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HOUSE BILL 2417

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State of Washington                      52nd Legislature                      1992 Regular Session

By Representatives R. Fisher, Prentice, Bowman and Carlson

Read first time 01/16/92. Referred to Committee on Transportation.

1            AN ACT Relating to the use of disabled parking spaces by boarding  
2 homes; and amending RCW 46.16.381.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 46.16.381 and 1991 c 339 s 21 are each amended to read  
5 as follows:

6            (1) The director shall grant special parking privileges to any  
7 person who has a disability that limits or impairs the ability to walk  
8 and meets one of the following criteria, as determined by a licensed  
9 physician:

10            (a) Cannot walk two hundred feet without stopping to rest;

11            (b) Is severely limited in ability to walk due to arthritic,  
12 neurological, or orthopedic condition;

1 (c) Is so severely disabled, that the person cannot walk without  
2 the use of or assistance from a brace, cane, another person, prosthetic  
3 device, wheelchair, or other assistive device;

4 (d) Uses portable oxygen;

5 (e) Is restricted by lung disease to such an extent that forced  
6 expiratory respiratory volume, when measured by spirometry is less than  
7 one liter per second or the arterial oxygen tension is less than sixty  
8 mm/hg on room air at rest;

9 (f) Impairment by cardiovascular disease or cardiac condition to  
10 the extent that the person's functional limitations are classified as  
11 class III or IV under standards accepted by the American Heart  
12 Association; or

13 (g) Has a disability resulting from an acute sensitivity to  
14 automobile emissions which limits or impairs the ability to walk. The  
15 personal physician of the applicant shall document that the disability  
16 is comparable in severity to the others listed in this subsection.

17 (2) Persons who qualify for special parking privileges are entitled  
18 to receive from the department of licensing a removable windshield  
19 placard bearing the international symbol of access. The department  
20 shall design the placard to be displayed when the vehicle is parked by  
21 suspending it from the rearview mirror, or in the absence of a rearview  
22 mirror the card may be displayed on the dashboard of any vehicle used  
23 to transport the disabled person. Instead of regular motor vehicle  
24 license plates, disabled persons are entitled to receive special  
25 license plates bearing the international symbol of access for one  
26 vehicle registered in the disabled person's name. Disabled persons who  
27 are not issued the special license plates are entitled to receive a  
28 second special placard. Persons who have been issued the parking  
29 privileges and who are using a vehicle or are riding in a vehicle  
30 displaying the special license plates or placard may park in places

1 reserved for mobility disabled persons. The director shall adopt rules  
2 providing for the issuance of special placards and license plates to  
3 public transportation authorities, nursing homes licensed under chapter  
4 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior  
5 citizen centers, and private nonprofit agencies as defined in chapter  
6 24.03 RCW that regularly transport disabled persons who have been  
7 determined eligible for special parking privileges provided under this  
8 section. The director may issue special license plates for a vehicle  
9 registered in the name of the public transportation authority, nursing  
10 home, boarding homes, senior citizen center, or private nonprofit  
11 agency if the vehicle is primarily used to transport persons with  
12 disabilities described in this section. Public transportation  
13 authorities, nursing homes, boarding homes, senior citizen centers, and  
14 private nonprofit agencies are responsible for insuring that the  
15 special placards and license plates are not used improperly and are  
16 responsible for all fines and penalties for improper use.

17 (3) Whenever the disabled person transfers or assigns his or her  
18 interest in the vehicle, the special license plates shall be removed  
19 from the motor vehicle. If another vehicle is acquired by the disabled  
20 person and the vehicle owner qualifies for a special plate, the plate  
21 shall be attached to the vehicle, and the director shall be immediately  
22 notified of the transfer of the plate. If another vehicle is not  
23 acquired by the disabled person, the removed plate shall be immediately  
24 surrendered to the director.

25 (4) The special license plate shall be renewed in the same manner  
26 and at the time required for the renewal of regular motor vehicle  
27 license plates under this chapter. No special license plate may be  
28 issued to a person who is temporarily disabled. A person who has a  
29 condition expected to improve within six months may be issued a  
30 temporary placard for a period not to exceed six months. The director

1 may issue a second temporary placard during that period if requested by  
2 the person who is temporarily disabled. If the condition exists after  
3 six months a new temporary placard shall be issued upon receipt of a  
4 new certification from the disabled person's physician. The parking  
5 placard of a disabled person shall be renewed, when required by the  
6 director, by satisfactory proof of the right to continued use of the  
7 privileges.

8 (5) Additional fees shall not be charged for the issuance of the  
9 special placards. No additional fee may be charged for the issuance of  
10 the special license plates except the regular motor vehicle  
11 registration fee and any other fees and taxes required to be paid upon  
12 registration of a motor vehicle.

13 (6) Any unauthorized use of the special placard or the special  
14 license plate is a misdemeanor.

15 (7) It is a traffic infraction, with a monetary penalty of not less  
16 than fifteen and not more than fifty dollars for any person to park a  
17 vehicle in a parking place provided on private property without charge  
18 or on public property reserved for physically disabled persons without  
19 a special license plate or placard. If a person is charged with a  
20 violation, the person shall not be determined to have committed an  
21 infraction if the person produces in court or before the court  
22 appearance the special license plate or placard required under this  
23 section.

24 (8) It is a misdemeanor for any person to willfully obtain a  
25 special license plate or placard in a manner other than that  
26 established under this section.