



Where do I park?

Addressing the shortfalls of accessible parking
for people with disabilities.

Road Safety Series

November 2021



Road Safety Series

The NRMA has prepared a series of reports with the aim of identifying the main factors involved in road crashes and initiatives that may help to reduce the risk of loss of life and injuries.

For this report, the NRMA has partnered with Spinal Cord Injuries Australia (SCIA) to help improve the safety and accessibility of people with disabilities on our roads.

scia
Spinal Cord Injuries Australia

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About the NRMA

The NRMA represents over 2.7 million Australians in NSW and the ACT, making it one of the largest tourism and transport companies in Australia. We provide motoring, transport and tourism services to our Members and the community.

We've been focused on better transport infrastructure since the beginning, when our founders lobbied for improvements to Sydney's Parramatta Road back in 1920. Independent advocacy is the foundation activity of our organisation, and remains critical to who we are today.

About Spinal Cord Injuries Australia

Spinal Cord Injuries Australia (SCIA) is a member-based, for purpose, organisation who supports people living with a spinal cord injury (SCI) and other neurological conditions.

SCIA was founded by people with SCI over 50 years ago; people with disability make up over 25 per cent of our staff, and the majority of our Board have lived experience of SCI.

SCIA is a national organisation that serves 2,500 members made up of people living with disability, their family, carers, researchers and other professionals in the sector.

SCIA's Policy and Advocacy team provides individual and systemic advocacy, and supports self-advocacy. The team aims to ensure that people living with SCI and other disabilities do not face barriers in exercising their independence and realising their human rights. The team at SCIA strives to achieve inclusivity and change for people with disabilities, their family members and carers.



Introduction

The NSW Mobility Parking Scheme (MPS) permit gives drivers with disabilities allowance to park in accessible car parks that are provided specifically to meet their needs and can give a driver with disability extended time in a parking space (metered or otherwise) provided by local councils.

The permit is significant because it gives people with disabilities (drivers or passengers) and older Australians the ability to park in a reasonably safe place with adequate room to consider their mobility aids such as a manual wheelchair or a car hoist.

Without the permit, people with disabilities and older Australians would face significant barriers accessing their community, employment and even their homes. Disability service providers, such as carers, are also able to use the permit to assist people with disabilities and older Australians when they are providing support, whether in their clients' homes, or assisting them in the community.

The MPS originated nearly 50 years ago with the aim to allow people with disabilities access to high population areas such as the Sydney CBD. Since then, a raft of changes have been made for people with disabilities. Most significantly, the introduction

and implementation of the National Disability Insurance Scheme (NDIS) in 2013.

The NDIS gives people with disabilities the opportunity to drive independently with the right supports and vehicle modifications.

With an increase in drivers and passengers with disabilities requiring MPS permits, the availability and suitability of accessible parking spaces, both on-street and in parking stations, continues to be an issue. There are not enough accessible parking spaces to meet demand and challenges continue to exist around the suitability of many spots for drivers and passengers with disabilities. Accessible parking spaces are also often misused by drivers that are not entitled to use them, even though hefty penalties apply.

With the demand of accessible parking spaces continuing to increase, the shortfalls must be addressed to improve access for those with mobility difficulties. More accessible parking spaces, increased enforcement, real-time accessible parking data and an audit of the suitability of these parking spaces for people with disabilities are all long overdue.

Recommendations

- 1.** More accessible parking spaces and an improved ratio of accessible parking spaces for those needing them.
- 2.** Real time data is needed for private and council-held accessible parking spaces across NSW.
- 3.** Councils to undertake an audit of accessible parking spaces within their respective council areas, to ensure compliance with the relevant design standards.
- 4.** Stringent and more effective enforcement of accessible parking laws, combined with targeted educational campaigns around eligibility, criteria, laws and penalties.
- 5.** Signage displaying the demerit point penalty near accessible parking spaces to deter drivers from parking illegally.
- 6.** Harsher penalties should apply for repeat accessible parking offenders who misuse spaces.
- 7.** Encourage private car park operators to allow local council rangers, police or other authorised enforcement officers to access their property to issue penalties for those who are misusing the accessible parking spaces.

Protecting disabled parking spots

In the 2021 financial year,

12,992

people were fined for stopping in a disabled parking area without a current permit displayed.¹

Almost

8%

Almost 8% of Class C licence holders hold a NSW Mobility Parking Permit.

