**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DISABILITY PARKING; INCREASING FINES FOR VIOLATIONS; ESTABLISHING THAT A PERSON WHO PROVIDES FALSE INFORMATION OR ASSISTS AN UNQUALIFIED PERSON IN ACQUIRING CERTAIN DISABILITY PARKING ACCOMMODATIONS IS GUILTY OF A MISDEMEANOR; AND AMENDING SECTION 49-4-307, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 49-4-307, MCA, is amended to read:

"**49-4-307. ~~Penalty~~Penalties.** (1)(a) A person who parks a motor vehicle or motorcycle in violation of 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 $150 or more than $250 for a first violation, and not less than $250 or more than $500 for a second or subsequent violation.

(b) However, a person ~~charged with violating~~ in violation of 49-4-302(2) or (3) may not be ~~convicted~~ fined if within 3 business days the person produces ~~in court or the office of the arresting officer~~ a disability parking permit that was previously issued to the person and that is valid at the time of ~~arrest~~ the parking violation.

(2) If the operator is not with the vehicle at the time of violation, the registered owner of the motor vehicle is personally responsible. A defense that the motor vehicle was parked in violation of 49-4-302(2) of (3) by a person other than the registered owner is not allowed unless it is shown that at the time, the motor vehicle was being used without the consent of the registered owner.

(3) An individual who provides false information in order to acquire or who assists an unqualified person in acquiring a disability license plane issued under 61-3-458(4)(b) or (4)(i), a license plate displaying a wheelchair as provided in 61-3-332(9), or a disability parking placard issued under this part, and any person who abuses the privileges granted by this part is guilty of a misdemeanor punishable by a fine of not less than

$300 or community service not to exceed 10 hours dedicated to improving access for persons with disabilities, or both.

(4) A sworn law enforcement official in this state or an officer who is authorized by a municipality may enter any parking space, parking lot, or parking facility on the ways 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 the purpose of enforcing the provisions of 49-4-302(2) or (3) with respect to accessible parking for a person with a disability."

- END -

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