

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY

H.P. 1439 - L.D. 2018

**An Act To Require That Parking Lots for State Agencies Meet the Standards  
Set Forth in the Federal Americans with Disabilities Act of 1990**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, this Act requires that each state department, state agency and quasi-independent state entity conduct an examination of parking areas serving buildings housing the state department, state agency or quasi-independent state entity to ensure that each parking area meets the federal standards related to the marking of parking space access aisles under the 2010 standards for accessible design under the federal Americans with Disabilities Act of 1990; and

**Whereas**, such examinations must be conducted by June 1, 2020 to ensure that the state department, state agency or quasi-independent state entity can make necessary changes to the marking of parking space access aisles during the upcoming construction season; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §4594-H** is enacted to read:

**§4594-H. Marking of parking space access aisles**

Notwithstanding any provision of this subchapter to the contrary, a state department, state agency or quasi-independent state entity shall ensure that parking areas serving state-owned or state-leased buildings housing that state department, state agency or quasi-independent state entity meet the federal standards related to the marking of parking space access aisles under the 2010 ADA Standards for Accessible Design, 28 Code of

Federal Regulations, Sections 35.104 and 35.151. For the purposes of this section, "quasi-independent state entity" has the same meaning as in section 12021, subsection 5.

**Sec. 2. Parking space access aisles; examination and changes.** By June 1, 2020, each state department, state agency and quasi-independent state entity shall conduct an examination of the parking areas serving state-owned or state-leased buildings housing that state department, state agency or quasi-independent state entity to ensure that each parking area meets the federal standards related to the marking of parking space access aisles under the 2010 ADA Standards for Accessible Design, 28 Code of Federal Regulations, Sections 35.104 and 35.151 as required by the Maine Revised Statutes, Title 5, section 4594-H. By November 1, 2020, each state department, state agency and quasi-independent state entity shall implement any necessary changes identified in the examination to ensure that each parking area subject to this section meets the federal standards related to the marking of parking space access aisles under the 2010 ADA Standards for Accessible Design, 28 Code of Federal Regulations, Sections 35.104 and 35.151. For the purposes of this section, "quasi-independent state entity" has the same meaning as in Title 5, section 12021, subsection 5.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.