

SENATE BILL REPORT

ESHB 2647

AS REPORTED BY COMMITTEE ON TRANSPORTATION, FEBRUARY 23, 1994

**Brief Description:** Granting special parking privileges to cabulances.

**SPONSORS:** House Committee on Transportation (originally sponsored by Representative Peery)

**HOUSE COMMITTEE ON TRANSPORTATION**

**SENATE COMMITTEE ON TRANSPORTATION**

**Majority Report:** Do pass as amended.

Signed by Senators Vognild, Chairman; Loveland, Vice Chairman; Skratek, Vice Chairman; Drew, Haugen, Morton, Nelson, Oke, Prentice, Prince, M. Rasmussen, Schow, Sellar, Sheldon and Winsley.

**Staff:** Mary McLaughlin (786-7309)

**Hearing Dates:** February 23, 1994

**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 \$95, 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:**

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).

**SUMMARY OF PROPOSED COMMITTEE AMENDMENT:**

The 90 percent public safety and education assessment is removed from the parking fine imposed for illegally using a space reserved for persons with disabilities. The \$75 fine remains with the local jurisdiction.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested

**TESTIMONY FOR:**

Removal of the assessment streamlines administration. Increasing the fine is warranted to deter use of reserved parking spaces.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Cheryl Marshall, WA Assembly for Citizens With Disabilities (pro); Bill Fosbre, Office of the Administrator for the Courts (pro)