

HOUSE BILL REPORT

ESHB 2647

As Passed House
February 10, 1994

Title: An act relating to special parking privileges.

Brief Description: Granting special parking privileges to cabulances.

Sponsors: By House Committee on Transportation (originally sponsored by Representative Peery).

Brief History:

Reported by House Committee on:
Transportation, February 1, 1994, DPS;
Passed House, February 10, 1994, 94-0.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives R. Fisher, Chair; Brown, Vice Chair; Jones, Vice Chair; Schmidt, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Backlund; Brough; Brumsickle; Eide; Finkbeiner; Forner; Fuhrman; Hansen; Heavey; Horn; Johanson; J. Kohl; R. Meyers; Orr; Patterson; Quall; Romero; Sheldon; Shin and Zellinsky.

Staff: Mary McLaughlin (786-7309).

Background: The special parking program for persons with disabilities entitles an individual to park, free of charge, in spaces reserved for people with disabilities, public zones and metered parking areas. The intent of the law is to aid persons for whom travel is impossible or impractical. The law is viewed not as a privilege, but as an essential accommodation for movement.

In addition to individuals with specific disabilities that impair mobility, the special parking privilege is extended to public transportation authorities, nursing homes, boarding homes, senior citizen centers, and private nonprofit agencies regularly transporting persons with limited mobility. The Department of Licensing (DOL) is responsible for administration of the licensing provisions and may issue special placards and license plates to the agency providing the service. The entity providing the

service is responsible for any fines or penalties incurred for improper use.

A "cabulance" is a taxicab, or other for-hire passenger vehicle, that is specially equipped to accommodate a person confined to a wheelchair, or otherwise physically restricted. Because of the nature of the service, cabulances should be considered for inclusion in the list of agencies eligible for the special parking privilege. There are currently 25 cabulances operating in the state of Washington.

The base fine for illegally parking in a space reserved for persons with disabilities is \$50. The total fine is \$90, after including the 90 percent statutory assessments. The Administrator for the Courts treats this fine as a "moving" infraction, i.e., 90 percent is added to the base fine. The base penalty and 60 percent assessment are split 68 percent local and 32 percent state - public safety and education account (PSEA). The revenue from the 30 percent assessment is remitted directly to the PSEA. No assessment is attached to a "parking" infraction and the revenue remains with the local jurisdictions.

In 1993, the Legislature further delineated the differences between "moving" and "parking." Parking infractions are not included in DOL's driver's record or driver's abstract available to insurance companies. The vehicle license is not renewed until all outstanding parking fines are paid. Disabled parking violations are the only parking violations that have traditionally been subject to the PSEA. For other parking violations, there is no added assessment, and the base fine remains with the local jurisdiction.

Summary of Bill: Cabulances join the list of entities providing transportation services for persons with disabilities, that are eligible for the special parking program administered by DOL.

The base or monetary fine for illegally parking in a space reserved for persons with disabilities is raised from \$50 to \$75. The violation is treated as a "parking" infraction, except that the 90 percent statutory public safety and education assessment is added to the \$75 base fine (total fine of \$142.50).

Fiscal Note: Requested January 26, 1994. New fiscal note requested on February 2, 1994.

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

Testimony For: None.

Testimony Against: None.

Witnesses: None.