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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

28TH CONSTITUTIONAL REGULAR SESSION, 2007

BILL NO:138

P.L. 2007-82

AN ACT

to designate parking spaces for vehicles carrying disabled passengers in public car parks; and for matters related thereto.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS:

§1. Short Title

This Act may be cited as the Motor Traffic (Disabled Parking) Act, 2007.

§2. Definitions

In this Act, unless the context otherwise requires-

(a) "*disabled person*" means a person with a physical, mental, or developmental impairment, limiting that person's capacity to adequately perform one or more essential activities of daily life, including, but not limited to personal health care, mobility and communication.

(b) "*Public Safety Commissioner*" means the Commissioner of Public Safety appointed under Section 508(1) of the Public Safety Act, 1988:

(c) "*Public safety officer*" means a Public Safety officer appointed under the Public Safety Act, 1988.

§3. Purpose

The purpose of this Act is to ensure that an appropriate number of parking spaces is allocated for the use of motor vehicles carrying disabled persons at public car parks in the Republic.

§4. Allocation of parking space for handicapped passengers

22 (1) It shall be the duty of the Public Safety Commissioner, in consultation with the Secretary of
23 Public Works, to ensure that every public car park in the Republic has at least one (01) car
24 park allocated for the use of motor vehicles carrying disabled persons.

25 (2) The Secretary of the Ministry of Public Works, shall, after consultation with the Public
26 Safety Commissioner, ensure that appropriate signs and markings are established to clearly
27 indicate which parking spaces are allocated for motor vehicles carrying disabled persons.

28 **§5. Requirement to obtain 'disabled parking' sticker or label**

29 (1) Every vehicle owner intending to use a public parking under section 4(1), shall apply to the
30 Public Safety Commissioner, in the prescribed form, for a 'disabled parking' sticker or label.

31 (2) The Public Safety Commissioner shall administer the issuance of a parking sticker or some
32 other label to motor vehicle owners applying under subsection (1).

33 (3) In addition to any other requirements by the Public Safety Commissioner, the applicant must
34 provide a letter from the Ministry of Health, indicating:

35 (a) the name of the disabled person and confirmation of that person's disability; and

36 (b) the name of the vehicle owner and the vehicle's registration number.

37 **§6. Duty to display disabled parking sticker when using allocated parking**

38 (1) Every motor vehicle owner intending to park at a car park allocated under section 4(1) must:

39 (a) be parked at the allocated car park for the purpose of picking up or dropping off a
40 disabled person; and

41 (b) prominently display a valid 'disabled parking' sticker or label issued under section
42 5(2).

43 **§7. Enforcement**

44 (1) The Public Safety Commissioner shall ensure that Public Safety officers monitor the use of
45 car parks under this Act, and that the provisions under section 8 are appropriately enforced.

46 **§8. Penalties**

47 (1) Any motor vehicle owner or person in charge of a motor vehicle who parks in a space
48 allocated for the use of disabled persons and:

49 (a) fails to display a valid 'disabled parking' sticker or label, shall be issued with an
50 infringement notice by a Public Safety officer and be liable to pay a fine of up to
51 \$100.00;

52 (b) is not using the car park for the purpose set out under section 6(1)(a), shall be issued
53 with an infringement notice by a Public Safety officer, and be liable to pay a fine of
54 up to \$150.00.

55 **§9. Effective Date**

56 This Act shall take effect on the date of certification in accordance with the Constitution
57 and the Rules of Procedures of the Nitijela.

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CERTIFICATE

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62 I hereby certify:

63

- 64 (1) That Nitijela Bill No: 138 was passed by the Nitijela of the Republic of the Marshall
65 Islands on the 4th day of April, 2007; and
66 (2) That I am satisfied that Nitijela Bill No.: 138 was passed in accordance with the relevant
67 provisions of the Constitution of the Republic of the Marshall Islands and the Rules of
68 Procedures of the Nitijela.

69

70 I hereby place my signature before the Clerk this 16th day of May, 2007.

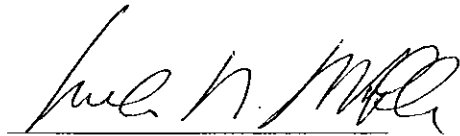
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Attest:

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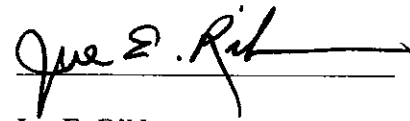
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Ruben R. Zackhras

Vice-Speaker

Nitijela of the Marshall Islands



Joe E. Riklon

Clerk

Nitijela of the Marshall Islands

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