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FISCAL IMPACT REPORT

ORIGINAL DATE 03/15/09

SPONSOR Steinborn LAST UPDATED _____ HM 111

SHORT TITLE Study Handicapped Parking Issues SB _____

ANALYST Earnest

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		None.				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Governor's Commission on Disability

SUMMARY

Synopsis of Bill

House Memorial 111 requests the Governor's Commission on Disability to create a task force to study handicapped parking.

The task force shall consist of representatives from the Governor's Commission on Disability and the Motor Vehicle Division of the Taxation and Revenue Department; the secretaries of aging and long-term services, human services and public safety; and representatives from municipal and county governments, the Disability Coalition, the Center for Development and Disability, the Protection and Advocacy agency and Councils on Developmental Disabilities and other interested and appropriate persons; and

The task force shall study issues surrounding access to handicapped parking, enforcement of regulations, qualifications, compliance with federal and state regulations and other relevant topics related to handicapped parking.

The task force shall develop recommendations related to the appropriate number of handicapped parking spaces to be provided, the criteria for obtaining a handicapped parking placard, enforcement procedures and any other recommendation deemed relevant by the task force and that the task force report to the appropriate interim legislative committee.

Copies of the memorial are to be transmitted to the Governor's Commission on Disability, the Motor Vehicle Division of the Taxation and Revenue Department, the secretaries of public safety, human services and aging and long-term services, the interim legislative health and human services committee and the interim courts, corrections and justice committee.

FISCAL IMPLICATIONS

None identified.

SIGNIFICANT ISSUES

The Governor's Commission on Disability provided the following:

People with mobility impairments are confronted with a consistent problem of individuals utilizing valid placards for accessible parking spaces, but who may not meet the statute definition of disability in order to receive a valid placard.

For the purpose of obtaining a placard in New Mexico, a person with a "severe mobility impairment" means the person:

1. cannot walk one hundred (100) feet without stopping to rest;
2. cannot walk without the use of a brace, a cane, a crutch, assistance from another person, a prosthetic device, a wheelchair or another assistive device (scooter, walker);
3. is restricted by lung disease to such an extent that the person's forced respiratory volume, when exhaling for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than sixty millimeters on room air at rest;
4. uses portable oxygen;
5. has a severe cardiac condition; or
6. is so severely limited in his ability to walk due to an arthritic, neurologic or orthopedic condition that the person cannot ascend or descend more than ten stair steps.

People with severe mobility impairments (ex: utilize power and manual wheelchairs, scooters, walkers, crutches; amputees) are often forced to forego accessible parking and find another parking space that may place the individual at risk. And people who utilize mobility devices, such as power wheelchairs, scooters, crutches, walkers or are amputees, or have reduced mobility due age-related or other physical issues, then become high-risk, potential accident victims due to the disability when attempting to traverse a parking lot. Accessible parking was designed to be close and convenient to the facility entrance, so people with mobility impairments would not have to 'dodge' cars in regular parking areas, as people with mobility impairments are at increased risk due to being lower than sight lines and/or using walkers, canes, crutches, which reduces reaction time.

Also, people with mobility impairments often find that accessible spaces are not available, so must find a space that would allow a lift/ramp for exiting a vehicle to be dropped down for exit, but not be blocked by other vehicles, or be able to open a vehicle door and exit with a manual wheelchair or other mobility device and not be blocked at re-entry.

It is significant to note that the disability community does not enjoy the same ease of movement as the able-bodied community. Often people with mobility impairments have to plan daily activities due to physical necessity, or possible medical needs. A seemingly simple loss of the ability to park in a designated accessible space can, and does, provide complete disruption of advance planning to such activities as: shopping, recreation, doctor visit, trip to the grocery store, ability to get to class, utilizing the RailRunner, flying for vacation or business trip.

While it may seem that spaces go unused, the standards were developed to ensure that spaces would actually be available for use by valid placard holders, or people who utilize valid New Mexico plates displaying the international ‘barrier free’ symbol, or visitors from other states displaying a valid placard or license plate.

ADMINISTRATIVE IMPLICATIONS

According to GCD, under the current state hiring freeze, GCD has been unable to hire an administrative accessibility assistant to assist in preparing such reports, planning and coordinating meetings. Other staff will be required to pick up much of the duties, as well as current job duties.

BE/mt