



SPONSOR: Sen. Delcollo & Sen. Walsh & Rep. K. Williams &  
Rep. Michael Smith  
Sens. Cloutier, Hansen, Hocker, Lawson, Lopez, Paradee,  
Sokola, Wilson; Reps. Baumbach, Carson, Hensley,  
K. Johnson, Ramone

DELAWARE STATE SENATE  
150th GENERAL ASSEMBLY

SENATE BILL NO. 202

AN ACT TO AMEND TITLE 6 AND TITLE 21 OF THE DELAWARE CODE RELATED TO EQUAL  
ACCOMMODATIONS IN PARKING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 4504, Title 6 of the Delaware Code by making deletions as shown by strike through and  
insertions as shown by underline as follows:

§ 4504. Unlawful practices.

(a)(1)a. No person being the owner, lessee, proprietor, manager, director, supervisor, superintendent, agent, or  
employee of any place of public accommodation, may directly or indirectly refuse, withhold from, or deny to any person,  
on account of race, age, marital status, creed, color, sex, disability, sexual orientation, gender identity, or national origin,  
any of the accommodations, facilities, advantages, or privileges thereof.

b. A person who does not allow parking by a holder of a special license plate or permits for persons with  
disabilities as allowed under § 2134 through § 2135 of Title 21 is engaged in an unlawful practice under this  
chapter.

(b)a. No person, being the owner, lessee, proprietor, manager, superintendent, ~~agent~~ agent, or employee of any  
place of public accommodation, shall directly or indirectly publish, issue, circulate, ~~post~~ post, or display any written,  
typewritten, mimeographed, ~~printed~~ printed, or radio communications notice or advertisement to the effect that any of the  
accommodations, facilities, ~~advantages~~ advantages, and privileges of any place of public accommodation shall be refused,  
withheld from or denied to any person on account of race, age, marital status, creed, color, sex, disability, sexual  
orientation, gender ~~identity~~ identity, or national origin, or that the patronage or custom thereat of any person belonging to or  
purporting to be appearing to be of any particular race, age, marital status, creed, color, sex, disability, sexual orientation,  
gender ~~identity~~ identity, or national origin is unlawful, objectionable, or not acceptable, desired, ~~accommodated~~  
accommodated, or solicited, or that the patronage of persons of any particular race, age, marital status, creed, color, sex,  
disability, sexual orientation, gender ~~identity~~ identity, or national origin is preferred or is particularly welcomed, ~~desired~~  
desired, or solicited.

b. A sign that prohibits parking by a holder of a special license plate or permits for persons with disabilities as allowed under § 2134 through § 2135 of Title 21 is a violation under paragraph (b)a. of this section.

Section 2. Amend Subchapter II of Chapter 21 of Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2134. Special license plates for persons with disabilities which limit or impair the ability to walk; parking; penalties.

(f)(1) A person for whom a special license plate is issued under this section or under a similar statute of any other state or country may park in parking spaces or zones ~~restricted~~ as follows:

a. Restricted for use by persons with disabilities which limit or impair the ability to ~~walk and in~~ walk.

b. For an unlimited period in an unmetred parking spaces or zones restricted as to the length of parking time ~~permitted; furthermore, if such a~~ permitted.

c. In a metered parking space for no less than 1 hour.

d. If a parking space is assigned to a specific person with a disability as that person's residential or business parking space, that person may use the space without any time restriction.

(2) A person who is driving a vehicle with a special license plate issued under this section or under a similar statute of any other state or country may not ~~park~~; park in any of the following places:

a. In a space or zone where stopping, ~~standing~~ standing, or parking is prohibited to all ~~vehicles~~; vehicles.

b. In a space or zone which is reserved for other special types of ~~vehicles~~; vehicles.

c. In a space or zone assigned to another person for the other person's residential or business ~~use~~; use.

d. Where a local ordinance prohibits parking during heavy traffic periods in morning, ~~afternoon~~ afternoon, or evening rush ~~hours~~; or hours.

e. Where parking clearly would present a traffic hazard.

(3) The person for whom a special license plate is issued under this section or under a similar statute of any other state or country must be the driver of or a passenger in the vehicle bearing the special plate whenever the vehicle parks in a parking space or zone restricted for use only by vehicles with a special license plate or placard for persons with disabilities which limit or impair the ability to walk.

§ 2135. Parking permits for persons with disabilities which limit or impair the ability to walk; parking; penalties.

~~restricted~~ as follows:

a. Restricted for use by persons with disabilities which limit or impair the ability to ~~walk and in~~ walk.

51                   b. For an unlimited period in an unmetered parking spaces or zones restricted as to the length of parking  
52 time permitted; furthermore, if such a permitted.

53                   c. In a metered parking space for no less than 1 hour.

54                   d. If a parking space is assigned to a specific person with a disability as that person's residential or  
55 business parking space, that person may use the space without any time restriction.

56                   (2) A person who is driving a vehicle with a special license plate issued under this section or under a similar  
57 statute of any other state or country may not ~~park~~; park in any of the following places:

58                   a. In a space or zone where stopping, ~~standing~~ standing, or parking is prohibited to all ~~vehicles~~; vehicles.

59                   b. In a space or zone which is reserved for other special types of ~~vehicles~~; vehicles.

60                   c. In a space or zone assigned to another person for the other person's residential or business ~~use~~; use.

61                   d. Where a local ordinance prohibits parking during heavy traffic periods in morning, ~~afternoon~~  
62 afternoon, or evening rush ~~hours~~; or hours.

63                   (3) The person for whom a red or blue parking placard is issued under this section or under a similar  
64 statute of any other state or country must be the driver of or a passenger in the vehicle displaying the parking  
65 placard whenever the vehicle parks in a parking space or zone restricted for use only by vehicles with a special  
66 license plate or parking placard for persons with disabilities.

#### SYNOPSIS

This Act clarifies that a person with a special license plate or permit for persons with disabilities which limit or impair the ability to walk may park for an unlimited period where the length of time is otherwise limited and must be able to park in a metered parking space for at least 1 hour. This Act clarifies that it is a violation of the state equal accommodations law to prohibit parking as authorized for a person with a special license plate or permit for persons with disabilities which limit or impair the ability to walk.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Delcollo