

103^D CONGRESS
1ST SESSION

H. R. 1825

To amend title 23, United States Code, to require States to extend parking privileges to motor vehicles designated under the laws of other States for transporting certain individuals with disabilities.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1993

Mrs. KENNELLY introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend title 23, United States Code, to require States to extend parking privileges to motor vehicles designated under the laws of other States for transporting certain individuals with disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PARKING PRIVILEGES FOR CERTAIN INDIVID-**
4 **UALS WITH DISABILITIES.**

5 (a) IN GENERAL.—Chapter 1 of title 23, United
6 State Code, is amended by adding at the end the following
7 new section:

1 **“§ 161. Parking privileges for certain individuals**
2 **with disabilities**

3 “(a) IN GENERAL.—

4 “(1) PRIVILEGES GRANTED TO QUALIFIED
5 MOTOR VEHICLES.—Subject to subsection (b), each
6 State, and each political subdivision of a State, shall
7 extend the same parking privileges to qualified
8 motor vehicles from other States as it grants to
9 qualified motor vehicles designated under the laws of
10 such State or political subdivision.

11 “(2) QUALIFIED MOTOR VEHICLE.—A qualified
12 motor vehicle, referred to in paragraph (1), is a
13 motor vehicle designated under the laws of any
14 State, or any political subdivision of a State, for
15 transporting an individual with a disability that lim-
16 its or impairs the ability of the individual to walk.

17 “(b) WITHHOLDING OF FUNDS FOR NONCOMPLI-
18 ANCE.—

19 “(1) FIRST YEAR.—The Secretary shall with-
20 hold 5 percent of the amount required to be appor-
21 tioned to any State under each of sections
22 104(b)(1), 104(b)(2), 104(b)(5), and 104(b)(6) on
23 the 1st day of the 1st fiscal year succeeding fiscal
24 year 1995 in which the State, or any political sub-
25 division of the State, is not in compliance with sub-
26 section (a)(1).

1 “(2) SUBSEQUENT YEARS.—If the Secretary
2 withholds funds from any State under paragraph (1)
3 for any fiscal year and the State, or any political
4 subdivision of the State, is not in compliance with
5 subsection (a)(1) in any subsequent fiscal year, then
6 the Secretary shall withhold 10 percent of the
7 amount required to be apportioned to the State
8 under each of sections 104(b)(1), 104(b)(2),
9 104(b)(5), and 104(b)(6) on the 1st day of such
10 subsequent fiscal year.

11 “(c) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-
12 ANCE AND NONCOMPLIANCE.—

13 “(1) PERIOD OF AVAILABILITY OF WITHHELD
14 FUNDS.—

15 “(A) FUNDS WITHHELD ON OR BEFORE
16 SEPTEMBER 30, 1997.—Any funds withheld
17 under this section from apportionment to any
18 State on or before September 30, 1997, shall
19 remain available for apportionment to the State
20 as follows:

21 “(i) FUNDS APPORTIONED UNDER
22 SECTION 104(b)(5)(A).—If the funds would
23 have been apportioned under section
24 104(b)(5)(A) but for this section, the
25 funds shall remain available until the end

1 of the fiscal year for which the funds are
2 authorized to be appropriated.

3 “(ii) FUNDS APPORTIONED UNDER
4 SECTION 104(b)(5)(B).—If the funds would
5 have been apportioned under section
6 104(b)(5)(B) but for this section, the
7 funds shall remain available until the end
8 of the 2d fiscal year following the fiscal
9 year for which the funds are authorized to
10 be appropriated.

11 “(iii) FUNDS APPORTIONED UNDER
12 SECTION 104(b)(1), 104(b)(2), OR 104(b)(6).—
13 If the funds would have been apportioned
14 under section 104(b)(1), 104(b)(2), or
15 104(b)(6) but for this section, the funds
16 shall remain available until the end of the
17 3d fiscal year following the fiscal year for
18 which the funds are authorized to be ap-
19 propriated.

20 “(B) FUNDS WITHHELD AFTER SEPTEMBER
21 BER 30, 1997.—No funds withheld under this
22 section from apportionment to any State after
23 September 30, 1997, shall be available for ap-
24 portionment to the State.

1 “(2) APPORTIONMENT OF WITHHELD FUNDS
2 AFTER COMPLIANCE.—If, before the last day of the
3 period for which funds withheld from apportionment
4 under this section are to remain available for appor-
5 tionment to a State under paragraph (1)(A), the
6 State and all political subdivisions of the State are
7 in compliance with subsection (a)(1), then the Sec-
8 retary shall, on the day following the last day of the
9 period, apportion to the State the withheld funds re-
10 maining available for apportionment to the State.

11 “(3) PERIOD OF AVAILABILITY OF SUBSE-
12 QUENTLY APPORTIONED FUNDS.—

13 “(A) AVAILABILITY OF FUNDS.—Any
14 funds apportioned pursuant to paragraph (2)
15 shall remain available for expenditure as fol-
16 lows:

17 “(i) FUNDS APPORTIONED UNDER
18 SECTION 104(b)(5)(A).—Funds apportioned
19 under section 104(b)(5)(A) shall remain
20 available until the end of the fiscal year
21 succeeding the fiscal year in which the
22 funds are apportioned.

23 “(ii) FUNDS APPORTIONED UNDER
24 SECTION 104(b)(1), 104(b)(2), 104(b)(5)(B), OR
25 104(b)(6).—Funds apportioned under sec-

1 tion 104(b)(1), 104(b)(2), 104(b)(5)(B), or
2 104(b)(6) shall remain available until the
3 end of the 3d fiscal year succeeding the fis-
4 cal year in which the funds are appor-
5 tioned.

6 “(B) LAPSE OF FUNDS.—Funds not obli-
7 gated at the end of the period shall lapse or, in
8 the case of funds apportioned under section
9 104(b)(5), shall lapse and be made available by
10 the Secretary for projects in accordance with
11 section 118(b).

12 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
13 end of the period for which funds withheld from ap-
14 portionment under this section are available for ap-
15 portionment to a State under paragraph (1), the
16 State or any political subdivision of the State is not
17 in compliance with subsection (a)(1), then the funds
18 shall lapse or, in the case of funds withheld from ap-
19 portionment under section 104(b)(5), the funds shall
20 lapse and be made available by the Secretary for
21 projects in accordance with section 118(b).

22 “(d) DEFINITIONS.—For the purposes of this section:

23 “(1) MOTOR VEHICLE.—The term ‘motor vehi-
24 cle’ has the meaning given such term in section 154.

1 “(2) STATE.—The term ‘State’ means any en-
2 tity that receives apportionments under section
3 104.”.

4 (b) CONFORMING AMENDMENT.—The analysis for
5 chapter 1 of title 23, United States Code, is amended by
6 adding at the end the following new item:

“161. Parking privileges for certain individuals with disabilities.”.

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