 711
E-mail: rulesregs@sos.ri.gov



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 Program¹.~~

~~II. DEFINITIONS~~

~~A. “The Commission” shall mean the Governor’s Commission on Disabilities².~~

~~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 colleges³.~~

~~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 program⁴.~~

~~2. Enforcement programs, which specifically designate paid and trained personnel as staff for the disability parking enforcement enhancement program⁵.~~

~~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, 2000⁶.~~

~~V. IMPLEMENTATION~~

~~A. The State agencies shall establish a disability parking laws enforcement enhancement program no later than January 1, 2000⁷.~~

~~B. The 39 cities and towns shall establish a disability parking enforcement enhancement program no later than July 1, 2000⁸.~~

~~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 program⁹.~~

~~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 reports⁴⁰.~~

~~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.~~

¹ **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.

(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.

² Governor's Commission on Disabilities
John O. Pastore Center - 41 Cherry Dale Court
Cranston, RI 02920-3049
401-462-0100 (voice); tty via 711 and 462-0106 (fax)
disabilities@gcd.ri.gov (e-mail) and
<http://www.disabilities.ri.gov> (website)

³ RIGL 31-28-7.3 (a) see above

⁴ RIGL 37-28-7.3 (e)(1) see above

⁵ RIGL 37-28-7.3 (e)(2). see above

⁶ RIGL 37-28-7.3 (c)(1) and (2) see above

⁷ RIGL 31-28-7.3 (a) see above

⁸ RIGL 37-28-7.3 (b) see above

⁹ RIGL 37-28-7.3 (d) see above

¹⁰ RIGL 37-28-7.3 (c)(4) see above