

## ORDINANCE NO. 7,998-N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 14.40.100 TO UPDATE THE DEFINITION OF "DISABLED PERSON" AND EXTEND PARKING PRIVILEGES TO INCLUDE VEHICLES OPERATED BY A CAREGIVER OR SUPPORT PERSON, AND DEFER TO DMV-ISSUED IDENTIFIERS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 14.40.100 is amended to read as follows:

**14.40.100 Disabled persons--Exempt parking.**

Disabled person, as used in this section, shall mean any person who meets the definition of disability under California Vehicle Code § 295.5.

The provisions of this section regulating overtime parking shall not apply to any vehicle in which a disabled person, as herein defined, is either the driver or a passenger, provided the vehicle is displaying a valid disabled person placard or license plate when parked by said persons in any area limiting parking, nor shall they be required to operate any parking meter, subject to the following requirements:

A. -The disabled person shall possess a valid placard or license plate issued by the California Department of Motor Vehicles.

B. The disabled person, or their authorized caregiver or support person, shall have a valid driver's license and the placard identification card in their immediate possession at all times when driving or parking a motor vehicle and shall display said driver's license and identification card to any police officer upon request.

C. The disabled person, or their authorized caregiver or support person, shall display the DMV-issued placard or license plate in compliance with applicable provisions of the California Vehicle Code.

D. The disabled person, or their authorized caregiver or support person, shall only claim the privileges herein when the disabled person is either operating or being transported in the vehicle.

E. The disabled person, or their authorized caregiver or support person, will not be permitted to park a motor vehicle in any zone where it is otherwise unlawful to park, nor to claim the benefits of this section while parked in a 24-minute parking zone.

Abuse of privileges, or noncompliance with any of the above mentioned requirements by disabled persons, or their authorized caregiver or support person, will constitute sufficient grounds for enforcement and penalties as provided in Chapter 1.20 of the BMC.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on January 20, 2026, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Blackaby, Humbert, Kesarwani, Lunaparra, O’Keefe, Taplin, Tregub, and Ishii.

Noes: None.

Absent: None.