

**In recent months there have been increased complaints to the Martin Police Department about abuse of disabled parking placards. Responsibility for the proper use of the placard lies with the person to whom the placard is lawfully issued. Persons taking advantage of designated disabled parking spaces using placards issued to others are violating Tennessee State law and municipal parking ordinances either of which carries stiff fines and penalties. Abuse of these placards also places the person to whom the placard is lawfully issued at risk of losing the placard. Most importantly, when someone without a significant physical disability takes a parking space designated for disabled parking, the likelihood exists that someone is going to be denied access to a business, school, church, or doctors offices. The Officers of the Martin Police Department will actively pursue those who abuse this law in order to maintain ease of access for those who legitimately need these parking spaces. To report disabled parking abuses in Martin, please contact the Martin Police Department by phone at (731)587-5355 or by email at martindps.org**

**55-21-108. Unauthorized use of disabled parking or placard - Violations - Penalties.**

- (a)(1) Any person, except a person who meets the requirements for the issuance of a distinguishing placard or license plate, a disabled veteran's license plate, or who meets the requirements of § 55-21-105(d), who parks in any parking space designated with the wheelchair disabled sign, commits a misdemeanor, punishable by a fine of one hundred dollars (\$100). (2) In addition to the fine imposed pursuant to subdivision (a)(1), a vehicle which does not display a disabled license plate or placard, and which is parked in any parking space designated with the wheelchair disabled sign, is subject to being towed. When a vehicle has been towed or removed pursuant to this subdivision, it shall be released to its owner, or person in lawful possession, upon demand; provided, that such person making demand for return pays all reasonable towing and storage charges and that such demand is made during the operating hours of the towing company. (3) It is also a violation of this subsection for any person to park a motor vehicle so that a portion of such vehicle encroaches into a disabled parking space in a manner which restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a motor vehicle properly parked within such disabled parking space. (4) After July 1, 1992, signs designating disabled parking shall indicate that unauthorized or improperly parked vehicles may be towed and the driver fined one hundred dollars (\$100), and shall also provide the name and telephone number of the towing company or the name and telephone number of the property owner, lessee or agent in control of the property. (b) Notwithstanding any other provision of law to the contrary, the provisions of subsection (a) shall be enforced by state and local authorities in their respective jurisdictions, whether violations occur on public or private property, in the same manner used to enforce other parking laws. (c)(1) Any person not meeting the requirements of § 55-21-103 who uses a disabled placard to obtain parking commits a misdemeanor. The disabled placard used to obtain parking by a person not meeting the requirements of § 55-21-103 shall be subject to forfeiture and confiscation by state and local authorities in their respective jurisdictions. (2) If a state or local law enforcement officer observes a violation of this subsection, such officer may confiscate the disabled placard. To recover such

placard, a driver must demonstrate by a preponderance of the evidence that such driver was complying with § 55-21-103, at the time of the confiscation. (d) Any person who unlawfully sells, copies, duplicates, manufactures, or assists in the sale, copying, duplicating or manufacturing of a disabled placard commits a Class A misdemeanor, punishable by a minimum one thousand dollar (\$1,000) fine and imprisonment for a time in the discretion of the court.