395,855

NSW Mobility Parking Scheme permits were on issue to individuals as of 31 March 2021.²

1 demerit

From 1 December 2014, anyone caught parking in a disabled spot without the proper permit loses one demerit point.

The on-the-spot fine is

\$581

but courts may impose fines of up to \$2,200.

Financial Year	Number of fines
2016-2017	11,553
2017-2018	11,738
2018-2019	12,177
2019-2020	11,118
2020-2021	12,992
Total	59,578

Table 1. Number of fines issued for stopping in a disabled parking area without a current permit displayed by financial year. Source: Revenue NSW

In 2007, the Mobility Parking Scheme Hotline was launched to report suspected misuse of disability parking permits, report medical practitioners suspected of incorrectly issuing permits, and report persons suspected of not being mobility impaired.

Types of permits

- **Individual** — Issued for 5 years to people with a permanent disability
- **Temporary** — Issued for up to 6 months to people with a temporary disability, for example a leg injury
- **Organisation** — Available only to organisations that provide transport for people with disabilities.

Permits snapshot

As of 31 March 2021, there were 420,186 valid Mobility Parking Permits in NSW. Of these:

- 395,855 were for individuals
- 15,799 were for organisations
- 8,532 were temporary permits.



Susan Wood's story

I grew up in the Blue Mountains just down the road from a train station, that wasn't accessible by any means. The nearest accessible train station was a 20-minute drive up the highway to Katoomba.

As someone who had paraplegia from a stroke at birth, I'd grown up very aware of what kind of future I needed for myself and if I were to remain as independent as possible driving was a necessity.

At the time, it wasn't possible to take public transport easily and I would drive everywhere. There are so many things to factor in when you're a driver with a disability. It's not as simple as finding any available space.

For me, my wheelchair pulls apart and I put it beside me in the passenger side. Doing this requires a space wide enough, as flat a surface as possible and most importantly somewhere safe.

I moved to the Inner West of Sydney at 23 and a part of me assumed that a denser population meant that it would be easier to drive around and find accessible parking, but it was almost like the issues I had were intensified.

Going out, no matter what disability the driver has, requires planning. You plan to circle block after block with an ever-increasing radius because all the accessible spaces are taken. You plan to give up available accessible places because they have been placed on an uphill slant or it's too narrow. You think about how much of your safety you are willing to risk to find a car park in an area that has a mix of cars, buses and cyclists, and sometimes you plan to give up your day and go home.

I've been driving for 20 years and am one of a wide pool of drivers with disabilities with a wide range of modified vehicles that needs to be planned for. It's not easy to be a driver with a disability when the society around you hasn't planned for you.



The rise in demand for disabled parking

The Mobility Parking Scheme (MPS) is vital to maintaining the mobility and participation of people with disabilities. To be eligible for a NSW permit you must demonstrate that you have a disability that meets certain eligibility criteria and is verified by a doctor.

However, having a permit does not mean finding available, and appropriate, accessible parking spaces is easy.

The total number of C-class licences issued across NSW has increased from approximately four million in the mid-2000s, to over five million in 2020. This means that the licence issuance rate has increased by one million, or by approximately 25 per cent.

Individual disabled parking permits have increased from approximately 250,000 in the mid-2000s, to nearly 400,000 in 2020-21. This means the issuance rate has increased by 150,000 permits, or approximately 60 per cent.

Overall, in the late 2000s, the ratio of individual MPS permits to C-class licences was approximately 6.5 per cent. This rate grew to 7.5 per cent by 2011, bucking the trend of the previous decade where rates remained relatively stable.

While rates of accessible parking supply in the community have remained constant over the medium term, the gross number and proportion of disabled parking permits as a per capita percentage of overall licences issued has increased. This suggests that demand for available, and appropriate, accessible parking spaces is increasing and supply has not kept pace with demand.

Under the Disability Discrimination Act 1992, the legislation specifies that many buildings, including shopping centres, only require two per cent of parking spaces to be accessible.³ For other buildings, including apartment buildings, the minimum requirement for accessible parking spaces is only one per cent. This suggests that it does not meet the need of accessible parking spaces for the eight per cent of Class C MPS permit holders.

