

2 **ESHB 2647** - S COMM AMD
3 By Committee on Transportation

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5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 46.16.381 and 1993 c 106 s 1 are each amended to read
8 as follows:

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

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

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

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

19 (d) Uses portable oxygen;

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

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

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

32 (2) Persons who qualify for special parking privileges are entitled
33 to receive from the department of licensing a removable windshield
34 placard bearing the international symbol of access. The department
35 shall design the placard to be displayed when the vehicle is parked by
36 suspending it from the rearview mirror, or in the absence of a rearview

1 mirror the card may be displayed on the dashboard of any vehicle used
2 to transport the disabled person. Instead of regular motor vehicle
3 license plates, disabled persons are entitled to receive special
4 license plates bearing the international symbol of access for one
5 vehicle registered in the disabled person's name. Disabled persons who
6 are not issued the special license plates are entitled to receive a
7 second special placard. Persons who have been issued the parking
8 privileges and who are using a vehicle or are riding in a vehicle
9 displaying the special license plates or placard may park in places
10 reserved for mobility disabled persons. The director shall adopt rules
11 providing for the issuance of special placards and license plates to
12 public transportation authorities, nursing homes licensed under chapter
13 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior
14 citizen centers, ~~((and))~~ private nonprofit agencies as defined in
15 chapter 24.03 RCW, and vehicles registered with the department as
16 cabulances that regularly transport disabled persons who have been
17 determined eligible for special parking privileges provided under this
18 section. The director may issue special license plates for a vehicle
19 registered in the name of the public transportation authority, nursing
20 home, boarding homes, senior citizen center, ~~((or))~~ private nonprofit
21 agency, or cabulance service if the vehicle is primarily used to
22 transport persons with disabilities described in this section. Public
23 transportation authorities, nursing homes, boarding homes, senior
24 citizen centers, ~~((and))~~ private nonprofit agencies, and cabulance
25 services are responsible for insuring that the special placards and
26 license plates are not used improperly and are responsible for all
27 fines and penalties for improper use.

28 (3) Whenever the disabled person transfers or assigns his or her
29 interest in the vehicle, the special license plates shall be removed
30 from the motor vehicle. If another vehicle is acquired by the disabled
31 person and the vehicle owner qualifies for a special plate, the plate
32 shall be attached to the vehicle, and the director shall be immediately
33 notified of the transfer of the plate. If another vehicle is not
34 acquired by the disabled person, the removed plate shall be immediately
35 surrendered to the director.

36 (4) The special license plate shall be renewed in the same manner
37 and at the time required for the renewal of regular motor vehicle
38 license plates under this chapter. No special license plate may be
39 issued to a person who is temporarily disabled. A person who has a

1 condition expected to improve within six months may be issued a
2 temporary placard for a period not to exceed six months. The director
3 may issue a second temporary placard during that period if requested by
4 the person who is temporarily disabled. If the condition exists after
5 six months a new temporary placard shall be issued upon receipt of a
6 new certification from the disabled person's physician. The parking
7 placard of a disabled person shall be renewed, when required by the
8 director, by satisfactory proof of the right to continued use of the
9 privileges.

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

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

17 (7) It is a traffic infraction, with a monetary penalty of
18 (~~fifty~~) seventy-five dollars for any person to park a vehicle in a
19 parking place provided on private property without charge or on public
20 property reserved for physically disabled persons without a special
21 license plate or placard. If a person is charged with a violation, the
22 person shall not be determined to have committed an infraction if the
23 person produces in court or before the court appearance the special
24 license plate or placard required under this section. A local
25 jurisdiction providing on-street parking places reserved for physically
26 disabled persons may impose by ordinance time restrictions on the use
27 of these parking places. A notice of traffic infraction issued under
28 this subsection is a parking infraction.

29 (8) The portion of a penalty imposed under subsection (7) of this
30 section that is retained by a local jurisdiction under RCW 3.46.120,
31 3.50.100, 3.62.020, 3.62.040, or 35.20.220 shall be used by that local
32 jurisdiction exclusively for law enforcement. The court may also
33 impose an additional penalty sufficient to reimburse the local
34 jurisdiction for any costs it may have incurred in removal and storage
35 of the improperly parked vehicle.

36 (9) It is a misdemeanor for any person to willfully obtain a
37 special license plate or placard in a manner other than that
38 established under this section."

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4 In line 1 of the title, after "privileges;" strike the remainder of
5 the title and insert "amending RCW 46.16.381; and prescribing
6 penalties."

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