

# SENATE BILL REPORT

## SB 5902

---

As Reported by Senate Committee On:  
Ways & Means, February 25, 2009

**Title:** An act relating to promoting accessible communities for persons with disabilities.

**Brief Description:** Promoting accessible communities for persons with disabilities.

**Sponsors:** Senators Pridemore, Fraser, McAuliffe, Kline, Kohl-Welles and McDermott.

**Brief History:**

**Committee Activity:** Ways & Means: 2/19/09, 2/25/09 [DPS, w/oRec].

---

### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 5902 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Fairley, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Parlette, Pridemore, Regala and Rockefeller.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Carrell and Pflug.

**Staff:** Jenny Greenlee (786-7711)

**Background:** Currently, any person blocking a parking space reserved for a person with physical disabilities or its access aisle can be fined a penalty of \$250. A \$250 fine can also be charged to any persons using a special license plate or placard who do not meet the qualifications. Local jurisdictions keep this amount to use for law enforcement.

In 2006 ESHB 2479 required county auditors to establish an advisory committee to assist elections officials in improving the accessibility of elections for voters with disabilities, made up of people with diverse disabilities and accommodation experts. Counties may form joint advisory committees if the total population of the joining counties does not exceed 30,000 and the counties are geographically adjacent.

The Governor's Committee on Disability Issues and Employment was created by executive order in 1987 and advises the Governor, Legislature and other policy-makers on issues

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

affecting people who have disabilities. The committee also recognizes employers employing people with disabilities, monitors equal opportunity and access legislation, and provides training and technical assistance to the business community and the public. At least 50 percent of the members are required to be persons with a disability. The committee is staffed and supported by the Employment Security Department.

The Emergency Management Council advises the Governor and the General of the Washington Military Department regarding state and local emergency management. The council consists of 17 members appointed by the Governor and includes representatives of local governments, including cities and counties, sheriffs, police and fire chiefs, the Washington State Patrol, and professionals knowledgeable in emergency and hazardous materials management. Council duties include developing recommendations for improving emergency management practices, conducting an annual assessment of statewide emergency preparedness, and acting as the state emergency response commission.

**Summary of Bill (Recommended Substitute):** The Governor's Committee on Disability Issues and Employment must oversee grant funding for proposals from accessible community advisory committees that promote greater awareness of disability issues. They must also establish an accessible communities website to provide technical assistance to local governments and accessible community advisory committees, examples of best practices, and a searchable listing of local public accommodations.

The county advisory committees are renamed to accessible community advisory committees and these committees may be reimbursed for travel and meeting costs and receive grant funding. Counties looking to form joint committees can exceed a combined population of 30,000 as long as not more than one of the participating counties has a population greater than 70,000.

The Governor's Office, under the guidance of the Emergency Management Council, will facilitate a state and local work group in developing a planning template for local emergency management jurisdictions to use in identifying and responding to the needs of persons with disabilities in disasters. The template must be completed and approved by the Governor by July 2010. Local emergency management jurisdictions must complete the planning template and make any necessary changes to local emergency management plans by 2012.

An additional \$200 is added to the penalty currently charged for parking in or blocking a space reserved for persons with physical disabilities or for falsely using a placard or special license plate. The courts retain the discretion to reduce the entire penalty but must do so proportionally. This additional penalty must be deposited into the Accessible Communities Account, also created in this bill. Expenditures from the account can be used for:

- reimbursing travel and meeting expenses for county accessible community advisory committees and the disaster response work group;
- creating and maintaining the accessible communities website;
- making changes to court software;
- providing technical assistance for county accessible community advisory committees;
- and
- issuing grants to county accessible community advisory committees.

Only the Commissioner of the Employment Security Department may authorize expenditures. The account is budgeted but does not require an appropriation and earns interest.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Substitute):** The substitute bill clarifies that the court may reduce the penalty amount in the same manner that parking infractions are reduced, and the reduction is allocated proportionately. Also allows the costs associated with reprogramming court software to be reimbursed out of the Accessible Communities Account.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed; except for section 7 which takes effect August 1, 2009.

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill supports the inclusion of people with special needs in the disaster planning process and ensures the inclusion of their needs in local disaster plans. By expanding the use of the existing voting accessibility committees, local communities can build a culture of inclusivity and use an existing structure to address broader issues of accessibility. People with disabilities bring expertise to the table by giving examples of barriers they currently face and also ideas about how to overcome those barriers. The funding in the bill can mitigate the increased costs associated with holding meetings and trainings for people with special needs, due to enhanced accessibility issues.

**Persons Testifying:** PRO: Sheri Badger, Washington State Emergency Management Association; Jim Morris, Governor's Committee on Disability Issues and Employment; David Long, Disability Rights Washington.