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## **ACLU OF RI POSITION: OPPOSE**

### **TESTIMONY ON 25-H 5883, RELATING TO MOTOR AND OTHER VEHICLES– PARKING FACILITIES AND PRIVILEGES March 13, 2025**

The ACLU of Rhode Island opposes Section 2 of this bill, which establishes a “parking mobility app program,” allowing individuals to submit photos of “vehicles illegally parked in spaces designated for individuals with disabilities.”

While we fully recognize and support the critical importance of protecting accessible parking spaces for individuals with disabilities, we believe this provision raises serious privacy and fairness concerns. Encouraging citizens to take photos of parked vehicles and report them as violations effectively turns them into untrained, unaccountable enforcers of the law and encourages surveillance. This opens the door to potential misuse, where individuals may invade the privacy of others by photographing their vehicles, license plates, and possibly even drivers, under questionable circumstances or with retaliatory motives.

The implementation of such a program raises numerous practical issues. For example, how will the agency responsible for formally issuing a ticket do so? In order to be able to contest the ticket, will the vehicle owner be allowed to learn the name of the person who took the photo and question the circumstances under which the picture was taken? How will the enforcing agency ensure that any photo provided has not been photoshopped to remove the disability placard?

Additionally, Rhode Island handicap placards are tied to a person’s name, not the car they drive. A person with a disability placard can use different vehicles – including their own, someone else’s, or even a rental – and still be fully within their rights to park in accessible spaces. A person may forget to display their placard, or place it somewhere it’s not immediately visible. This provision would give broad discretion to untrained individuals to judge whether someone is entitled to use a designated parking spot. This discretion is also particularly troubling when one is reminded that not all handicaps or disabilities are visible. Because the agency issuing the ticket will be relying on a third party for the “evidence,” we believe basic due process concerns will be present in trying to enforce this law.

For these reasons, we urge rejection of Section 2 of this bill. Thank you for considering our views.