With an ageing population and increasing autonomy for people with disabilities, greater consideration needs to be given to the supply of accessible parking spaces to accommodate the increasing number of MPS permits on issue. The ratio of accessible parking spaces should also be increased accordingly.

Individual MPS permits have increased by approximately 60 per cent in just 13 years.

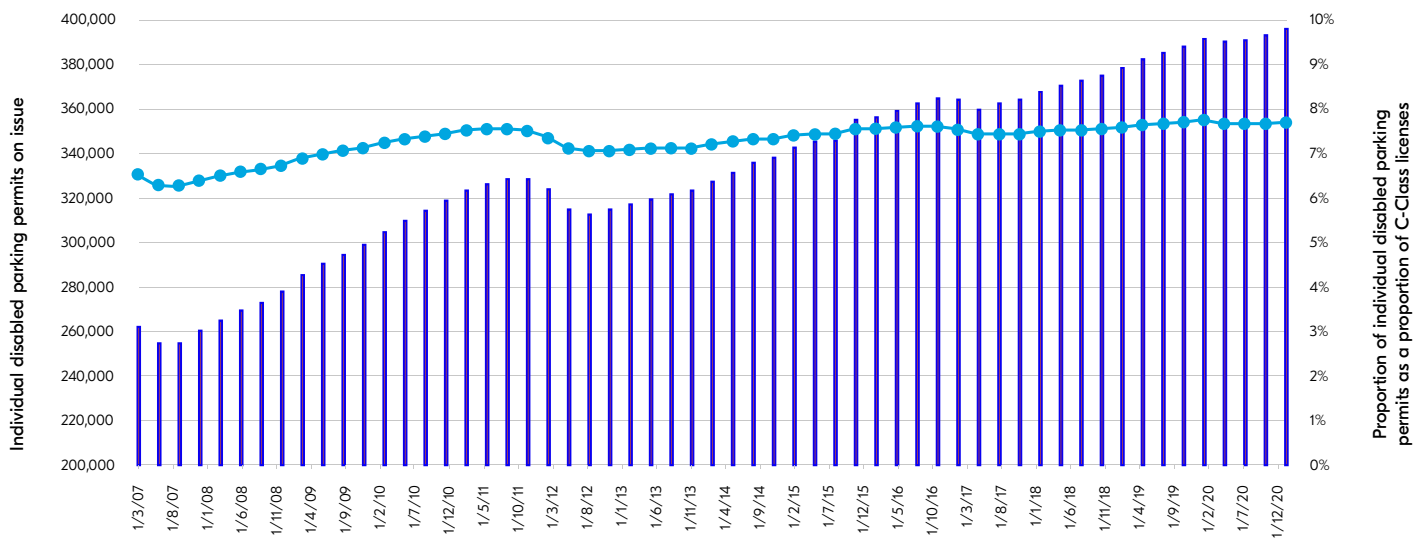
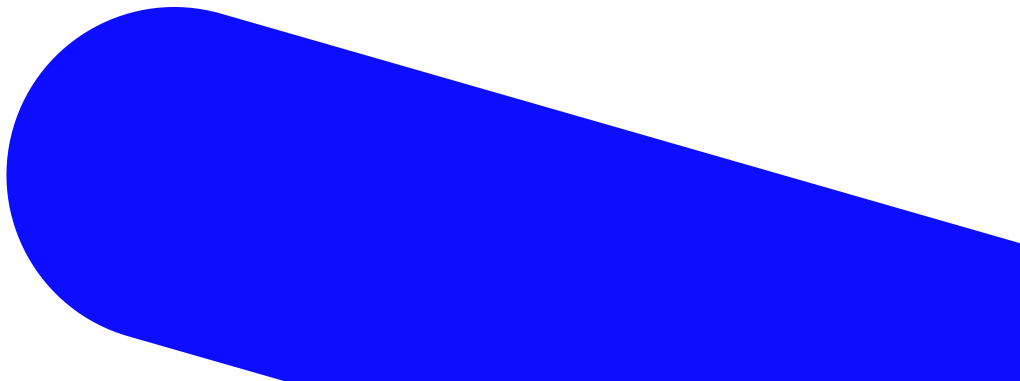
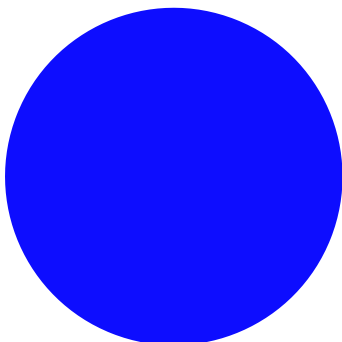


