**** 68th Legislature 2023

1	HOUSE BILL NO. 747
2	INTRODUCED BY J. DOOLING
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DISABILITY PARKING;
5	INCREASING FINES FOR VIOLATIONS; ESTABLISHING THAT A PERSON WHO PROVIDES FALSE
6	INFORMATION OR ASSISTS AN UNQUALIFIED PERSON IN ACQUIRING CERTAIN DISABILITY PARKING
7	ACCOMMODATIONS IS GUILTY OF A MISDEMEANOR; AND AMENDING SECTION 49-4-307, MCA."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	Section 1. Section 49-4-307, MCA, is amended to read:
12	"49-4-307. Penalty Penalties. (1) (a) A person who parks a motor vehicle or motorcycle in violation of
13	49-4-302(2) is guilty of a misdemeanor and is punishable by a fine of \$100 or (3) shall be fined not less than
14	<u>\$150 or more than \$250 for a first violation, and not less than \$250 or more than \$500 for a second or</u>
15	subsequent violation.
16	(b) However, a person charged with violating in violation of 49-4-302(2) or (3) may not be
17	convicted fined if within 3 business days the person produces in court or the office of the arresting officer a
18	disability parking permit that was previously issued to the person and that is valid at the time of arrest the
19	parking violation.
20	(2) If the operator is not with the vehicle at the time of violation, the registered owner of the motor
21	vehicle is personally responsible. A defense that the motor vehicle was parked in violation of 49-4-302(2) or (3)
22	by a person other than the registered owner is not allowed unless it is shown that at the time, the motor vehicle
23	was being used without the consent of the registered owner.
24	(3) An individual who provides false information in order to acquire or who assists an unqualified
25	person in acquiring a disability license plate issued under 61-3-458(4)(b) or (4)(i), a license plate displaying a
26	wheelchair as provided in 61-3-332(9), or a disability parking placard issued under this part, and any person
27	who abuses the privileges granted by this part is guilty of a misdemeanor punishable by a fine of not less than
28	\$300 or community service not to exceed 10 hours dedicated to improving access for persons with disabilities,



1 <u>or both.</u>

2 (4) A sworn law enforcement official in this state or an officer who is authorized by a municipality

3 may enter any public or private parking space, public or private parking lot, or public parking facility on the ways

4 of this state open to the public as defined in 61-8-101, or in the public right-of-way as defined in 60-1-103, for

- 5 the purpose of enforcing the provisions of 49-4-302(2) or (3) with respect to accessible parking for a person
- 6 with a disability."
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