

HOUSE BILL REPORT

HB 1634

*As Reported By House Committee on:
Judiciary*

Title: An act relating to penalties for improper use of parking spaces for disabled persons.

Brief Description: Adjusting fines for improper parking in a disabled space.

Sponsor(s): Representatives Winsley, Appelwick, Forner, Padden, Vance, Miller, D. Sommers, Tate, Wood, Wynne, Horn, Bowman, Neher, Holland, Moyer, Casada, Mitchell, Paris, Chandler, Ferguson, Betrozoff, Lisk, Cole, Scott, R. Johnson, Kremen, Riley, Ballard and Anderson.

Brief History:

Reported by House Committee on:
Judiciary, February 20, 1991, DPS.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1634 be substituted therefor, and the substitute bill do pass.*
Signed by 19 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Bill Perry (786-7123).

Background: Persons with certain serious physical disabilities may receive special parking privileges from the Department of Licensing. The special privileges may be evidenced by special license plates, cards or decals.

In both public and private parking areas, certain parking places are reserved for persons with these special parking privileges. It is a traffic infraction with a penalty of between \$15 and \$50 for an unauthorized person to park in a place reserved for physically disabled persons.

Fines imposed for infractions are subject to surcharges totaling 90 percent of the fine. The fine and surcharge are split between the local jurisdiction imposing the infraction

and the state's public safety and education account (PSEA). With a basic fine of \$50, for example, the offender would pay \$95, of which \$40.60 goes to PSEA and \$54.40 stays with the local jurisdiction.

Summary of Substitute Bill: The fine for unauthorized parking in a place reserved for disabled persons is set at \$50. That portion of the fine that is retained by the local jurisdiction must be used for law enforcement. Additional penalties may be imposed to cover the costs of removal and storage of improperly parked vehicles.

Substitute Bill Compared to Original Bill: The original bill sets the fine at not less than \$75. Twenty-five dollars of the fine would go to PSEA, and \$50 to the local jurisdiction.

Fiscal Note: Requested February 9, 1991.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: A common complaint among persons with disabilities is that parking spaces reserved for them are often taken by unauthorized drivers. The current level of enforcement is too low, and the bill will provide an incentive to local law enforcement officials.

Testimony Against: None.

Witnesses: Della Shaffer, Human Rights Commission (in favor); Nancy Wuerth, Governor's Committee on Disability Issues and Employment (in favor); Sharon Hansen, Developmental Disabilities Planning Council (in favor); Jeff Larsen, Washington Assembly for Citizens with Disabilities (in favor); and Janet McLane, Office of the Administrator for the Courts (commented on the bill).