Figure 1. Individual Mobility Parking Permits (MPS) compared to C Class licences. Source: Transport for NSW

Real time data needed

Travelling by car anywhere requires an extensive amount of planning if you already know that limited accessible and suitable car parks may not be available. For drivers and passengers with disabilities, this can be a minefield, and can significantly limit inclusion and connection to the community. Poor access can also limit education, health and employment options. Innovation and technology can play a vital role to help alleviate this issue.

Earlier this year, the NRMA supported the NSW Government's Parking Summit and called for real-time data for every private and council-held parking space across NSW to be made readily available through app technology. The NRMA supports this initiative and is committed to supporting efforts through the myNRMA app. The NRMA believes that this should also be extended to include accessible parking spaces.



Suitability of disabled parking spots

Anecdote from SCIA members highlights concerns with the suitability of accessible parking spaces for drivers with disabilities. These concerns include the ability for drivers who use wheelchairs to safely enter and exit their vehicle, as well as finding a safe path of travel from the car parking space to adjoining footpaths and building entrances.

The Australian Standard specifies the minimum requirements for the provision of off-street and on-street parking facilities for people with disabilities.^{4,5} There continues to be significant developments in vehicular modifications, which allows individuals with disabilities far greater autonomy to drive independently.

In the past, an individual with a disability may have had to rely on a support worker to drive or be a passenger in a vehicle. Increasingly, with the ability to access support funding to modify vehicles, there will be more individuals with disabilities on the road.

Overall, the Australian Standard appears to be broadly satisfactory in that it allows a degree of flexibility to accommodate access from both the driver and passenger side depending on the fit-out of the vehicle and the mobility level of the individual.

In a parallel parking situation, both the on-street and off-street standard have minimum dimensions of 3.2 metres wide and 7.8 metres long, supported by kerb ramps. Notably, the on-street parking Standard outlines that "accessible on-street parking is not recommended for roadways with speed limits exceeding 50km/h or two-way traffic volumes exceeding 200 vehicles per hour".

While the Australian Standard may be broadly adequate, the application of the Standard has, at many times, fallen short. SCIA members have indicated that some accessible parking spaces do not meet the needs and specific parking requirements of a driver or passenger with a disability. They may be of inadequate dimensions, can be located on steep hills, making it extremely difficult to get in and out of the vehicle, or there may be no kerb ramps, preventing a safe and

accessible path of travel from the accessible parking space to a footpath, building or residence entrance. It is important to note that the allocation of on-street accessible parking spaces is generally managed by local councils.

Each council determines where these parking spaces are placed on local streets. Policies around allocating these spaces near private residences of MPS permit holders also vary from council to council.

According to the NSW Disability Inclusion Plan 2015, a primary focus area for all stakeholders in NSW is creating liveable and accessible communities.⁶

We also know that creating liveable communities is about more than just increasing physical accessibility. It includes creating opportunities for social engagement, improving quality of personal, social and business interactions and the way in which information is provided.⁷

An audit of accessible parking spaces should be conducted by councils to determine the compliance of spaces 'in the real world' and to ascertain whether spaces are constructed in accordance with the Standard. It is imperative that disabled parking meets the accessibility and safety needs of drivers with disability, their specific modifications and vehicles, as well as passengers.

Issues

Corner of Leichhardt Street and Marion Street, Leichhardt NSW

Limited accessibility from vehicle for both drivers and passengers with disabilities, angle of parking is problematic, too close to busy intersection and no proximal access to ramps.



Corner of Clarence Street and Jamison Street, Sydney NSW

Located near busy CBD intersection and overlaps with a bus stop, parking spot appears to be narrower than the standard required, driver has to take wheelchair out onto traffic, no safe route from vehicle to footpath, no proximal kerb ramps, wheelchair user has to wheel down the street to gain access to the footpath on the corner.



Getting behind the wheel

For many people with a disability, getting a drivers licence can be a very long and very expensive process, if achievable at all. However, the NDIS has helped make driving a reality for many people with disabilities.

