



Montgomery County, MD
Commission on People with Disabilities
May 11th, 2016

Welcome and Approval of April 2016 Meeting Summary Minutes:

Seth Morgan, Chair, convened the meeting. A motion was made to approve the April, 2016 Meeting Summary Minutes. The motion was seconded. A vote was taken and the April, 2016 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at www.montgomerycountymd.gov/cpwd.

Respect the Space Training:

Seth gave background information regarding the Respect the Space program. The issue of abuse of accessible parking and the illegal use of hanging placards and disabled license plates was brought to his attention at a Commission on Aging meeting.

In 2011 the Commission sent the County Executive Isiah Leggett a letter informing him of the abuse and inquiring about enforcement of laws pertaining to the accessibility of parking for people with disabilities through the Montgomery County Police Department (MCPD). As a result of the letter County Executive Leggett convened a task force to explore potential measures to address the issue. The task force included Capt. Tom Didone, Director of the MCPD Traffic Division; Rick Siebert, Chief of the Management Services Section in the Division of Parking Management for the Montgomery County Department of Transportation (MCDOT); Betsy Luecking, Manager, Commission on People with Disabilities (CPWD); Seth Morgan, Commissioner, CPWD; and Michael Subin, Special Assistant to the County Executive.

The County increased its enforcement of illegal parking in accessible spaces, but needed the assistance of the Motor Vehicle Administration (MVA) to better enforce placard abuses. Michael Subin and Capt. Tom Didone met with administrators at the MVA including inspector John Harkins to build a partnership between the agencies that would allow members of law enforcement direct access to the MVA's internet database of those legally registered for disabled parking placards and plates. Beginning in August of 2012, law enforcement officers across Maryland have been able to access the MVA's database. Officers can now access vehicle records to determine parking privileges. Information includes a photo of the person to whom accessible parking access has been granted. One issue that came up afterwards is that officers cannot issue citations if parking lots are not in compliance. A workgroup met to discuss this issue and determine the appropriate enforcement agencies.

Volunteers will fill out a compliance checklist form that will be sent to Betsy who will review and log the complaint. If a private parking lot is cited for being out of compliance, it will be sent to the Office of Human Rights to investigate and mediate. If mediation is not successful, the County Attorney has agreed to enforce the law and go to court. If the parking lot is County owned, then Nancy Greene and the ADA office will handle the complaint. Volunteers are to make a windshield inspection only and are asked to remain in their cars in order to avoid a possible confrontation with property management staff.

PowerPoint: <http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/RespecttheSpaceIII.pdf>

Maryland Accessible Parking Spaces Handout: <http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MarylandAccessibleParkingSpaces.pdf>

Federal, State and sometimes local law all apply to accessible parking. Jurisdictions must comply with all of the Federal requirements, but can add additional more stringent requirements. For example, the Maryland Accessibility Code (MAC) exceeds the ADA in number of van accessible spaces. According to MAC 1 in 4 accessible spaces needs to be van accessible and requires that a "No Parking Access Aisle" sign be installed for 8-foot access aisles serving van spaces. 5-foot access aisles do not need to be marked. County Code in Chapter 31, which addresses Motor Vehicle and Traffic laws,

sets the maximum fine for illegally parking in an accessible spot at \$250.00. The City of Rockville, the City of Gaithersburg and the City of Takoma Park may have different maximum fines and those should be noted on the Compliance Checklist.

Betsy noted that the Police Department will also be randomly asking people for their medical certification.

It was noted that van accessible aisles are typically to the right of the van accessible spot so that the individual can exit the van from the passenger side. Cars can park in a van accessible spot if available as there is no law against such use. There are also no requirements for the color of striping, although blue and white are typically used.

If you see a vehicle illegally parked, you can call the Police Department's non-emergency number at 301-279-8000. If an officer is in the area, they will respond to the call if available.

Hilary Kaplan had a question regarding Metro parking garages. Metro must comply with the same requirements as the State that the garage is located. Nancy and her team will review the parking garage in question.

There was a question regarding free parking if you have a park in an accessible space and have a placard and disabled license plate. The ADA does not require free parking if the payment method is accessible. If a parking meter is inaccessible, then vehicles displaying valid accessible parking tags or placards may also park at any metered space for double the time-limit of that meters (maximum 4 hours).

There was a question regarding installing an accessible parking sign in a residential neighborhood. Requests should be made through the MVA.

Chair and Vice-Chair Report:

Seth Morgan, Chair, introduced Okianer Christian Dark who will be the liaison from the Commission on Human Rights.

Seth thanked Commissioners Tim Markwood and Ric Kienzle for being a part of the Selection Committee and interviewing Commission applicants.

Bill 37-15 – Advocacy – was passed on May 3rd and will enable approximately 16 boards, committees and commissions to now lobby at the State and Federal level with prior approval by the Office of Intergovernmental Relations.

Seth reminded Commissioners that the Steering Committee meeting will be held next Wednesday, May 18th at 401 Hungerford Drive from 5:30 p.m. to 7:00 p.m.

Ex-Officio Updates:

Susan Smith, Housing Opportunities Commission, reported that the Mental Health Advisory Group will be hosting their annual spring forum at the Activity Center at Bohrer Park in Gaithersburg on Thursday, May 12th.

Charlie Butler, Department of Recreation, reported that the new summer guides are available as well as the new SOAR (Senior Outdoor Adventures in Recreation) program guide. He also gave information regarding the 27th Anniversary VIP Day Program at the Montgomery County Fair. The program provides free admission for children who have a disability or life-threatening illness and their families on Children's Day at the fair on Monday, August 15th, 2016. For an application or more information, please contact Charlie.

Nancy Greene, ADA Compliance Manager, Department of General Services (DGS), introduced Dennis Pillsbury, a new hire with Nancy's team. He is an architect who will be working with Jerzy Hubert on remediation work for County buildings and facilities.

Roundtable: None

Public Comments: None.

Next Full Commission Meeting: Wednesday, June 8th, 2016 – Executive Office Building, 101 Monroe Street, Lobby Auditorium, Rockville, MD 20850 – 6:00 p.m. to 7:30 p.m.

Steering Committee Meeting: Wednesday, June 15th, 2016 – Health & Human Services, 401 Hungerford Drive, 1st Floor 1D Conference Room, Rockville, MD 20850 – 5:30 p.m. to 7:00 p.m.

Submitted by: Carly Clem, Administrative Specialist I
Betsy Luecking, Community Outreach Manager