The NDIS provides funding for specialist driving lessons and vehicle modifications for eligible people, however it does not generally fund a vehicle.⁸ According to NDIS, there are more providers offering specialised driver training (eight per cent increase) and vehicle modifications

(eight per cent increase) with 17 to 22 per cent active for the first time.

This coincides with the increase in permits issued to individuals in NSW. Research is needed to ascertain the unmet needs of drivers with disability requiring accessible parking.

While getting a drivers licence is a costly and long process, the independence and freedom it provides is immeasurable.

Catching parking cheats

Enforcement of accessible parking is conducted by NSW Police and authorised council parking officers for both on- street and council operated car parks.

The scheme is not generally enforced in private car parks. Parking concessions for permit holders are available for timed on-street and council operated parking, but there are no concessions for private car parks.

After concerns were raised by Members, the NRMA successfully advocated for increased penalties for people who illegally park in accessible parking spaces. In 2014, a demerit point penalty was introduced on top of a hefty fine for anyone caught parking in an accessible parking space without a current permit displayed. During the 2021 financial year, there were 12,992 fines issued to drivers for this offence.¹ This alarming figure clearly shows that people are still not getting the message.

Although all types of misuse should be addressed, it is important to tackle one of the highest levels of misuse – knowingly using someone else's permit without the presence of the permit holder. While detecting this offence can be a very difficult process, sufficient deterrents must be introduced to stop repeat offenders.

For non-permit holders, more enforcement paired with a targeted education campaign promoting the heavy penalties is needed to deter illegal parking. Signage displaying the demerit point penalty near accessible parking spaces could also be used to deter drivers from parking illegally.

Signage should also include contact information of relevant enforcement officers (such as local council or building management) to allow members of the public to report misuse of the parking spaces.

Harsher penalties should also apply for second or subsequent offences, such as a substantial increase of the monetary fine and loss of more demerit points. Broader education campaigns should also be undertaken and targeted to the following audiences:

- Mobility Permit holders – To educate them about their rights and the complaint mechanisms.
- Health practitioners – To educate them about the MPS eligibility criteria.
- Wider public – Promote laws and penalties, real world consequences, and the importance of the MPS.



Reporting misuse and illegal parking

People are rightly frustrated and angry when they witness drivers misusing accessible parking. When a MPS permit is not displayed the misuse is obvious. However, determining if someone is fraudulently misusing a disabled parking permit is not easy and should not be assumed. Someone's disability may not be visible. People often turn to social media platforms to vent their frustrations by naming and shaming alleged offenders.

In 2007, the Mobility Parking Scheme Hotline was launched to report suspected misuse of disability parking permits, report medical practitioners suspected of incorrectly issuing permits, and report persons suspected of not being mobility impaired. The hotline has received 964 calls to date.

Apps such as Snap Send Solve are also being used to report illegal disabled parking to the appropriate authorities. In 2020, 1,859 reports of illegal disabled parking across Australia occurred via the Snap Send Solve app.⁹

Reporting people without permits

- Report it directly to the relevant enforcement officers such as local councils.
- For privately operated car parks or shopping centres, report the issue to centre management.

Hotline

Calls to the 1300 884 899 NSW Mobility Parking Scheme hotline are not anonymous. Callers need to provide the Mobility Parking Scheme permit number of the alleged person or the name of the permit holder.



"I have a permit but to look at me you wouldn't think there was much wrong with me. I get those accusing stares all the time and one of these days I'm going to ask them if they'd like to see the scars from all my ops, back, both knees etc. I shouldn't have to feel this way, I'm in constant pain but try not to show it, am I now going to be harassed by some official about parking? I know there are others like me and the last thing we need is more stress. I don't have a solution, maybe someone does?"

NRMA Member



Private car parks

Private car parks are generally distinguishable as they operate behind a boom gate. There are no parking concessions for MPS permit holders in these car parks. Private car parks (e.g. shopping centres) operate under their own rules and disabled parking laws are usually not enforced in private car parks.

To park in a designated accessible parking space within a private car park, you must display a valid permit and pay fees required by the operator. Some private car parks in shopping centres offer complimentary parking for permit holders upon registering their permit. However, enforcement of accessible parking laws on private property is lacking.

Private car park operators should be encouraged to allow police or other authorised enforcement officers access to their property to enforce disabled parking laws. Operators who enable this on their properties could be promoted as accessible parking friendly through location signage or through the NSW Government Parking App.

Consideration should also be given to the height of ticketing systems and accessible parking for people with disability that do not need to be close to the entrance but require a wider car parking space.



"The closest parking station is actually not wheelchair accessible. You can drive a car in there, but you can't get the ticket out of the ticket machine, because it's way down too low if you're in a van. And you can't pay for your parking...The slot to put your ticket in is too high. Parking stations are another one that get scant attention. If you got somebody, they can jump [out of the van] too, but if you're on your own, no."

SCIA Member

McDonald's North Parramatta + City of Parramatta

Cnr Church St & Victoria Rd,
North Parramatta NSW

McDonald's North Parramatta is located near CommBank Stadium, within walking distance to Parramatta CBD, and Church St restaurants where parking is a premium. If limited parking for patrons including disabled parking spots were being used by the general public.

For several years, McDonald's North Parramatta has had an agreement with the City of Parramatta to allow authorised enforcement officers onsite to issue parking fines including disabled parking.



Image courtesy of Google Maps

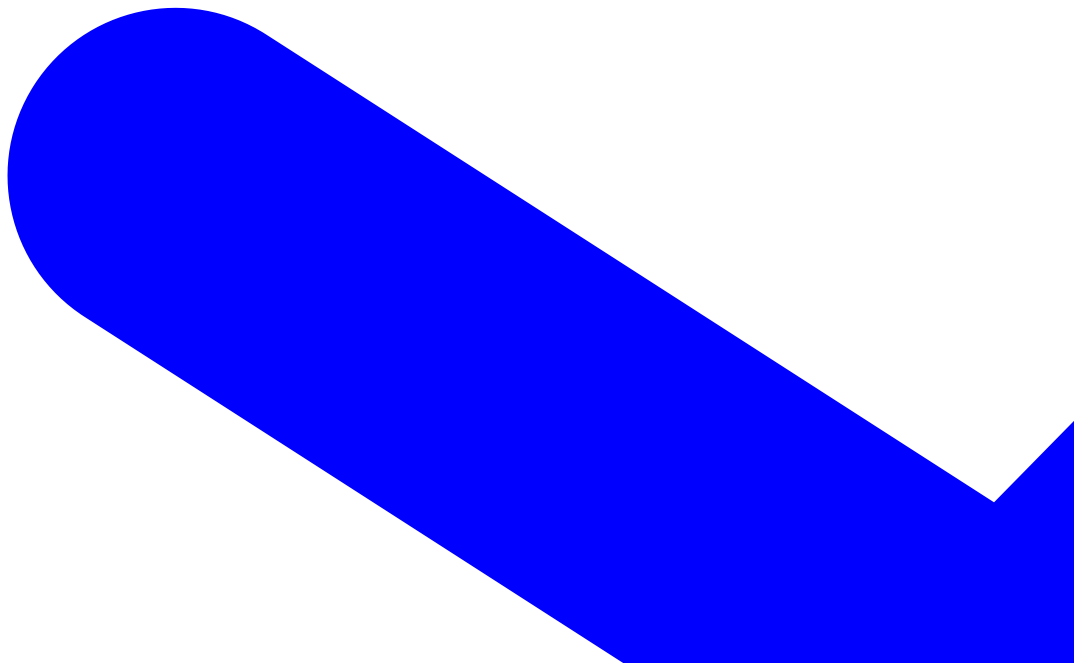
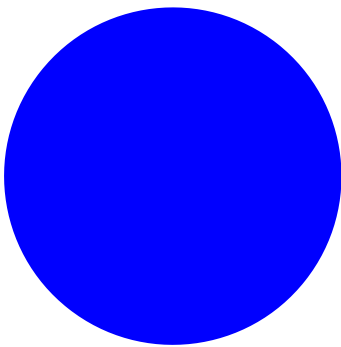
Conclusion

As the NDIS continues to increase the capacity for people with disabilities to drive autonomously, city planning, both public and private, will need to continue to increase the provision of accessible and suitable parking spaces.

It is clear that the current situation of accessible car parks, particularly in metropolitan areas, is unsuitable and insufficient. This needs to be urgently addressed through an audit of accessible parking spaces across NSW, promotion of real-time parking collection platforms, greater penalty enforcement, signage displaying demerit point penalty and a targeted education campaign.

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